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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Tuesday 8 May 2018**

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# House of Commons

*Tuesday 8 May 2018*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### HEALTH AND SOCIAL CARE

*The Secretary of State was asked—*

#### Access to Social Care

1. **Mike Gapes** (Ilford South) (Lab/Co-op): What steps he is taking to improve access to social care for people living with unmet social care needs. [905157]

**The Secretary of State for Health and Social Care (Mr Jeremy Hunt):** The health and social care systems are inextricably linked, which is why we need to improve access to the social care system, and we will be setting out plans to do so in a Green Paper.

**Mike Gapes:** Age UK says that 1.2 million older people have unmet social care needs. Is it not time that we thought about integration in a practical way, and where we have acute hospitals with land next to them, such as King George Hospital in my constituency, we start to build sheltered accommodation or intermediate care on those sites so that people can easily be transferred into and out of the beds, freeing them up for other people who need them?

**Mr Hunt:** That is a wise suggestion, and it is exactly the direction of our thinking in the social care Green Paper, which will have a significant chapter on housing. Integration is not just about integrating health and social care; it is also about other services offered by local authorities. I commend, too, the hon. Gentleman's local authority of Redbridge: it is No. 1 in the country for user satisfaction with the social care system and No. 4 for carer satisfaction.

**Dr Sarah Wollaston** (Totnes) (Con): One of the most pressing issues for those who depend on social care is resolution of the back-pay issue for sleep-in shifts. Will the Secretary of State update the House with his own estimate of the liability? The independent sector puts this liability collectively at around £400 million. Will he also update us on the progress being made, because he will know that many sectors are handing back their contracts and withdrawing?

**Mr Hunt:** I thank my hon. Friend for raising this serious issue, and I can reassure her that a lot of work has been going on inside the Government to work out

how to resolve the issue. A court case is due that may have a material impact on those numbers, but we are continuing to work very hard and fully understand the fragility of the current market situation.

**Laura Smith** (Crewe and Nantwich) (Lab): In December, the health survey for England revealed that older people in more deprived areas are twice as likely as average to have unmet social care needs. Is this not yet another example of Tory cuts reducing councils' abilities to meet the requirements of people with care needs?

**Mr Hunt:** I welcome the question, but let me also gently tell the hon. Lady what the actual story is with respect to cuts. Yes, the social care budget was cut after the 2008 financial recession, but she may remember that a different party was in power when that happened. Under this Prime Minister, those cuts have been reversed and the social care budget is going up by £9.4 billion in this spending review period.

**Julia Lopez** (Hornchurch and Upminster) (Con): Inadequate social and primary care provision lies at the root of a great deal of pressure on hospital A&Es, so we need to plan much better for the demand for services at that level. Will the Secretary of State press the Treasury to ensure that receipts from NHS property transactions are retained by local healthcare trusts, so that they can build much larger primary care facilities than those currently planned?

**Mr Hunt:** My hon. Friend makes an important point: unless we make it easier for trusts to retain the receipts of property transactions, they will be likely to sit on these properties and we will not get the positive ideas such as that suggested earlier by the hon. Member for Ilford South (Mike Gapes), so we do need to find a way to make sure that local areas benefit when they do these deals.

**Barbara Keeley** (Worsley and Eccles South) (Lab): The Alzheimer's Society estimates that at least 10,000 people with dementia have been stuck in hospital in the last year despite being ready to leave, and many of the delays were caused by a lack of care in the community for them. There can be no more disorientating thing for a person with dementia than being stuck in hospital when they do not need to be there. So with dementia awareness week approaching, is it not time for the Secretary of State to meet the social care needs of people with dementia fully by meeting the funding gap for social care in this Parliament?

**Mr Hunt:** Let me explain what is happening on that front. In the first five years after 2010, social care funding went down by 1.3% a year—we had a terrible financial crisis that we were trying to deal with—but since then, in the current spending review period, it is going up by 2.2% a year, which is an 8% real-terms increase over this spending review period. I completely agree with the hon. Lady that we need to do a much better job. [*Interruption.*] Opposition Members talk from a sedentary position about priorities; our priority has been to get this economy on its feet so that we can put more money into the NHS and social care system, and that is what will continue to happen under a Conservative Government.

### Supporting People with Mental Health Problems

2. **Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): What role his Department has in supporting people with mental health problems to access help in relation to housing, debt and employment. [R] [905159]

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** The Department is working with the NHS and across the Government to increase the support available for people with mental illness and on related issues. This includes investing £39 million to double the number of employment advisers in IAPT—increasing access to psychological therapy—as well as reviewing the practice of GPs charging for evidence of patients in debt crisis and the introduction of a duty under the Homelessness Reduction Act 2017 for the NHS to refer people at risk of homelessness to the local authority.

**Dr Cameron:** A quarter of people experiencing mental health problems are also in problem debt, and eight out of 10 mental health practitioners surveyed have said that they have less time to deliver clinical care because they are being asked to assist with the task of writing up debt management plans. Does the Minister agree that to ensure the best chance of recovery, commissioning groups require to integrate advice alongside mental health care, particularly for those in problem debt?

**Jackie Doyle-Price:** The hon. Lady makes a sensible point. Of course it is true that people's personal circumstances are a symptom and a cause of mental ill health. We are doing more to enable those delivering mental health services to signpost people with problem debt to appropriate services. Clearly, that becomes easier where those services are co-located with citizens advice bureaux. In addition, the Breathing Space programme aims to provide a break for people with debt. I recognise, however, that this is a serious problem and that debt problems will cause mental illness.

**Andrew Bridgen** (North West Leicestershire) (Con): Will the Minister explain to the House how the Thriving at Work programme will play a role in improving public mental health as well as benefiting our working lives?

**Jackie Doyle-Price:** I thank my hon. Friend for his question. It is very much this Government's view that work is good for people's health, and the more we can encourage people to live independently and feel in control of their lives, the better their health outcomes will be. We absolutely stand by the Thriving at Work programme.

**Sir Vince Cable** (Twickenham) (LD): Is the Minister aware of the growing incidence of mental illness associated with gambling addiction and of the rapid rise in suicides as a consequence? Will she try to ensure that there is adequate psychiatric capacity within the NHS, and will she liaise with her colleagues in the Department for Digital, Culture Media and Sport on preventive action?

**Jackie Doyle-Price:** The right hon. Gentleman rightly identifies problem gambling as another important contributory factor to mental ill health. When it gets

out of hand, it can lead to considerable stress. We will of course work with the Department for Digital, Culture Media and Sport to ensure that we have the right regulatory processes in place, as well as ensuring that we are giving support to those who need it.

**Fiona Bruce** (Congleton) (Con): Does the Minister agree that, when children and young people have mental health challenges, it is important wherever possible to engage with their families to help them to overcome them?

**Jackie Doyle-Price:** What my hon. Friend says is self-evidently true. We are putting in more help in schools through the Green Paper, but we also need to ensure that we are engaged with families much earlier than that. We have the health visitor programme, and those visits help to build relationships with parents. We have also taken action on specific issues, including the initiative relating to the children of alcoholics. We will continue to focus support where it is needed.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. It is very good to welcome back to the Chamber the right hon. Member for Leicester East (Keith Vaz).

### National Diabetes Audit: Mental Health

3. **Keith Vaz** (Leicester East) (Lab): Whether he plans to include information on mental health in the national diabetes audit. [905160]

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** People with long-term health conditions such as diabetes are at a higher risk of mental health disorders, and we are determined to improve co-ordination between services. That is why the national diabetes audit has started collecting information from GP practices on people who have both diabetes and severe mental ill health.

**Keith Vaz:** I should like to declare my interest. As the Minister knows, three out of five people with diabetes suffer from emotional and psychological problems, including depression and anxiety. A survey recently showed that 76% of diabetics were offered no emotional or mental health support. Will she look at the excellent work that is being done by the NHS in Grampian in Scotland, to see whether its programme could be rolled out for the rest of the country?

**Jackie Doyle-Price:** I would be delighted to look at the progress being made in Grampian, and we are always keen to learn from the experiences of other nations. The right hon. Gentleman makes an excellent point: people with long-term physical conditions are more likely to suffer from mental ill health. As for NHS spending, at least £1 in every eight that is spent on long-term conditions is linked to poor mental health and wellbeing spend. We have also produced a pathway for people with long-term physical health conditions to deliver more effective IAPT—increasing access to psychological therapy—services for them. However, we can always continue to learn about this subject.

**Andrew Selous** (South West Bedfordshire) (Con): Obese adults are seven times more likely to have type 2 diabetes and the associated mental health problems that go with it. Is my hon. Friend that 140,000 obese children would qualify for adult tier 4 bariatric surgery, but there is little available? Should the NHS be fortunate enough to get some well-deserved extra money for its 70th anniversary, may I put in a bid for that area to be considered?

**Jackie Doyle-Price:** My hon. Friend is right that once children become obese they are going to become obese adults, with all the health problems that come with that. I do not want to steal the thunder of the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), but rest assured that we will examine what more we can do to tackle obesity in children.

**Jim Shannon** (Strangford) (DUP): I declare an interest as a type 2 diabetic. Bearing in mind that three out of five people with diabetes have mental health issues, will the Minister outline what support services GPs should be able to offer at the first diagnosis of diabetes? Early diagnosis is key.

**Jackie Doyle-Price:** I could not agree more. We need GPs to understand that they must consider a patient's needs as a whole, not just the condition that is presented at the time, and that message has been sitting behind the guidance that we have been issuing to GPs on how they manage patients with long-term health conditions.

### NHS Bursaries

4. **Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): What assessment he has made of the effect of the withdrawal of NHS bursaries on applications for nursing degrees. [905161]

5. **Stella Creasy** (Walthamstow) (Lab/Co-op): What assessment he has made of the effect of the withdrawal of NHS bursaries on applications for nursing degrees. [905162]

10. **Grahame Morris** (Easington) (Lab): What assessment he has made of the effect of the withdrawal of NHS bursaries on applications for nursing degrees. [905167]

**The Minister for Health (Stephen Barclay):** Nursing remains a strong career choice, with more than 22,500 students placed during the 2017 UCAS application cycle. Demand for nursing places continues to outstrip the available training places.

**Gill Furniss:** Figures from the Royal College of Nursing show that applications have fallen by 33% since the withdrawal of bursaries. At the same time, the Government's Brexit shambles has led to a drastic decline in EU nursing applications. How many years of such decline do we have to see before the Secretary of State and the Minister will intervene?

**Stephen Barclay:** What matters is not the number of rejected applicants, but the increase in places—the number of people actually training to be a nurse. The reality is that 5,000 more nurses will be training each year up to 2020 as a result of the changes.

**Stella Creasy:** The NHS already has 34,000 nursing vacancies. Given that there has been a 97% drop in nursing applications from the EU and that studies show that nearly half of all hospital shifts include agency nurses, will the Minister at least admit that cutting the bursary scheme has been a false economy for our NHS?

**Stephen Barclay:** It is not a false economy to increase the supply of nurses, which is what the changes have done. Indeed, they form part of a wider package of measures, including "Agenda for Change", pay rises and the return to practice scheme, which has seen 4,355 starters returning to the profession. More and more nurses are being trained, which is why we now have over 13,000 more nurses than in 2010.

**Grahame Morris:** I respectfully remind the Minister that this is about recruitment and retention. The RCN says that we can train a postgraduate nurse within 18 months, which is a significant untapped resource, so why are the Government planning to withdraw support from postgraduate nurses training, too?

**Stephen Barclay:** We have a debate involving postgraduate nursing tomorrow, but the intention is to increase the number of such nurses by removing the current cap, which means that many who want to apply for postgraduate courses cannot find the clinical places to do so. That is the nature of tomorrow's debate, and I look forward to seeing the hon. Gentleman in the Chamber.

**Robert Halfon** (Harlow) (Con): Will my hon. Friend, on top of the degree nursing apprenticeships, rapidly increase the nursing apprenticeship programme so nurses can earn while they learn, have no debt and get a skill that they and our country need?

**Stephen Barclay:** My right hon. Friend is absolutely right to signpost this as one of a suite of ways to increase the number of nurses in the profession. As he alludes to, there will be 5,000 nursing apprenticeships this year, and we are expanding the programme, with 7,500 starting next year.

**Alex Chalk** (Cheltenham) (Con): This weekend, I had to take a poorly member of my family to Cheltenham General Hospital, and the skill, concern and good humour of the emergency nurse practitioners were fantastic. Will my hon. Friend join me in paying tribute to Cheltenham's emergency nurse practitioners? Does he agree that we should be doing everything possible, through their pay scales, to reward and retain them?

**Stephen Barclay:** I am very happy to join my hon. Friend in paying tribute to the nurses at Cheltenham, and elsewhere, for the work they do. As he says, that is exactly why this Government, with the support of the Treasury, have backed nurses with a big pay rise in the "Agenda for Change" programme.

**Stephen Lloyd** (Eastbourne) (LD): With every reputable independent body showing very clearly that we have a staffing crisis in the NHS nursing profession, can the Minister explain how cutting bursaries actually improves the situation?

**Stephen Barclay:** I am very happy to do so. We are removing the cap on the number of places covered by the bursaries and increasing the number of student places by 25%, which means that there will be 5,000 more nurses in training as a result of these changes.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): The Secretary of State's removal of the nursing bursary and introduction of tuition fees have resulted in a 33% drop in applications in England. In Scotland, we have kept the bursary, a carer's allowance and free tuition, which means that student nurses are up to £18,000 a year better off, and indeed they also earn more once they graduate. Does the Minister recognise that that is why applications in Scotland have remained stable while in England they have dropped by a third?

**Stephen Barclay:** The hon. Lady speaks with great authority on health matters, but, again, she misses the distinction between the number of applicants and the number of nurses in training. It is about how many places are available, and we are increasing by 25% the number of nurses in training. That is what will address the supply and address some of the vacancies in the profession.

**Dr Whitford:** Workforce is a challenge for all four national health services across the UK, but, according to NHS Improvement, there are 36,000 nursing vacancies in England, more than twice the rate in Scotland. The Minister claims that more nurse students are training, but in fact there were 700 fewer in training in England last year, compared with an 8% increase in Scotland. The key difference is that in Scotland we are supporting the finances of student nurses, so will the Government accept that removing the nursing bursary was a mistake and reintroduce it?

**Stephen Barclay:** The distinction the hon. Lady fails to make is that in England we are increasing the number of nurses in training by 25%; we are ensuring that nurses who have left the profession can return through the return-to-work programme; and we are introducing significant additional pay through "Agenda for Change". As my right hon. Friend the Member for Harlow (Robert Halfon) said, we are also creating new routes so that those who come into the NHS through other routes, such as by joining as a healthcare assistant, are not trapped in those roles but are able to progress, because the Conservative party backs people who want to progress in their careers. Healthcare assistants who want to progress into nursing should have that opportunity.

**Justin Madders** (Ellesmere Port and Neston) (Lab): When defending the decision to scrap bursaries, the Secretary of State said that, if done right, it could provide up to 20,000 extra nursing posts by 2020. Well, that figure now looks wildly optimistic, with applications down two years in a row. Is it not time that Ministers admitted they have got this one wrong and joined the Opposition in the Lobby tomorrow to vote against any further extensions to this failed policy?

**Stephen Barclay:** If Members vote against the policy tomorrow, the reality is that they will be voting for a cap on the number of postgraduate nurses going into the system, and therefore they will be saying that more

people should be rejected—more people should lose the opportunity to become nurses—because they want to have a cap that restricts the supply of teaching places.

### Perinatal Mental Health

7. **Jenny Chapman** (Darlington) (Lab): What support GPs provide to mothers experiencing perinatal mental health problems. [905164]

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** We are committed to improving mental health support for expectant and new mothers, and GPs are crucial to that. We recognise that specialist services are also required, and I am proud to announce today that NHS England will be spending £23 million on rolling out the second wave of community perinatal services to underserved parts of the country and is on course to achieve full geographic coverage by 2020-21.

**Jenny Chapman** (Darlington) (Lab): Given that 95% of mums surveyed by the NCT said that they had experienced mental health problems, that only 22% said they were even asked about this by their GP and that only 24% of the country has any specialist provision, what more does the Minister think she ought to be doing?

**Jackie Doyle-Price:** The second wave roll-out will cover the entire geographical spread of the country. This is a transformational programme, so, by definition, it will take time to roll out, but I agree with the hon. Lady that GPs do have a role to play in this. The National Institute for Health and Care Excellence recommends postnatal checks for mothers, and NHS England expects commissioners to undertake that those guidelines are being met. As for any further support by GPs, she will be aware that there is a renegotiation of the GP contract and it will be covered there.

Several hon. Members *rose*—

**Mr Speaker:** Some young people are mothers and do have mental health problems, upon which important matter the hon. Member for Faversham and Mid Kent (Helen Whately) has Question 19, which, sadly, will not be reached. If she wishes to give the House the benefit of her thoughts now, she is most welcome to do so, but it is not obligatory. [*Interruption.*] We will get her in later.

**Wera Hobhouse** (Bath) (LD): Given that children of mothers with perinatal health problems are at much higher risk of developing mental health problems themselves, why does the Government's Green Paper on mental health not address prevention in respect of perinatal health?

**Jackie Doyle-Price:** As I have said before, the proposals in the Green Paper on children and young people's mental health were very much focused on what we were going to be delivering through schools. Alongside that, we have a very ambitious programme on perinatal mental health, where we are spending an extra £365 million on delivering both acute care and more support in the community. Today, I have just announced the second wave of that funding.

**Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): Back in 2010, we had 19 mother and baby units across this country, but cuts to those beds resulted in our then having 15 mother and baby units. Back in November 2016, the Government said we were going to see more beds opened. I listened closely to the statement the Minister has just made, but we are still waiting for beds that were announced back in November 2016. What are her Government going to do to ensure that mothers and babies will be kept together and can access the beds they desperately need?

**Jackie Doyle-Price:** I do not accept what the hon. Lady is saying. We are investing in new mother and baby units and making sure we have sufficiently good provision geographically so that mothers and babies can access them. We are also investing in more support in the community. I am pleased that the programme we are delivering, which is £365 million of additional support, will deliver early intervention for young mothers and babies.

#### Rural and Urban Communities: Health and Care Needs

8. **Anne Marie Morris** (Newton Abbot) (Con): Whether he has made a comparative assessment of the health and social care needs of rural and urban communities. [905165]

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** The diverse health and social care needs of local communities are considered in this Government's policy and implementation. We are actively supporting local areas, including through Public Health England's joint work with the Local Government Association, providing evidence-based recommendations to tackle the different needs of rural communities.

**Anne Marie Morris:** Would the Minister find it helpful to ask the national centre for rural health and care, shortly to be launched, to identify the specific challenges facing the providers of health and care in rural areas?

**Jackie Doyle-Price:** The centre has already engaged with stakeholders to identify the issues and responses to the challenge of providing health and care in rural settings. The centre will focus on four areas—data; research; technology; and workforce and learning—and will work with partners to identify, scale up and promote the adoption of its activities across the public and private health sector to reduce health inequalities and improve the quality of life for all rural people.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): If the ministerial team want to learn about the comparison of health outcomes in urban and rural communities, they should come to Huddersfield, as we have both there. But what we want in Huddersfield is a great hospital, great GPs and a supportive community pharmacy network. When are we going to get them?

**Jackie Doyle-Price:** I will address the point the hon. Gentleman makes about urban and rural health, as my constituency has the same situation. Obviously, there are specific challenges with regard to sparsity of population,

which have to be tackled through the funding formula. The new national centre for rural health and care will address that.

**Matt Warman** (Boston and Skegness) (Con): For people in my rural constituency, the value of services at Boston's paediatric unit could not be higher. Does the Minister agree with me—and with what the Prime Minister said last Wednesday—that we should leave no stone unturned when it comes to making sure that we can recruit the paediatricians we need and sustain the services at Pilgrim Hospital?

**Jackie Doyle-Price:** I am happy to associate myself with the comments of my hon. Friend and those of the Prime Minister. We should leave no stone unturned in making sure that we recruit enough paediatricians to support the service. I reiterate that every effort will be made to ensure that that happens.

22. [905180] **Carol Monaghan** (Glasgow North West) (SNP): Scotland recruits many health professionals from overseas, and that is particularly important for the delivery of healthcare in rural areas. Does the Minister agree that Scotland needs overseas doctors and nurses? What representations has she made to the Minister for Immigration regarding the lifting of the tier 2 visa cap?

**Jackie Doyle-Price:** The hon. Lady will understand that the impact on the workforce is of as much interest to us south of the border as it is to her. We continue to engage in representations with colleagues to address such matters.

**Mr Philip Hollobone** (Kettering) (Con): Northamptonshire has both rural and urban communities, but our biggest pressures are a rapid population increase because of house building and a big increase in the number of people who are, thank goodness, living to more than 80 years of age. Will the Minister ensure that those two issues are addressed in any future funding formula?

**Jackie Doyle-Price:** My hon. Friend is quite right that when we allocate funds we have to make sure that we keep pace with population growth among both the early years and the older years, which is where the demand comes from.

**Several hon. Members** *rose*—

**Mr Speaker:** I call Karen Lee. No? The hon. Lady is a most confusing individual.

**Karen Lee** (Lincoln) (Lab): I wanted to ask a supplementary to the question about Boston.

**Mr Speaker:** Oh, well, blurt it out.

23. [905181] **Karen Lee** (Lincoln) (Lab): Lincoln's walk-in centre closed a few weeks ago and Boston's paediatric department is threatened with closure. Does the Minister agree that cuts and privatisation in our NHS are damaging staff recruitment, retention and morale? [*Interruption.*] Ministers can shake their heads, but it is true: there are not enough doctors at Boston, which affects A&E and wider care delivery.

**Jackie Doyle-Price:** I can add no more to what I have already said in answer to my hon. Friend the Member for Boston and Skegness (Matt Warman). We will do everything we can to make sure that we can recruit sufficient paediatricians for that hospital.

**Julie Cooper (Burnley) (Lab):** What plans does the Minister have to increase the role of community pharmacies in meeting the health needs of rural and urban communities? In 2016, the Government promised to develop an extended role for community pharmacies. In particular, they committed in the House that the national roll-out of a minor ailments scheme would be implemented by April 2018. Given that it is now May 2018 and that has not happened, and that there has been an overall reduction in services commissioned via community pharmacies in both rural and urban communities, will the Minister tell the House when exactly the Government intend to honour their commitment?

**Jackie Doyle-Price:** The provision of community pharmacies is an important part of integrated primary care. We will continue to make sure that we direct sufficient resource to address the particular challenges caused by rural sparsity. I remind the hon. Lady of what we have already done: we spent £175 million from the Prime Minister's challenge fund to transform GP access, and that is increasing access in areas such as North Yorkshire, Devon and Cornwall. We will continue to look into the particular challenges that rural communities face and make resources available.

#### NHS Dentistry: Funding Distribution

9. **Imran Hussain (Bradford East) (Lab):** What guidance his Department provides to NHS England on the redistribution to other healthcare areas of funding clawed back from dentists who have not met their contracted units of dental activity. [905166]

**The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine):** The Department does not issue guidance specifically to NHS England on the redistribution of funding that is recouped from dental contracts. Of course, any decisions on the provision of healthcare are rightly a matter for the local NHS, because local commissioners are best placed to assess the dental needs and priorities among their local population, including the one that the hon. Gentleman represents in Bradford.

**Imran Hussain:** People in Bradford cannot get an NHS dentist, child tooth decay rates are soaring, and people are being admitted to hospital because they cannot get dental care. It was announced over the weekend that Bradford will receive an extra £332,000, which I of course welcome, but between 2014 and 2017, more than £300,000 was taken from dental care funding in the district. Is it not the case that the new funding is just a misleading announcement?

**Steve Brine:** I think that is what is known as a back-handed welcome. We have made great progress on improving access to dentistry in England, but we know that there are parts of the country, including the hon. Gentleman's area, in which we can do more. That is why NHS England in Yorkshire and the Humber—with

which I liaise on matters raised by a number of Opposition colleagues—is finalising plans to improve access to dentistry throughout the region, paying particular attention to 20 areas. Bradford East is one of those areas and, as the hon. Gentleman said, will shortly receive additional recouped funding to support his constituents.

**Dr Paul Williams (Stockton South) (Lab):** Why are dentists, such as my constituent Peter Sharp in Thornaby in Stockton South, funded less per unit of dental activity than his colleagues who are working in more affluent areas? Surely, to reduce health inequalities, it should be the other way round?

**Steve Brine:** That goes to the heart of why we are reforming the dental contracts. Our 73 high street dental practices are continuing to test the preventive focused clinical approach to a new remuneration practice. [Interruption.] Someone on the Opposition Front Bench has just said "when" from a sedentary position. It will be when we have got it right.

**Mr Speaker:** The hon. Member for Tonbridge and Malling (Tom Tugendhat) has beetled into the Chamber like a perspiring postman just in time. It is very good to see the fellow.

#### GP Services: Capacity and Availability

11. **Tom Tugendhat (Tonbridge and Malling) (Con):** What steps he is taking to increase the capacity and availability of GP services. [905169]

**The Secretary of State for Health and Social Care (Mr Jeremy Hunt):** We want all NHS patients to be able to access appointments in the evenings and at weekends. Thanks to our programme, 40% of the population currently do so, and that will rise to 100% next October.

**Tom Tugendhat:** Forgive me for rushing in; I was tied up with Committee matters.

My right hon. Friend has set out a great vision for the national health service over recent years, and I very much welcome it, but does he agree that, in local areas, some of the GP provision could do with a little more work? I am particularly thinking of West Malling in my own constituency where a large element of the community is finding it harder to get access, and there is a danger that the GP surgery may leave the high street.

**Mr Hunt:** My hon. Friend is right to draw attention to that issue. He does have, I think, 28 more GPs in the west Kent clinical commissioning group area than in 2010, but there is a particular issue over premises. The need to invest in premises is deterring younger GPs from becoming partners, and sometimes making GP surgeries unviable. We are looking at that problem now.

**Mrs Madeleine Moon (Bridgend) (Lab):** So many GP practices—no matter what salaries or what terms and conditions they offer—are reporting a reluctance by newly qualified GPs to go into GP practice. What will the Minister do about the hours of work—the time given to consult with constituents—to make it easier for people to see GP practice as a viable opportunity to serve their community?

**Mr Hunt:** I do very much agree with the hon. Lady, which is why we are working hard to recruit 5,000 extra GPs into general practice in England. I gently point out to her that the Royal College of General Practitioners says that, while we spend 9.2% of the NHS budget in England on general practice, it is only 7.3% in Wales.

**David Tredinnick (Bosworth) (Con):** Has my right hon. Friend had time to consider the recent Professional Standards Authority report, “Untapped Resources”, of which the principal recommendation is that practitioners on PSA-accredited registers should have powers to make direct NHS referrals, which would reduce the burden on GP surgeries?

**Mr Hunt:** I always look forward to the multiple interesting ways in which my hon. Friend returns to the same subject. We are always open to ideas that reduce pressures on GP surgeries, and I will look carefully at his latest idea.

**Helen Jones (Warrington North) (Lab):** The Secretary of State knows—because I keep telling him—that Warrington has fewer GPs than its population warrants. What concrete steps will he take to attract GPs to areas that are under-doctored?

**Mr Hunt:** Most parts of the country would say that they need more GPs, which is why we are trying to improve the capacity across the country. So, what have we done? Well, very recently we announced six new medical schools, which will have a specific focus on attracting new students into general practice. That is one of a number of measures.

#### Alcohol: Minimum Unit Pricing

12. **Neil Gray (Airdrie and Shotts) (SNP):** What recent discussions he has had with Public Health England on the potential merits of introducing minimum unit pricing for alcohol in England. [905170]

**The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine):** The Government remain committed to tackling all alcohol-related harms, which is why we are developing a new alcohol strategy. As part of that, I am commissioning Public Health England to undertake a review of the evidence for minimum unit pricing in England.

**Neil Gray:** That is welcome news. The Scottish National party Government have taken the lead in this matter by taking the bold step to set a minimum unit price for alcohol as part of wider interventions to help tackle excessive consumption. In particular, they want to end the days of strong white ciders being sold at pocket money prices. The British Medical Association has long called for that, so at what stage will we learn of further progress in the Government’s thinking?

**Steve Brine:** The previous consultation in 2013 found that the evidence, as it stood at the time, was not entirely conclusive. That is still the case, which is why the Government intend to keep the policy under review. Many times in this Chamber we are given the benefit of experience north of the border as to whether a policy has been a success, but it is not always strictly spot on. Given that the policy only came in last week, it is

probably premature to say that it is a success, but we will welcome the opportunity to see the evidence emerge from Scotland’s implementation of minimum unit pricing, and we will be watching very closely.

**John Grogan (Keighley) (Lab):** Does the Minister agree that it is significant that major pub companies and brewers such as Greene King, Coors and Tennent’s now support minimum pricing, and that what is good for the nation’s health is good for the nation’s pubs and the promotion of sensible drinking?

**Steve Brine:** We want to get on and tackle all avoidable harms, including alcohol. The vast majority of our constituents enjoy a drink and have a healthy relationship with alcohol, but that is not the case for everybody. Some people can harm themselves, society and, as we have heard, their children. What is happening north of the border in Scotland is very welcome. I think that there will be an early evaluation there at the one-year point, and we will be watching that like a hawk.

#### Obesity

13. **Victoria Prentis (Banbury) (Con):** What steps the Government are taking to tackle obesity. [905171]

**The Secretary of State for Health and Social Care (Mr Jeremy Hunt):** Childhood obesity is one of the biggest public health challenges we face, which is why we are committed to reducing the sugar in products consumed by children by 20% over four years.

**Victoria Prentis:** I recently met my constituent, Professor John Wass, at an Obesity Health Alliance tea, where—the Secretary of State will be pleased to know—no cake was served. Professor Wass shares my concerns about the availability of hospital services for those with established obesity. Will my right hon. Friend set out what plans his Department has to treat those who are already obese?

**Mr Hunt:** We recognise the value of bariatric surgery, which is of course subject to the normal waiting time standards for those for whom it is appropriate. However, prevention is better than cure. That is why we are hoping to bring forward shortly further measures to tackle childhood obesity, which is one of our biggest concerns.

**Rachael Maskell (York Central) (Lab/Co-op):** Obesity-related hospital admissions in York have more than doubled in the last three years. As part of NHS70, we in York are launching a city-wide public health initiative to ensure that we address issues around obesity, diet and exercise. Will the Secretary of State support such work and ensure that we get the funding that we need to run this initiative for the whole constituency and the city?

**Mr Hunt:** I am happy to give the project my wholehearted support. If we are going to tackle obesity, we need an approach that goes across all Departments of Government, including local government, and this initiative sounds excellent. The Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), will be looking into the funding.

**Kevin Hollinrake** (Thirsk and Malton) (Con): Lambert Hospital in Thirsk was bequeathed to the town by Sara Lambert in 1890, and was closed via the back door by South Tees Hospitals NHS Foundation Trust last year. NHS Property Services is planning a sell-off to the highest bidder, despite the fair offer that is on the table from the local authority which could include provision for community use such as public health advice. Does my right hon. Friend agree that there are times when value to the public might outweigh the requirement to maximise a price?

**Mr Hunt:** I have spoken to my hon. Friend about this matter, and he speaks powerfully about the community interest in this particular transaction. We have listened carefully to what he has said, and will continue to do so before a decision is made.

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): This August marks two years since the world's first childhood obesity plan was published, but the Government's plan, at just 13 pages, left a lot to be desired. More than 5.5 million children in this country are now officially classed as overweight or obese, with 140,000 classed as morbidly obese, as the hon. Member for South West Bedfordshire (Andrew Selous) mentioned. This is now an epidemic. Will the Secretary of State confirm whether the Government's second childhood obesity plan—due this summer, we have heard—will include meaningful policies such as restricting junk food advertising and the sale of energy drinks to children?

**Mr Hunt:** I agree with the hon. Lady that we need to do more, because this is a very serious issue. I think that she is being slightly unfair on our first initiative. The sugary drinks tax has been responsible for 45 million kg of sugar being removed from the market, which is enormously important for children. There is more to be done and I hope that we will be able to announce plans soon.

**Tom Pursglove** (Corby) (Con): The Daily Mile initiative in schools has huge potential in reducing childhood obesity, improving academic attainment, and improving the mental wellbeing of our young people. Will my right hon. Friend look closely at that and have conversations across Government about the benefits it could bring?

**Mr Hunt:** That is an excellent initiative from Scotland, and it shows why we all benefit from being in the United Kingdom together. Yes, we will look at it very closely.

**Liz McInnes** (Heywood and Middleton) (Lab): In tackling childhood obesity, will the Health Secretary declare his support for Jamie Oliver's AdEnough campaign and get rid of pre-watershed television advertising of junk food to our children?

**Mr Hunt:** That is one of a number of measures that we are looking at. We are absolutely determined to do something about this. One in 10 children starts school obese, and by the time they leave primary school the figure is one in five. We cannot wait any longer.

#### Stroke Patients: Health Outcomes

14. **Kate Green** (Stretford and Urmston) (Lab): What steps he is taking to improve health outcomes for stroke patients. [905172]

**The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine):** Evidence from cities such as Manchester and London is very clear that centralising stroke treatment in hyper-acute stroke units considerably improves outcomes, with patients having access to a specialist at all times and immediate access to imaging and investigative facilities, giving them the best chances in terms of outcome.

**Kate Green:** My 82-year-old constituent, Freda, is recovering well from a serious stroke, but she has been told that there is an 18-week wait for physiotherapy and that this is the NHS standard. Does the Minister think that that is good enough?

**Steve Brine:** I cannot comment on the individual case, but I can say that NHS England and we at the Department are working closely with the Stroke Association to develop a new national plan for stroke in England which we expect to publish this summer. The hon. Lady's constituents and mine will benefit from the national policy narrative, but they will also benefit from some brilliant charities that work on the ground with constituents. Yesterday, I saw Chandlers Ford Stroke Support Group at the amazing Funtasia in my constituency. That group does a lot to support people in stroke as well.

**Rachel Maclean** (Redditch) (Con): In Worcestershire, we are fortunate to have some excellent stroke services serving my constituents across the whole county. Does the Secretary of State agree that the most important aspect of any service is leadership? With that in mind, will he update the House on his progress in appointing a new chair for our trust to deliver stroke services and other services to Redditch?

**Steve Brine:** I am not close to that issue, but I am told that we have some excellent candidates, and I think that my hon. Friend will be pleased.

**Ruth George** (High Peak) (Lab): The most important service that stroke patients need is priority in getting to hospital for the treatment they need. A patient in my constituency recently had to wait five hours for an ambulance, with a GP sitting next to her begging the service to send one. East Midlands Ambulance Service has now had a review and will be getting an increase in its funding, but can that be made faster over the next two years?

**Steve Brine:** The new ambulance standards are designed to do exactly that. I note the hon. Lady's welcome for that in her area. That is critical, but of course it is critical that people get to the right place and get the right treatment. That is why I said at the start of these exchanges that centralising stroke treatment is not always popular but is often the best thing for clinical outcomes.

#### NHS Dentistry

15. **Alex Cunningham** (Stockton North) (Lab): How many people have accessed NHS dentistry services in the last 12 months for which data is available. [905173]

**The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine):** Access to NHS dentistry remains consistently high. The most recent figures show

that 22 million adults were seen by an NHS dentist in the 24 months from January '16 to Christmas last year and 6.9 million children visited a dentist last year.

**Alex Cunningham:** Twelve thousand of those people in my constituency were left without a dentist when the Queensway practice in Billingham, in common with many dentists across the country, ditched NHS work. People are trying to build capacity there, but the funding system for dentists is a major impediment. What plans do the Government have to address the crisis in NHS dentistry, encourage dentists to stay with the NHS, and make dental health a priority?

**Steve Brine:** We have been in correspondence about the Queensway practice, as the hon. Gentleman knows. When a dental contract ends and patients need to find another dentist, NHS England has a legal duty, as he knows, to commission alternative services to meet local need. I understand that that is happening in his area and that he is being kept regularly updated on the situation. In answer to a previous question, I mentioned the dental contract, which is a key part of our reforms to keep people in, and attract people into, the dental profession.

**Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): It is shameful that our older and vulnerable residents living in care homes do not have the access to dental treatment that they need. The Minister revealed in a written answer to me that older people living in care homes are less likely to have any natural teeth and are more likely to have serious tooth decay, but still no specific action has been taken. Will the Secretary of State meet me and commit to do everything he can to help prevent serious tooth decay for our older and most vulnerable residents?

**Steve Brine:** As I said, NHS England has a legal duty to commission dental services and primary care dental services for the hon. Lady's constituents. If she wants to bring a specific example from her constituency to me, I will be happy to look at it.

### Social Media: Children's Mental Health

16. **James Morris** (Halesowen and Rowley Regis) (Con): What steps he is taking to protect children's mental wellbeing from the harmful effects of social media. [905174]

**The Secretary of State for Health and Social Care (Mr Jeremy Hunt):** We are worried about the effects of social media on children and young people, which is why we have asked the chief medical officer to undertake a systematic review of all the international literature, to help us understand what further steps to take.

**James Morris:** I recently met a group of headteachers in Halesowen, who expressed real concern about the effects of social media on the health of their pupils. Does the Secretary of State agree that peer-to-peer support among young people in the classroom and in our communities is a vital way of benefiting young people through the positive aspects of social media and combating the negative effects on their mental health?

**Mr Hunt:** My hon. Friend is very knowledgeable about mental health, and I totally agree with him. That is why we have given £700,000 to the Anna Freud Centre to train teachers in how to make possible peer support for children having mental health issues.

**Helen Goodman** (Bishop Auckland) (Lab): Durham police tell me that when there is a problem on social media, particularly Facebook, it can take six months between their asking for action and the social media company tackling it. Will the Secretary of State speak to the Home Office to get the system changed and speed it up?

**Mr Hunt:** The hon. Lady is absolutely right. I have spoken to the social media companies. They are brilliant technologists, and they have a duty to their customers to make themselves part of the solution, not part of the problem, when these things happen.

**Kevin Foster** (Torbay) (Con): Does the Secretary of State agree that some of this is about ensuring that parents use appropriate techniques—for example, having specific screen times and engaging with their children about what they see on social media—and giving them the tools to do so?

**Mr Hunt:** My hon. Friend is absolutely right. Parents play a vital role, but social media companies can make it easier for parents like us to do the right thing, and sometimes the tools that parents need to use are not readily available.

**Lucy Powell** (Manchester Central) (Lab/Co-op): Speak to any young person about what is causing child mental health issues, and the No. 1 issue is not social media, but exam and test pressure in schools, as we have found in the joint inquiry by the Health and Education Committees. Will the Secretary of State be as harsh on his colleagues in the Department for Education as he is on the social media companies when it comes to child mental health?

**Mr Hunt:** What we actually now have is a record number of children in good or outstanding schools—nearly 2 million more children. That is something we all want for our children, but when it comes to mental health, the NHS has very specific responsibilities, and we of course look into every possible cause.

### Folic Acid: Children and Pregnant Women

17. **Anna Turley** (Redcar) (Lab/Co-op): What assessment he has made of the potential merits of flour fortified with folic acid for children and pregnant women. [905175]

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** The Government are looking at existing pre and post-conception health advice, including the use of folic acid supplements, which are recommended to help reduce the risks of neural tube defects in unborn children. We are carefully considering the recommendations in the Scientific Advisory Committee on Nutrition report on folic acid, and the Government will set out their position in due course.

**Anna Turley:** I thank the Minister for that answer, but the UK female diet leaves blood folate levels below World Health Organisation targets, and it was recommended back in 1991 that folic acid should be put into supplements and that flour should be fortified. There are 80 countries around the world where that is happening, and it is reducing cases of spina bifida and other serious illnesses by up to 50%. Will the Minister work with the Department for Environment, Food and Rural Affairs to look once again at the opportunities for fortifying flour with folic acid?

**Jackie Doyle-Price:** I can confirm that we will continue to look at that. The hon. Lady is right that a large number of countries fortify flour with folic acid, but the UK and other EU countries do not. We have advice that if the intake of folic acid exceeds given levels, that can also bring health problems, but we will continue to look at it.

### Topical Questions

T1. [905182] **Ian Murray** (Edinburgh South) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Health and Social Care (Mr Jeremy Hunt):** I would like to give an update on the breast cancer screening failure. I met the Public Health England chief executive this afternoon, and I am informed that 65,000 letters were sent out last week, and the helpline has taken nearly 14,000 calls to date. Further letters are going out this week, and the first invitations to catch-up screenings will go out next week. Due to the lack of clinical consensus about the effectiveness of screening for older women, we will provide advice and support for all who missed scans and support them in making their own decision as to whether to proceed. We will also publish the terms of reference for the independent inquiry shortly, and I can assure the House that no stone will be left unturned in uncovering the truth.

**Ian Murray:** I am grateful to the Secretary of State for that update, but I would like to ask him about the Brexit transition agreement, which cuts the UK out of the European Medicines Agency. Can he give this House a cast-iron guarantee that that will not stop the regulation of new drugs in the UK to help patients, and will not prevent our world-class pharmaceutical companies from basing themselves here to do world-class research and development?

**Mr Hunt:** Yes, I can.

T2. [905183] **Robert Halfon** (Harlow) (Con): The Secretary of State has visited Princess Alexandra Hospital in Harlow on a number of occasions and he will recognise that, despite excellent staff, the hospital is not fit for purpose. Will he confirm that Harlow is at the top of the list for capital funding, and that we will get the new hospital our town desperately needs?

**The Minister for Health (Stephen Barclay):** We recognise that the Princess Alexandra Hospital estate is in a poor condition. NHS Improvement is working with the trust to develop an estate and capital strategy by summer 2018 to be assessed, with other schemes put forward, for the next capital announcement for sustainability

and transformation partnerships. I am very happy to meet my right hon. Friend to have further discussions about it.

**Jonathan Ashworth** (Leicester South) (Lab/Co-op): I thank the Secretary of State for his update on breast cancer screening. I welcome his letter this morning with respect to patient safety in the private sector, but is not the truth that the best quality of care is provided by a public national health service? Is it not time to legislate to ensure that private hospitals improve their patient safety standards, and if he accepts that levels of safety are not acceptable in the private sector, why is the NHS still referring patients to the unsafe private sector? Should there not be a moratorium on those referrals until these issues are sorted out?

**Mr Hunt:** The hon. Gentleman should be very careful in making generalisations about the independent sector, just as he is about the NHS sector, because the truth is that there is too much poor care in both sectors, but both sectors also have outstanding care. I have always said that there will be no special favours for the independent sector, which we will hold to the same high standard of care, through the Care Quality Commission regime, as we do with NHS hospitals. Let me just say to him that if we stopped referring people to the independent sector, 140,000 people would wait longer for their operations, and that is not good care.

**Jonathan Ashworth:** We have seen the private sector fail—the NHS is sued by Virgin Care, patient transport contracts have to come back in-house, and Carillion collapses and cleaning contracts have to come back in-house—and now we learn that the hotline for women affected by the breast cancer screening failures is provided by Serco and staffed by call handlers who, far from having medical or counselling training, have had one hour's training. Do not the women affected deserve better than that? Will the Secretary of State provide the resources for that phone line to be brought back in-house and staffed by medical professionals?

**Mr Hunt:** I normally have so much respect for the hon. Gentleman, but I think those women deserve a lot better than that posturing. The helpline was set up at very short notice because, obviously, the call handlers could not do all their training until I had made a statement to Parliament, which I judged was the most important thing to do first. It is not the only help that the women affected will be getting—on the basis of the advice received, they will be referred back for help at their local hospital, with Macmillan Cancer Support or through specialist clinicians at Public Health England—but we thought it was right that that number was made available as quickly as possible.

**Several hon. Members** *rose*—

**Mr Speaker:** I call Eddie Hughes. Get in there, man.

T9. [905191] **Eddie Hughes** (Walsall North) (Con): I hope the Minister will join me in congratulating the mayor of Walsall, Marco Longhi, whose mayoralty has raised a significant sum to support WPH Counselling and Education Services, which provides adolescent mental care and counselling in Walsall.

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** I am very grateful to my hon. Friend for raising this matter, and I very much welcome the contribution made by the charity to support teenagers in his constituency with psychological therapies and to help to address their mental health conditions. I join him in extending my congratulations to the mayor for choosing this very important cause and for endeavouring to raise so much money for it.

T3. [905184] **Faisal Rashid** (Warrington South) (Lab): Chapelford medical centre in my constituency has been operating out of a portakabin on waste land for many years, due to excessive delays and the failings of various NHS bodies involved in this project. What action will Ministers take to resolve these shocking delays, and will they meet me to give assurances to my constituents?

**The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine):** I will be very happy to meet the hon. Gentleman to look at his local issue.

**Helen Whately** (Faversham and Mid Kent) (Con): I welcome the Green Paper on mental health in schools, which was published earlier this year, but it does prompt a question about the mental health of students in further and higher education. Does my right hon. Friend have any plans to look into that issue? If he does not, may I urge him to do so?

**Jackie Doyle-Price:** I thank my hon. Friend for her question and her continued industry on these matters. As she mentioned, the Green Paper outlined plans to set up a new national strategic partnership focused on improving the mental health of 16 to 25-year-olds. That partnership is likely to support and build on sector-led initiatives in higher education, such as Universities UK's #stepchange project, whose launch I attended in September. The strategy calls on higher education leaders to adopt mental health as a strategic priority, to take a whole-university approach to mental health and to embed it across policies, courses and practices. *[Interruption.]*

**Mr Speaker:** Order. The hon. Member for Wigan (Lisa Nandy) need not worry; her Zebedee-like qualities will always make her visible. I am saving her for later. We will hear from her shortly.

T4. [905185] **Keith Vaz** (Leicester East) (Lab): There is a clear connection between obesity and type 2 diabetes. Will the Secretary of State confirm that that issue will be addressed in the national diabetes prevention programme?

**Steve Brine:** Obesity has rightly had a strong outing today. We know that it is a leading cause of type 2 diabetes; supporting people to live healthier lifestyles can only reduce the incidence of the disease. So far, more than 170,000 people have been referred to the national diabetes prevention programme. Those who are referred receive tailored, personalised help, including education on healthy eating and lifestyle choices, and bespoke physical exercise programmes.

**Mr Philip Dunne** (Ludlow) (Con): Is my right hon. Friend aware that following his decision to make the capital allocation to Shrewsbury and Telford Hospital

NHS Trust before Easter, that trust has had sufficient confidence to successfully appoint five additional consultants in 10 days in April, thereby improving resilience in acute healthcare in Shropshire?

**Stephen Barclay:** I very much welcome the progress that my hon. Friend has shared with the House. Many of us will also want to pay tribute to his leadership during his time at the Department in recognising the opportunity for reconfiguration that the capital would unlock and is now delivering.

T5. [905186] **Stella Creasy** (Walthamstow) (Lab/Co-op): On 21 March, the Secretary of State told the House that he would look at the impact of private finance initiative deals on NHS hospital budgets. What has he done since then? How many meetings has he had about the issue? Will he commit not to use PF2 deals, given the concerns?

**Mr Hunt:** I can absolutely commit that we are very conscious of the failings of PFI when we have any discussion about NHS capital funding, including the previous question. We are very conscious of the need not to make the mistakes that saddled the NHS with £71 billion of PFI debt.

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): Dispensing practices are a lifeline in rural constituencies such as Sleaford and North Hykeham. Does my right hon. Friend agree that patients who live far from a pharmacy and attend their local dispensing practice should all have access to that dispensing service?

**Steve Brine:** Yes, I do: dispensing practices are an important part of the widening primary care mix. That is important for constituents in rural areas such as my hon. Friend's. Community pharmacy and dispensing practices, which she refers to, are increasingly important when they are part of an integrated primary care pathway. That has got to be the future.

T6. [905187] **David Linden** (Glasgow East) (SNP): What discussions have the Government had with Vertex regarding the availability of Orkambi? Many Members packed out Westminster Hall in a debate about that issue. Will the Government give us an update on this really serious issue?

**Steve Brine:** This issue has received a lot of publicity in recent weeks. My noble Friend Lord O'Shaughnessy and I wrote to Vertex following that debate and asked it to be reasonable and continue, with vigour, its negotiations with NHS England. That letter was made public, as was the company's actually quite positive response last week. I urge the company again to come to a reasonable conclusion.

**Alan Mak** (Havant) (Con): Healthcare delivered by app and other new technologies is increasingly popular with patients. Will my right hon. Friend undertake to ensure that the NHS fully explores the possibilities of new technologies when delivering front-line services?

**Mr Hunt:** I will absolutely do that. I congratulate my hon. Friend on the excellent report that he published last week on that very topic. We want to be the first country in the world where all patients can access their own medical record through an app.

T7. [905188] **John Grogan** (Keighley) (Lab): Does the Secretary of State share my concern that, according to the Royal College of Physicians, 43% of advertised consultant vacancies were left unfilled in 2016-17? Will Ministers be brave and argue publicly that there should be more visas for overseas doctors?

**Mr Hunt:** Last year we gave more than 4,000 visas for overseas doctors and since I have been Health Secretary we have had nearly 10,000 more doctors, so we absolutely want to address that problem.

**Paul Masterton** (East Renfrewshire) (Con): My constituent Susan is desperately waiting for the Government to bring forward the remedial order for single parent surrogates. The Joint Committee on Human Rights published its response to the original draft in March. Is there any update on when we will get the next version?

**Jackie Doyle-Price:** I can reassure my hon. Friend that the Government are giving careful consideration to the implications of the JCHR's recommendations and what changes may be necessary to address them. It is our current intention that a revised order be laid for JCHR scrutiny before the summer recess.

**Several hon. Members** *rose*—

**Mr Speaker:** Patience rewarded. I call Thelma Walker.

**Thelma Walker** (Colne Valley) (Lab): Does the Minister agree that eating a nutritionally balanced meal can reduce snacking between meals and therefore help to reduce childhood obesity? If so, will he speak to his colleagues in the Department for Education and ask them to ensure that the 6,400 children in Kirklees who are set to lose out on a well balance nutritious free school meal do not?

**Steve Brine:** I talk to colleagues across Government all the time. The first round of the child obesity plan—it was maligned earlier—contained many good things, such as the sugary drinks tax. A couple of months ago we launched, with Public Health England, changes in relation to the nutrient profiling of foods marketed to children. That is positive for the hon. Lady's constituents and for mine.

**Jeremy Lefroy** (Stafford) (Con): Five years on from the Francis report, how does my right hon. Friend assess patient safety in the NHS?

**Mr Hunt:** There are still many things to tackle when it comes to patient safety, but I think the NHS has risen magnificently to the challenges in the report. There are nearly 45,000 more doctors and nurses across the system. Although there is more to be done, much credit should go to the NHS.

**Lisa Nandy** (Wigan) (Lab): This week marks two and a half months since the independent inquiry into child sexual abuse recommended that compensation be paid urgently to children sent abroad by their Government and subjected to the most appalling child abuse. In that time, the Secretary of State's Department, despite repeated requests for action, has made not a single statement. Many former child migrants have died and others are

dying. How many more will have to wait, and die waiting, for justice before this Government get their act together and pay them the compensation that is owed?

**Jackie Doyle-Price:** We have been quite frank about the fact that the child migration policy should never have happened and this Government have apologised repeatedly for it. I can assure the hon. Lady that I am currently working with officials to come up with a formal response to the committee of inquiry.

**Leo Docherty** (Aldershot) (Con): Will the Minister update me on the FIT—faecal immunochemical test—for bowel cancer? It has long been promised and we know it saves lives. When will it materialise?

**Steve Brine:** I updated Members on this last week in a Westminster Hall debate. Bowel cancer is the fourth most common cancer in the UK and the second leading cause of cancer deaths. My hon. Friend is right that the FIT has long been promised. There have been a lot of challenges—making sure we get it right and referrals into the secondary sector—but the FIT will be rolled out from autumn.

**Hilary Benn** (Leeds Central) (Lab): The European health insurance card enables British citizens to get medical treatment in the EU, including kidney patients who need dialysis. Without it, many of them simply could not go on holiday at all. Will the Secretary of State tell the House whether it remains the Government's objective to keep the EHIC in place after we have left the EU, and, if so, what progress is being made to ensure that that happens?

**Mr Hunt:** It is absolutely our intention. We think it is beneficial for Brits and beneficial for Europeans. We are very confident that we will be able to negotiate reciprocal healthcare arrangements to protect those benefits, but our first preference would be a continuation of the current scheme.

**Bim Afolami** (Hitchin and Harpenden) (Con): Will the Minister explain how and when the community pharmacy sector will gain access to the pharmacy integration fund? Millions have been promised. When will it be delivered?

**Steve Brine:** The pharmacy integration fund is a great success. It needed to be ramped up and it is being ramped up. Pharmacists, working within general practice, are making a great difference to the multidisciplinary team within primary care.

**Mr Speaker:** I feel sure that "ramped up" is the technical term.

**Chris Elmore** (Ogmore) (Lab): The Secretary of State will be aware that the hon. Member for Hazel Grove (Mr Wragg) and I set up an all-party group on the impact of social media on the mental health of children. With all the work the Secretary of State has done to date on that, I wonder whether he and his ministerial team will agree to engage with the all-party group's inquiry and look at how we find solutions to these problems, including mental health.

**Mr Hunt:** I would be delighted to do so.

**Mr Speaker:** Splendid. I call Chris Skidmore.

**Chris Skidmore** (Kingswood) (Con): Several of my constituents have contacted me to welcome the Government's recent announcement of additional investment for prostate cancer funding. Will the Minister update the House on what the money is and what it will be spent on?

**Steve Brine:** Gladly. Prostate cancer survival rates are at a record high, but we want to do even better, so last month the Prime Minister announced £75 million to support new research into the early diagnosis and treatment of prostate cancer. The National Institute for Health Research will recruit 40,000 more patients, which is a lot, for more than 60 studies into prostate cancer over the next five years.

**Judith Cummins** (Bradford South) (Lab): I welcome the recent news that NHS England has committed to redirecting extra funding for dental services to Bradford as an area of need—it comes after a high-profile campaign in the Bradford *Telegraph and Argus*—but I urge the Minister to recognise the need for long-term reform of the dental contract and for a sustainable funding settlement

for all. Will he meet me and others campaigning on this issue to discuss what progress has been made?

**Steve Brine:** Yes. The dental contract has had a good outing this afternoon. I am always happy to see the hon. Lady and I can tick the *Telegraph and Argus* off my bucket list if they come along as well.

**Several hon. Members** *rose*—

**Mr Speaker:** I have been enjoying listening to my colleagues so much that I inadvertently lost track of time, but it seems only right that the final question should go to the Chair of the Health Committee—I call Dr Sarah Wollaston.

**Dr Sarah Wollaston** (Totnes) (Con): Thank you, Mr Speaker. Will the Secretary of State commit to publishing the progress report on sugar reduction and the next steps strategy on the reformulation programme, so that the Health Committee can examine that when Public Health England appears before us on 22 May?

**Mr Hunt:** I had a conversation with Public Health England before questions this afternoon, and it committed to publishing that before that hearing.

## Learning Disabilities Mortality Review

3.41 pm

**Barbara Keeley** (Worsley and Eccles South) (Lab): To ask the Secretary of State for Health and Social Care to make a statement on the learning disabilities mortality review. [*Interruption.*]

**Mr Speaker:** Order. There is a certain amount of chuntering from a sedentary position. The Secretary of State has been with us, but Minister Caroline Dinéage will answer the urgent question, and we look forward to her answer.

**The Minister for Care (Caroline Dinéage):** The Government are absolutely committed to reducing the number of people with learning disabilities whose deaths may have been preventable and have pledged to do so with different health and care interventions. The learning disabilities mortality review programme was established in June 2015; it was commissioned by NHS England to support local areas in England to review the deaths of people with a learning disability. Its aims were to identify common themes and learning points, and to provide support to local areas in their development of action plans to take forward the lessons learned.

On 4 May, the University of Bristol published its first annual report of the LeDeR programme, covering the period from July 2016 to November 2017. The report included 1,311 deaths that were notified to the programme and set out nine recommendations based on the 103 reviews completed in this period. The Government welcome the report's recommendations and support NHS England's funding of the programme for a further year at £1.4 million. We are already taking steps to address the concerns raised, but the early lessons from the programme will continue to feed into our work, and that of our partners, to reduce premature mortality and improve the quality of services for people with learning disabilities.

**Barbara Keeley:** Mr Speaker, I think it is disgraceful that the Secretary of State has just run out of the Chamber, rather than answering this question himself—it is disgraceful.

Seven years after Winterbourne View and five years since the avoidable death of Connor Sparrowhawk, the findings of the review show a much worse picture than previous reports about the early deaths of people with learning disabilities. One in eight of the deaths reviewed showed that there had been abuse, neglect, delays in treatment or gaps in care. Women with a learning disability are dying 29 years younger than the general population, and men with a learning disability are dying 23 years younger. Some 28% of the deaths reviewed had occurred before the age of 50, compared with just 5% of the general population who had died by that age.

The Secretary of State announced to the House in December 2016 that he would ask the review for annual reports on its findings, so why was a review of this importance published during the recess, before a bank holiday weekend in the middle of local election results, giving Members little chance to scrutinise its findings? When asked about the report on the “Today” programme on Radio 4, Connor Sparrowhawk's mother, Dr Sara Ryan, said that she was

“absolutely disgusted by the report”

and that the way it had been published at the beginning of a bank holiday weekend

“shows the disrespect and disregard”

there is for the scandalous position of people with learning disabilities shown in the report.

Only 103 of 1,300 cases passed for review between July 2016 and November 2017 have been reviewed. That is a paltry number. The report cites a lack of local capacity, inadequate training for people completing mortality reviews and staff not having enough time away from their duties to complete a review.

If there are issues around capacity and training, what is NHS England doing to rectify this? Sir Stephen Bubb, who wrote the review into abuse at Winterbourne View, said this in response to the report:

“there can be no community more abused and neglected than people with learning disabilities and their families. How many more deaths before we tackle this injustice?”

Dr Sara Ryan said:

“things have actually got worse than they were 10 years ago”.

What action will the Government take to show the families of people with learning disabilities that their relatives' lives do count?

**Caroline Dinéage:** I thank the hon. Lady for raising this issue; the report makes for very troubling reading.

On the date of publication, the hon. Lady will be aware that this was an independent report prepared by the University of Bristol and commissioned by NHS England, which wanted to look into this really important issue, and because it was an independent report, it did not actually alert us to publication, so we had no more notice than she did. We are investigating through NHS England and others why that happened.<sup>1</sup>

As the report clearly identifies, there is still more work to do, and we will work with partners to see how the recommendations may be implemented. We are committed to learning from every avoidable death to ensure that such terrible tragedies are avoided in the future. She mentions Dr Sara Ryan, whose son, Connor Sparrowhawk, died in such tragic circumstances in my own Southern Health Trust area. She and other parents like her are testimony to the incredible dedication of people who have worked so hard to get justice for their loved ones at a time when they feel least able to do so.

We have done several things already. We have introduced a new legal requirement so that from June every NHS trust will have to publish data on avoidable deaths, including for people with a learning disability, and provide evidence of learning and improvements. We are the first healthcare system in the world to publish estimates of how many people have died as a result of problems in their care. Learning from the review is also informing the development of the pathways of care published by NHS England and the RightCare programme, which is tailored to the needs of people with learning disabilities. Pathways on epilepsy, sepsis and respiratory conditions will be published later this year.

We have introduced the learning disability annual health checks scheme to help ensure that undiagnosed health conditions can be identified early. The uptake of preventive care has been promoted and improved, while the establishing of trust between doctors and patients is providing better continuity of care. We have also supported

1. [*Official Report, 9 May 2018, Vol. 640, c. 8MC.*]

workforce development by commissioning the development of learning disabilities core skills education and training framework, which sets out the essential skills and knowledge for all staff involved in learning disability care.

As I said, the report makes for troubling reading, but we asked NHS England to commission it so that we might learn from these deaths and make sure that trusts up and down the country are better equipped to prevent them from happening in the future.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): Every preventable death brings personal tragedy, as was highlighted in a 2016 report by Autistica, the autism charity, entitled “Personal tragedies, public crisis”. Autistic adults with a learning disability are 40 times more likely to die prematurely. That is why I welcomed the Government’s announcement in March that reducing the gap in life expectancy for autistic people was one of the top autism priorities in the “Think Autism” strategy governance refresh under provisions in the Autism Act 2009. How will the Minister implement those provisions?

**Caroline Dinanage:** I pay tribute to my right hon. Friend, whose incredible work over many years campaigning on behalf of autistic people up and down the country has made a magnificent difference. She is right to raise this issue. It is of course unacceptable that people with autism have poorer health outcomes, and we are determined to address this. I meet regularly with representative groups and we take on board all their comments about how they would like to see the situation improved.

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): The report makes tragic reading. Some of our most vulnerable citizens are four times more likely to die prematurely than the general population, and there have been many avoidable deaths because of systemic failures. The situation cannot continue.

Let me ask the Minister three questions. First, will she look at the Scottish patient safety programme, a national programme that has been running since 2008 and is achieving good outcomes? Secondly, given that the Health and Social Care Committee has heard that learning disability nurses are very scarce, will she redouble the efforts to ensure that training for and recruitment to those roles are prioritised? Picking up symptoms early may be crucial to the prevention of morbidity. Thirdly, staff turnaround in social care is a real issue. Social care staff who know a client well, and can notice early changes such as signs of illness and report them timeously to ensure prevention, are crucial, and consistency in care is therefore critical. How will that be addressed?

**Caroline Dinanage:** The hon. Lady is right to raise those points. The Government are absolutely committed to reducing the number of people with learning disabilities whose deaths might have been preventable had there been different health and care interventions. That is why we set up the learning from deaths programme, and have commissioned an investigation of the issue. We are determined not only to learn from every single one of these tragic and avoidable deaths, but to share that learning with those in trusts up and down the country so that they can take a clear look at what is going on under their noses, and ensure that the terrible incidents that we have seen in the past do not happen again.

The hon. Lady was wise to raise the issue of training. It is important to have specialist practitioners, but it is also important to ensure that all healthcare staff, throughout the country, have the training that they need in order to recognise and support the needs of people with learning disabilities. That is something that we have done very successfully with dementia: we record the number of staff in the country who have received tier 1 and tier 2 training, and we are looking into how we can extend that to address the issues of people with learning disabilities.

**Theresa Villiers** (Chipping Barnet) (Con): In learning lessons from these truly horrific cases, will the Minister commit herself to working closely with the charities that do such incredible work to support people with learning disabilities and their families?

**Caroline Dinanage:** My right hon. Friend is absolutely right. Charities and voluntary organisations all over the country do remarkable work, supporting not only people with learning disabilities but their families and their carers, for whom instances involving their health and wellbeing can be incredibly distressing.

**Sir Vince Cable** (Twickenham) (LD): The Minister’s statement quite properly focused on hospitals, but does she acknowledge that charities dealing with people with learning disabilities will be among the worst affected by the £400 million back-pay charge? Will she try to ensure that the Government absorb that cost, so that the improvements in hospitals are not upset by a deterioration outside, in communities?

**Caroline Dinanage:** We are looking very carefully at the issue of sleep-ins, and are communicating with social care providers and others. It is important to recognise that we need to support not only the sector as a whole, but the many low-paid workers within it. We will present more proposals on sleep-ins shortly.

**Mrs Maria Miller** (Basingstoke) (Con): The biggest challenge that many learning-disabled people have is simply making their voices heard. Their legal entitlement to advocacy is not always upheld by health professionals, who often misunderstand that entitlement. Will the Minister look into the commissioning of advocacy services, and, indeed, the understanding of the Equality Act 2010 among NHS staff, to ensure that more learning-disabled people have access to organisations such as Speakeasy Advocacy in Basingstoke, which supports more than 600 people with learning disabilities in north Hampshire, helping to give them the voice that they so badly need?

**Caroline Dinanage:** My right hon. Friend is a fantastic champion for equality issues in her role as Chair of the Women and Equalities Committee. I take on board everything that she has said, and I will certainly look more closely at the issue that she has raised.

**Liz Kendall** (Leicester West) (Lab): The true disgrace is that none of this is new and we have been here before. Five years ago the Government set out their promises to tackle this appalling death by indifference, yet we have seen no progress. Can the Minister tell me how many hospitals regularly ask the four questions on

[Liz Kendall]

treatment of people with learning disabilities set out by Sir Mike Richards, how many clinical commissioning groups check and monitor how many health checks and health plans people have in place, and what Health Education England has done to put the training in place to try to start turning the tide on this appalling situation?

**Caroline Dinéage:** The hon. Lady is right that this issue was identified a few years ago. The report was commissioned in 2015 and has been in the making since then. There was a Care Quality Commission report in 2016 which concluded that bereaved families do not often experience openness and transparency. Everything we have done up until this point—the mortality review, the learning from deaths programme and all the other things we have put in place with regard to the transforming care programme and annual health checks—is geared towards addressing this very issue.

**Dr Sarah Wollaston (Totnes) (Con):** The learning disabilities mortality review programme sets out the stark and unacceptable health inequalities faced by those with learning disability, and I welcome the steps the Minister has set out today. May I press her further, however, on the point about workforce shortfall? What is she going to do not only about recruitment, but about retention of the vital workforce in both health and social care?

**Caroline Dinéage:** My hon. Friend is absolutely right that the workforce in our health and social care system is absolutely fundamental to the way we look after people in our country. We must be able to attract, recruit, retain and bring back into the system people who have left it. We are currently compiling a workforce strategy jointly between Skills for Care and Health Education England, and it will be reporting later in the year.

**Melanie Onn (Great Grimsby) (Lab):** Parents come to me all the time expressing their grave concerns about what will happen to their children with learning difficulties and disabilities if they are not around to support them. In my constituency I have had reports of instances of bullying from other people in the community, of targeting by drug dealers and of exploitation by private companies such as mobile phone providers and utility companies, and that there are difficulties accessing mental health support. If the Minister is truly keen to show the Government's desire to improve on the current appalling state of affairs, do not early support and state responsibilities need to be looked at more closely as well?

**Caroline Dinéage:** The hon. Lady is right to make the point more broadly, rather than just about the healthcare outcomes for people with learning disabilities. We need to look at how we protect people more broadly, and this issue must particularly be a terrible worry for the ageing parents. I take on board what the hon. Lady said, and we will definitely feed it into the system to see what more we can do in support.

**Sir Desmond Swayne (New Forest West) (Con):** What should the CQC be doing that it is not doing already?

**Caroline Dinéage:** The CQC conducted an inquiry into this issue in 2016 and has a responsibility to check local healthcare provision to ensure it is up to speed. When local trusts start publishing their learning from deaths data from June, the CQC will be able to inspect them on how they bring the data forward and to judge them on that information.

**Mr Ivan Lewis (Bury South) (Ind):** Societies and Governments should be judged by how they treat the most vulnerable. As well as avoidable deaths of people with learning disability, we have savage cuts to services across the country, so they have no constructive positive activities to participate in, and we have a complete dearth of employment opportunities now for people with learning disabilities. I started my working life 36 years ago working with people with learning disabilities, and we made tremendous progress over a 20-year period. It is a source of tremendous sadness that we have gone backwards in the last 10 years in the support that such people and their families are receiving. It is shameful. We need a cross-Government approach and we need action, not strategies.

**Caroline Dinéage:** It is sad that the hon. Gentleman has sought to politicise this issue. It is nothing to do with funding cuts or cost-saving measures. We have actually invested more money into this programme. We are the first Government in the world to publish a learning from deaths programme so that healthcare trusts are held accountable and have to publish their data on people who die unnecessarily in their care. Making short-sighted party political points is therefore very unfair and does not get to the heart of the issue, which is about supporting people with learning disabilities and making sure that their health outcomes are the same as those of the population as a whole.

**Mr Mark Harper (Forest of Dean) (Con):** The all-party parliamentary group on learning disability, which I have the honour to chair, will be looking at this area of policy later this year. Mencap, which provides the group's secretariat, has a Treat Me Well campaign, which is about improving the position, and I know it is keen to work with the NHS. Drawing on some of the other questions, may I ask the Minister what she can do to get the NHS and all the providers to act with a real sense of urgency in making improvements in this regard with the speed that we would like?

**Caroline Dinéage:** My right hon. Friend is right to raise the Mencap report, because in many cases it reflects the recommendations that have been put forward in this particular report. The mandate to NHS England requires a reduction in the health gap between people with mental health problems, learning disabilities and autism and the population as a whole, and requests support for them to live full, healthy and independent lives. That is something that NHS England has a mandate to deliver, and we of course support it in doing that.

**Karin Smyth (Bristol South) (Lab):** If it is a crime to politicise the vulnerability of some people and the Government's cuts, I stand guilty as charged. Further to the question from my hon. Friend the Member for Leicester West (Liz Kendall), what we have seen since 2013 is the complete decimation of services working together on the ground. This is a local government and

health issue locally, so may I press the Minister to tell us what action will be taken to make this happen at local level?

**Caroline Dinenge:** It is not about that. This is about inquiring into the deaths of people who have died in our care. Despite all the really difficult decisions we have had to make to deal with the financial challenges this country faced, which the hon. Lady's party will be well aware of, we have made progress on this issue in terms of transforming care and the healthcare checks on people with learning disabilities, and this very report on the learning from deaths programme proves how absolutely committed we are to ensuring that not one single one of those deaths goes unrecognised or uninvestigated.

**John Howell (Henley) (Con):** Surely the quicker integration of the NHS with social care across the board will help to solve some of these problems. Does the Minister agree with that?

**Caroline Dinenge:** Yes, my hon. Friend is absolutely right. The integration of health and social care services is absolutely vital, and that is why we are so delighted that we have renamed the Department as the Department of Health and Social Care. That has to be more than just a title; it has to be a statement of intent.

**Catherine McKinnell (Newcastle upon Tyne North) (Lab):** Last October, I secured a Westminster Hall debate on supporting and safeguarding adults with learning disabilities, following the horrendous murder of my constituent, Lee Irving. Following that debate, what reassurance can the Minister give me that one of the major lessons coming out of that case—that families must be involved in the decision making about a person's care—has been learned?

**Caroline Dinenge:** I thank the hon. Lady for raising that case. It was a truly horrible case. The Mental Capacity Act 2005 is all about making sure that we have care that is centred around the individual, and that parents', families' and carers' thoughts are taken into consideration when making decisions about how we care for people.

**Victoria Prentis (Banbury) (Con):** We can be confident that the right legal framework is now in place, with the Equality Act 2010 and the Health and Social Care Act 2012, but what further steps can the Minister take to ensure that those who work in NHS organisations are aware of them?

**Caroline Dinenge:** Of course it is the responsibility of individual employers to ensure that their staff are appropriately trained and competent to fulfil the responsibilities that we ask of them, but we have commissioned Health Education England, Skills for Health and Skills for Care to develop a learning disabilities core skills education and training framework, which sets out a tiered approach to that kind of training and how it needs to be improved.

**Luciana Berger (Liverpool, Wavertree) (Lab/Co-op):** This review should shame us all. If we reflect on Sir Stephen Bubb's final reports from two years ago in 2016, following a report he wrote in 2014 when there

had been no progress, we can see that he put forward 10 recommendations. We have seen little or no progress on any of those recommendations. One of them recommended the introduction of the commissioner for learning disabilities, and we need that to happen if we are to see real progress and change. Will the Minister now take that important recommendation forward?

**Caroline Dinenge:** The hon. Lady is right to raise that, but I will point out that we commissioned the review to examine the situation. We are not running away from our responsibilities; we are standing up and facing them. We are allowing them to be entirely transparent and out there in the public domain for people to judge. The deaths that the report covered come from the period starting July 2016, so they are historical, but it is important that they are examined. The hon. Lady is right to mention the issue of the commissioner, and I will look at that.

**Kevin Foster (Torbay) (Con):** While the review's conclusions make difficult reading in some ways, it is welcome that it happened, given that it is a world first and that it gives us the chance to have this discussion. What work will be done with councils and other third sector partners on taking away some of the lessons that can be learned from the review?

**Caroline Dinenge:** My hon. Friend is right to say that this is the first time in the world that such a review has been done. We are the first to have a learning from deaths programme and a Healthcare Safety Investigation Branch, so we take such things incredibly seriously. The whole point of the learning disabilities mortality reviews is that the information will be disseminated to local trusts so that they can make plans to avoid such disastrous, tragic incidents happening in the future.

**Lilian Greenwood (Nottingham South) (Lab):** The gap in life expectancy for people with learning disabilities is deeply troubling. Last week, and at Health questions earlier, the House discussed cancer screening and the need to improve screening opportunities. The Minister will know that screening participation rates among people with learning disabilities are far below those for the general population. What specific actions is she taking to address that gap?

**Caroline Dinenge:** The hon. Lady is right to raise the inequalities of diagnosis of conditions and illnesses for which catching them early can mean the difference between life and death. That is why we have introduced annual health checks for people with learning disabilities. They mark a huge step forward and will help to reduce recognised health inequalities and ensure that reasonably adjusted care needs are much better communicated to other NHS partners.

**Chris Skidmore (Kingswood) (Con):** As a Bristol-area MP, I thank the University of Bristol for its rigorous review, which marks a milestone in increased transparency and in setting out appalling healthcare inequalities. I note with interest that the review recommends efforts to improve awareness of the signs of sepsis and pneumonia in patients with learning disabilities in the NHS. Will the Minister reassure the House that the NHS will take up that recommendation urgently?

**Caroline Dinenage:** Yes. Specific work on early detection of the symptoms of sepsis, pneumonia, constipation and epilepsy and on the effective use of the Mental Capacity Act 2005 in urgent care settings is already under way.

**Liz McInnes** (Heywood and Middleton) (Lab): The front page of the report is clearly dated December 2017, so will the Minister clarify and explain why, as she has stated today, her Department did not have sight of it prior to its publication?

**Caroline Dinenage:** I completely hold my hands up. I am not trying to mislead the House in any way. It is an independent document and the University of Bristol decided when it was going to be published. It was published on Friday without permission from or any kind of communication with the Department of Health and Social Care. I do not know what communication the university had with NHS England, but no information was passed to us. The beauty of having an independent document is that it can be published when the organisation sees fit and the Government will have to respond to it.<sup>1</sup>

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): During my career as a paediatrician, I have seen huge improvements in the care of children and young people with severe and moderate learning disability, many of whom have survived into adulthood when that would not have been the case years ago. Owing to the association between severe and moderate learning disability and other medical problems that may limit someone's lifespan, it is unlikely to ever be equal to that of the general population, but we should always ensure that the care of the most vulnerable in society is as good as it can be, and I welcome the steps that the Minister is taking to ensure that it is. Such people are cared for jointly in hospitals and in the community, so will she confirm that hospitals and community care will work together following such reviews?

**Caroline Dinenage:** This is something that my hon. Friend, as a healthcare professional, obviously knows an awful lot about. She is right that a person having the ability to communicate, understand and identify when they do not feel well is important. These annual health checks, which are available to children from the age of 14 and into adulthood, are important because they enable any healthcare issues to be disseminated and communicated much more effectively between different healthcare and other providers.

**Mike Amesbury** (Weaver Vale) (Lab): Can the Minister guarantee that future publications of such sensitive reports will be done in a timely manner and given proper parliamentary scrutiny?

**Caroline Dinenage:** I will certainly put that request to NHS England. It was not in our interest for the report to be published on Friday. This is an independent review, but it would have been much better for us to have had foreknowledge of its publication. We would then have brought a statement to the House. We will pass on the hon. Gentleman's comments to NHS England.

**Rachel Maclean** (Redditch) (Con): Sepsis has already been mentioned by my hon. Friend the Member for Kingswood (Chris Skidmore). Is the Minister aware

that the mortality rate for sepsis in the Worcestershire Acute Hospitals NHS Trust has experienced a remarkable turnaround from 49% above the national average to 26% below the national average? Will she look at some of the best practice that is down to the hard work of the doctors and nurses, the awareness-raising campaign and all the other education work happening in that hospital, and disseminate it more widely to benefit such patients?

**Caroline Dinenage:** I thank my hon. Friend for raising that important issue. Sepsis is a silent killer. If not identified early, it can lead to life-changing implications or death. She is right that we have made great steps in addressing sepsis. Only a couple of weeks ago, we launched a new e-learning tool to help healthcare professionals better identify the symptoms of sepsis, particularly in children, so they can tackle it early.

**Diana Johnson** (Kingston upon Hull North) (Lab): The Minister has spoken a lot about being committed to improvements in this area. Does she think it is acceptable that she did not know a report in this important area was to be published on Friday? Why did she not come to make a statement today, rather than waiting to be summoned to the House by my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley)?

**Caroline Dinenage:** What is unacceptable is that people with learning disabilities have poorer health outcomes than the rest of the population, which is why NHS England commissioned this piece of work and why we are determined to address it.

**Kate Green** (Stretford and Urmston) (Lab): What steps is the Minister taking to ensure that people with learning disabilities can confidently access good quality sexual health services? What work is she doing with her counterparts in the Department for Education to ensure that young people with learning disabilities receive excellent sex and relationships education?

**Caroline Dinenage:** This is an important aspect, and I will get in touch with the hon. Lady with a more detailed answer to her question.

**Stephen Lloyd** (Eastbourne) (LD): This is a shocking report, and its conclusions demean us all. A lot of people on both sides of the Chamber have asked the Minister and her Department to come up with some actions. Rather than just talking about it, will she commit today to coming back to the House with a specific action plan to prevent and change what has been an absolutely shocking situation for many decades?

**Caroline Dinenage:** The hon. Gentleman is right to say that this has been a shocking situation for many decades, which is exactly why this report was commissioned so that we can learn from past errors and identify how to stop them ever happening again. There are nine recommendations in this report, and we will work with NHS England on how to adopt every single one of them.

**Stephen Lloyd:** Will you bring it back to the House?

**Caroline Dinenage:** Of course.

1. [Official Report, 9 May 2018, Vol. 640, c. 8MC.]

## G4S: Immigration Removal Centres

4.14 pm

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab) (*Urgent Question*): To ask the Secretary of State for the Home Department if he will make a statement on the renewal of G4S's contract to run the Brook House and Tinsley House immigration removal centres.

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins)**: The Government have agreed a short-term continuation of G4S's contract to run the Gatwick immigration removal centres while further work is carried out to identify a long-term manager. The Home Office will launch a further, full competition later this year, after the outcome of two independent reviews. The contract for the management of Brook House and Tinsley House, which was due to expire this month, was put out for tender in November 2016. However, after careful consideration of the bids, it was decided that G4S would continue with the contract for a further two years. This will provide sufficient time to reflect on the two independent reviews' conclusions, conduct a new procurement exercise, and mobilise the successful provider. As with any procurement process, the Home Office has undertaken a robust evaluation of all bids, supported by a comprehensive due diligence process.

I recognise that the Government have taken this decision against the backdrop of the BBC "Panorama" programme on Brook House, which was broadcast in autumn last year. The previous Home Secretary made it clear at the time that the behaviour on display from some G4S staff was utterly unacceptable and set out our expectation that G4S would take urgent action to address the serious issues the programme uncovered. G4S has put in place a comprehensive action plan and this has quickly delivered improvements at Brook House. My right hon. Friend the Immigration Minister has met G4S to review progress, and visited the two Gatwick centres on 18 January.

Detaining those who are here illegally and who refuse to leave voluntarily is key to maintaining an effective immigration system. But regardless of status, all immigration detainees must be treated with dignity and respect. Please be assured that we will always demand the highest standards from those we entrust with the safety and welfare of those in detention.

**Ms Abbott**: Is the Minister aware of the concern that the Government put out news of the renewal of the G4S contract on the Friday between local elections and a bank holiday? There must be a suspicion that the Government were hoping to escape scrutiny—the fact that the contract was renewed at all is an even greater scandal.

The Minister mentioned the "Panorama" programme, but is she aware of a whole list of scandals in which G4S has been involved? In 2016, the BBC's "Panorama" programme also uncovered alleged abuse and mistreatment of youngsters at a G4S youth detention centre; in November 2017, an independent report found surging levels of violence were "unsafe"; another G4S facility, HMP Birmingham, was hit by riots in December 2016; and G4S was fined at least 100 times for breaching its

contract to run prisons between 2010 and 2016. There is also the very well-known case of father of five Jimmy Mubenga, who died under restraint on a British Airways plane while being deported. Several witnesses said he was held down in his seat for more than half an hour by G4S guards. His cries that he could not breathe were ignored until he actually stopped breathing. A 2011 inquest ruled his death unlawful. We have seen with the Windrush scandal that the public want an immigration system that is fair and efficient, and that bears down on illegal immigration, but they also want an immigration system that is humane. Many will feel that, given what people know about G4S's record, renewing this contract, even for two years, is not commensurate with a humane system of dealing with migrants.

**Victoria Atkins**: I thank the right hon. Lady for the urgent question. Let me reassure her that the decision to re-award the contract was taken during purdah and so we announced this on the first available opportunity after polling day on Thursday—the announcement was made on Friday. I hope that assuages her concerns as to why this has not happened more timeously. I am very conscious that I am being scrutinised here in the House, so I do not think the Government can be accused of escaping scrutiny.

As for the re-procurement process, it is precisely because we want to ensure that the long-term contract for these centres is dealt with in the way we expect that we have put in place this short-term continuation, for a period of two years. That will enable us to consider carefully the results of the independent reviews conducted by Stephen Shaw and Kate Lampard, and then build the procurement process. At the risk of striking a tone that is unusual to hear in the Chamber, we can agree across the House that we wish to have an immigration system that respects those who abide by the rules and that treats people fairly and with dignity and respect.

**Crispin Blunt** (Reigate) (Con): Does my hon. Friend agree that there are serious challenges in both the immigration and the prison custodial sectors, whether run publicly or privately? I wish to go immediately from here to listen to a discussion on substance misuse in prisons that is being held by the drugs, alcohol and justice cross-party parliamentary group. If, like me, my hon. Friend has read the annual report of Brook House IRC's independent monitoring board, she will have seen that the board in no way at all came to the same conclusions about the merits of G4S as the right hon. Member for Hackney North and Stoke Newington (Ms Abbott).

**Victoria Atkins**: I note that the independent monitoring board report noted the commitment of staff to the provision of a safe environment and included recommendations to improve the safeguarding of vulnerable detainees. Shortly, my right hon. Friend the Minister for Immigration will write to the chairman of the independent monitoring board, because that board plays such an important part. It is made up of members of the public who independently review these institutions, as similar boards review institutions across other parts of the immigration and prison system. Their role is so important in ensuring that the rules and standards that we expect are maintained by those who are entrusted with such responsibility.

**Joanna Cherry** (Edinburgh South West) (SNP): The independent monitoring board also found that the use of force against people in Brook House increased by more than 160% in the two years between 2015 and 2017. Was the Home Secretary aware of that finding in the independent monitoring board's report before he announced the renewal of G4S's contract? If so, why did he renew it? These immigration detainees are not criminals, and there is growing anger at the Government's policy of detaining them in detention centres without any fixed time limit. Will the Minister commit now to allowing Parliament a vote on this inhumane and unjust policy?

**Victoria Atkins:** The new Home Secretary has reviewed the evidence put before him and agreed with the short-term extension of the contract. We are clear that, following the two reviews that we hope will report over the next few months, we will be able to ensure that the procurement process meets the expectations of the House and of those outside it.

On G4S, as soon as the "Panorama" programme was aired, the Government set out clear expectations in our action plan. We have carried out a range of actions to meet the expectations set in that action plan, including improved training for staff and enhanced staffing levels, with recruitment and training plans in place.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): I commend the Minister for the Government's having taken swift action following the appalling "Panorama" programme. These immigration centres contain many vulnerable people. Feltham young offenders institution became the first autism accredited penal establishment in the world, and it found that that helped greatly. Will the Minister look into the possibility of rolling out that programme, particularly across the immigration estate, so that we can develop and implement standards by which we can protect vulnerable people in a custodial environment?

**Victoria Atkins:** Of course, my right hon. Friend has campaigned effectively for a long time on the importance of recognising autism and how we should treat it. Stephen Shaw set out in his 2015 report his concerns about adults who were vulnerable or at risk in the custodial environment. Indeed, that is why he has been commissioned to write a second report—a follow-up review—on the welfare of vulnerable detainees. I very much look forward to reading that report and its conclusions in due course.

**David Hanson** (Delyn) (Lab): How much did the abortive tender process cost the taxpayer, and were there any bidders, other than G4S, for the initial contract when it was offered up for renewal?

**Victoria Atkins:** With regard to the original procurement process, due diligence was conducted, as would be expected, after the bids were received. In the light of the "Panorama" programme, further due diligence was conducted, and, as a result of further due diligence into the process, the Government have decided that the procurement process should be reopened so that all the actors in this field can take into account the two reviews that we are awaiting this year.

**Giles Watling** (Clacton) (Con): Where there is bad practice, it is important that staff are empowered to speak out. Will my hon. Friend tell me what G4S is doing to ensure that secure whistleblowing procedures are in place?

**Victoria Atkins:** That is one of the requirements in the action plan that the Government set G4S after the programme. We are very clear that whistleblowers are essential to ensuring that problems are brought to light effectively and quickly. As part of the action plan, G4S has reinforced its whistleblowing policy. All staff have been issued with cards featuring telephone numbers to enable them to raise concerns confidentially, and following work with the Jill Dando Institute, G4S has trained staff to become "speak out" champions, promoting and embedding the message that whistleblowing is not just desirable, but a clear expectation when unacceptable behaviour is witnessed. In addition, there is also the introduction of body-worn cameras, which serve, I hope, to reassure the House and others that there is transparency and that, if there are allegations, we can very quickly get to the truth of them.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I welcome the fact that this is a time-limited renewal. The Minister will know that many of those who are detained in these centres are there following the refusal of their applications for asylum. She will have seen the report on the BBC website today where one Home Office caseworker describes that system as being "arbitrary" in its outcomes. When it comes to the point that we renew this contract, or whatever follows it after the reviews, will the Minister give us some guarantee that we will look at not just the detention but the whole system that leads people to that point?

**Victoria Atkins:** The right hon. Gentleman will appreciate that, last week, the Home Secretary set out in two statements before the House his vision for immigration policy and the principles that he expects to be applied to immigration policy. Taking into account the reviews that are being conducted, I am sure that those principles will be very much at the forefront of his mind.

**Sir Desmond Swayne** (New Forest West) (Con): What is the mode, the mean and the median time spent by the existing cohort of detainees at the Gatwick detention centres?

**Victoria Atkins:** I think that I am grateful to my right hon. Friend for his question. Let me just put the matter into context: 95% of individuals liable to removal from the UK at any one time are not detained and are therefore managed in the community. With regard to the time that people spend in detention, 63% of detainees left detention in under 29 days in 2017 and 92% left within four months.

**Paul Blomfield** (Sheffield Central) (Lab): Following the Brook House scandal, I asked the Cabinet Office whether G4S had been considered for designation as a high-risk supplier, but I was stonewalled with the answer that such information is not published. Given that what we saw at Brook House was an appalling, comprehensive and systemic management failure, will the Minister explain what constitutes high risk?

**Victoria Atkins:** I hope that the hon. Gentleman will understand that I am not privy to that set of correspondence between him and the relevant Minister. The action plan put in place with G4S was demanding. Indeed, out of that plan, a new manager was appointed, nine members of staff were dismissed and a range of measures were put in place with regards to staffing levels, body-worn cameras, training and whistleblowing procedures. The company's drug strategy was also improved as part of the action plan to try to get to the nub of what was shown in "Panorama", but I want to be absolutely clear that the actions shown in that programme were simply unacceptable.

**James Cartledge** (South Suffolk) (Con): In the Windrush debate, I think that there is now a growing recognition on all sides that our immigration policy needs to show that it balances humanity with a robust ability to deal with those who are here illegally. The contract with G4S was a short-term award, but does my hon. Friend agree that, when the contract is awarded on a long-term basis, those bidding must demonstrate that they understand that and can deliver it?

**Victoria Atkins:** Very much so. The competition will be a free and fair one, in that bidders will be expected to show that they can meet the expectations of the Government and others when it comes to quality, financial stability and price.

**Andy Slaughter** (Hammersmith) (Lab): Incidents of serious violence and cover-ups in G4S-run institutions such as Medway secure training centre go back at least 15 years. Indeed, G4S sold what it called its children's services business, which seemed like an admission of failure on its part. Why, then, would the Government give the company an extra two-year contract? What other ideas did they consider? Did they think about taking the service back in-house, as they have done in previous cases of failure by private providers?

**Victoria Atkins:** The hon. Gentleman talks about simply taking matters back in-house, but we have to acknowledge the complexity of providing services to people who often have vulnerabilities. When these people are in the centres, they may well be pursuing live claims on their immigration status themselves. Given the need to continue to provide these services at the standards that we expect, the view was taken that we would extend the current contract by two years, thus enabling a proper procurement process to occur in the light of the two reviews and allowing a decision on the next contract to be taken in good time and with care.

**Kevin Foster** (Torbay) (Con): Where there is bad practice, it is of course important that staff who witness it feel empowered to speak out. How has the Minister satisfied herself that G4S has appropriate whistleblowing procedures in place to allow that to happen?

**Victoria Atkins:** The need for G4S drastically to improve its whistleblowing procedures was part of the action plan. As I have set out already, G4S has taken various steps, including embedding the culture of making available telephone numbers that enable people to raise their concerns confidentially and training staff to be "speak out" champions—promoting and embedding

the expectation that staff will speak out. In addition, body-worn cameras help to take the burden from people who may be worried about reporting. Of course, the independent monitoring board has an important role in ensuring that there are people who inspect and are monitoring the behaviour of the staff and organisations in this world.

**Catherine West** (Hornsey and Wood Green) (Lab): There was a criminal investigation following the scandal highlighted by "Panorama". Will the Minister tell us what happened following that investigation? Have people been punished? May I also press her on the question of this House having a vote, so that this country can be brought in line with other European nations where there is a 28-day statutory limit on the time for which people can be held in such facilities? Far too many people detained in such facilities should be in the community, not in detention centres.

**Victoria Atkins:** On the hon. Lady's query about police investigations, allegations were passed to the police. I understand that there is one case where an investigation is ongoing. I cannot assist the House further on that, I am afraid. Indeed, given that that is the case, perhaps I should not be commenting on it anyway.

On the wider point about time limits, this is a matter that the Home Office reviews and looks into very carefully. The vast majority of people who challenge the requirement to remove them under their right to remain status are in the community already. The fact that most detainees left detention in under 29 days should, I hope, offer her some comfort, but of course we must always look at how we can improve that figure further.

**Bim Afolami** (Hitchin and Harpenden) (Con): The Minister will have heard from all parts of the House the shock at these revelations. Bearing that in mind, will she confirm that there have been substantial changes to the practices at Brook House since these revelations have come to light and set out what oversight the Government will have over G4S during the contract extension period?

**Victoria Atkins:** I thank my hon. Friend for his interest. An action plan was put in place that included appointing a new manager and dismissing nine staff, enhancing staffing levels with recruitment and training plans, introducing body-worn cameras for staff to provide more transparency and assurance, refreshing and promoting whistleblowing procedures, putting in place an improved drugs strategy, and commissioning an independent review led by Kate Lampard to look at the root causes of the issues highlighted that is expected to report this summer. In addition, the Home Office monitors this continuously. Indeed, the Home Office has strengthened its staff numbers at the centres to try to help on a casework basis people who may wish to return voluntarily.

**Clive Efford** (Eltham) (Lab): G4S's performance in how it delivers public contracts is woefully inadequate, and not only in the Prison Service. G4S runs the transport service for my local hospital. Last week, I had to go to rescue a 94-year-old relative from a discharge area full of patients who had been waiting over five hours for G4S to turn up, and this is a regular occurrence. I am a governor of a school where G4S consistently fails to deliver on the school maintenance contract. When are

[Clive Efford]

the Government going to get a grip and deal with G4S, because there is something fundamentally wrong at the heart of this company?

**Victoria Atkins:** G4S is held to account not just by the Home Office but centrally through Cabinet Office reporting requirements. The new procurement process will provide a basis for further progress on all these issues, and the progress of G4S will continue to be monitored very closely.

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): Morton Hall in my constituency is an immigration removal centre facing significant challenges and issues. Will my hon. Friend update the House on what is being done to improve immigration removal centres including not just Brook House but Morton Hall?

**Victoria Atkins:** My hon. Friend will know of the issues in her own constituency. Morton Hall is in a slightly different category because it is run by the Prison Service and not by G4S. That reflects the fact that these are people who are being detained in a prison environment awaiting their removal. The Government take very seriously the treatment of people whose immigration status is not to their liking and who have appeals and so on in the process. The fact that the vast majority of people who are liable to removal from the UK are in the community being dealt with through alternatives to detention should, I hope, give comfort to the House.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): If “Panorama” shocked the nation with its depiction of racial abuse and choking of detainees at Brook House, the collapse of Carillion like a pack of cards has exposed that the outsourcing model is failing our public services. Why are the Government persisting with this course of action, or on a sunny pre-bank holiday filled with local election results, did they think no one would notice?

**Victoria Atkins:** I can only assume that the hon. Lady was not in the Chamber when the shadow Home Secretary asked me that question. The answer is that the decision was taken during the purdah period, so the announcement was made on the first available day after purdah. Again, I reflect on the fact that I am standing here at the Dispatch Box being scrutinised.

The fact is that there is a role for private sector involvement in the delivery of services, as long as we ensure that it is about delivering the best public services at the best value for money. I remind the House that this is not a new thing; it did not come about in 2015 or 2017.

Private companies have been helping the Government to deliver various services since the 1990s, including under a Labour Government.

**Diana Johnson** (Kingston upon Hull North) (Lab): May I say to the Minister that this is an urgent question, not a statement that she has come to the House to make? She has been brought here to answer questions. G4S seems to be able to fail in a variety of contracts, without any consequences at all. There have been failures in prisons, electronic tagging, secure units and now immigration detention centres. When are the Government going to get a grip and sort this out?

**Victoria Atkins:** As I have said, the Government are awaiting the two reviews that are being conducted, and we will consider those results very carefully. The re-procurement process will be started afresh, and from that, expectations will be set and standards will have to be met.

**Kate Green** (Stretford and Urmston) (Lab) *rose*—

**Mr Speaker:** Before I call the hon. Member for Stretford and Urmston (Kate Green), I say not for the first time, and I am sure not for the last, that the hon. Member for Kingston upon Hull North (Diana Johnson) is correct: this is indeed an urgent question, and on the principle that the House and perhaps those attending to our proceedings like to have a bit of extra information, I can vouchsafe to all present that this is the 465th urgent question that I have been pleased to grant.

**Kate Green:** I have to say to the Minister that a two-year extension—what she calls a “short” extension—to the contract will seem to many like a reward to G4S for its failure. If she is now reopening and rerunning the tendering process, will she take the opportunity to do that in tandem with a review of the tendering and provision of healthcare services in immigration detention centres, which seem to be woefully inadequate to meet the needs of the very vulnerable detainees who have been mentioned this afternoon?

**Victoria Atkins:** May I explain the reason why two years has been settled upon? The Home Office has taken the view that that is the minimum period required realistically to revisit the specification, to run a full and legally compliant procurement process, to complete all the relevant governance processes and to mobilise the new services. That timetable is not unusual for a procurement of this sort of value. I will ask the Immigration Minister to write to her on the question about healthcare.

## Point of Order

4.43 pm

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): On a point of order, Mr Speaker. I wonder if you could help me with a situation that has arisen in Buckinghamshire and therefore may be of concern to you.

We were all delighted when my right hon. Friend the Member for Bromsgrove (Sajid Javid) was promoted to the Home Office and my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire) took over at the Ministry of Housing, Communities and Local Government. However, that has coincided with the potential reorganisation of local government in Buckinghamshire. Because it is quite hotly contested between having one unitary authority or two local authorities, notices have gone out to ask constituents to feed into the Secretary of State their feelings about the “minded to” decision that he announced.

Unfortunately, the email address given out by the Ministry and printed in all the leaflets that have been distributed throughout the county was based on the name of my right hon. Friend the Member for Bromsgrove. We were assured that the address would remain open until 25 May, when the decision is due, but despite the assurances from the Ministry, it appears that constituents trying to put in their representations are now getting a bounce-back message saying that the email has address has been closed. There are no instructions as to who they should now contact and no information given as to why the address has closed. That means that constituents’ views are not getting through to the Ministry on this matter, which, as I know you appreciate, is very important.

What can we do about that? Is there any way we can ask a Minister to come to the Dispatch Box and confirm that the email address will be reopened, or can we ensure that we get an extended period, so that we can put to rights this aberration whereby people have been asked for their opinions, but the wherewithal of giving that opinion to the Ministry has been unilaterally withdrawn without any notice?

**Mr Speaker:** I am very grateful to the right hon. Lady for her point of order, and for her characteristic courtesy in giving me advance notice of her intention to raise it. This certainly sounds rum, and it is indeed a very unsatisfactory state of affairs. I am very familiar with the issue because, as she suggests, it is of course a matter of concern to my constituents and to hers, as well as to those in other Buckinghamshire constituencies.

I think the effect of the right hon. Lady raising this matter on the Floor of the House is that the gravamen of her concern will be speedily communicated to the new Secretary of State, and an appropriate change must be made. Technology can be very helpful, but if it is dysfunctional or inflexible, it does not aid but obstruct, which cannot be allowed to happen. If people have been told that they have a certain period in which to get across their views by a convenient means, such a means must be available, and if it ceases to be available, it must be restored.

I do not want to tease the right hon. Lady. I have known her a very long time, so I can probably get away with a bit, although she looks a bit doubtful on that score. I just want to say to the right hon. Lady, whom I have known for a very long time—she has been my county colleague for over two decades—that even though she is now a dame, and therefore even more illustrious than she used to be, she is very much in touch, grounded in her constituency and well aware of these matters. That is in stark contrast, I must admit, to one of my great historical parliamentary heroes, Edmund Burke. I remember that I used to rhapsodise about Burke, until Tony Benn said to me, “John, I wouldn’t overdo it if I were you. Burke may have been a great man, but his visits to his constituency were by way of being an annual pilgrimage.” By contrast, the right hon. Lady seems to know what is being said on her watch. I do not know whether she is happy with my answer to her point of order, but that is the answer she is getting.

**Dame Cheryl Gillan:** Further to that point of order, Mr Speaker. I am most grateful, and I am glad to have given you the opportunity to wax lyrical about one of your heroes. I hope that this will lead to the reopening of the email address, and that the Department will take note so that our constituents can get their message through. [*Interruption.*]

**Mr Speaker:** The right hon. Lady’s hon. Friend the Member for Croydon South (Chris Philp) is gesticulating from a sedentary position to the effect that he is communicating the thrust of this exchange to the Department now. What a whizz kid the hon. Gentleman is. I am most impressed. [*Interruption.*] They both look frightfully happy with the product of their endeavours this afternoon.

If there are no further points of order, we now come to the ten-minute rule motion, for which the hon. Member for Mansfield (Ben Bradley) has been so patiently waiting.

## Protection of Pollinators

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

4.48 pm

**Ben Bradley** (Mansfield) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the protection of pollinators; and for connected purposes.

This Bill would place a duty on the Department for Environment, Food and Rural Affairs, in consultation with local authorities, to bring forward a mechanism for and plan to deliver a national network of pollinator corridors containing spaces rich in wildflower habitat. It would also encourage public authorities to seek opportunities to contribute to the development and implementation of pollinator corridors. There has certainly been a bit of a buzz about bees and insects in recent years. That was a nice one to start with, and I may reach something of a crescendo with the puns later.

Wild pollinators include bees, butterflies, moths, flies and various other insects such as beetles and wasps. More than two thirds of Britain's pollinators are in decline, including many species of bumblebee, butterfly and moth. Indeed, 35 of the UK's bee species are currently under threat of extinction. Although they make the headlines most often, it is not just bees that are struggling: 76% of UK butterfly species and 66% of UK moth species are also in decline. The public are very concerned about that decline—indeed, as many colleagues will attest, they often write to their MPs about this issue. In terms of the volume of emails on a specific campaign, this issue and other animal welfare concerns are always among the most popular. I am sure we have all experienced the enthusiastic campaigns of groups such as Buglife and the Wildlife Trusts at our respective party conferences.

Pollinators are facing unprecedented challenges, including climate change, intensive farming, pests and diseases, pesticide use and urban growth. They need food, water, shelter and nesting areas as well as the ability to roam far and wide—as they would naturally, without the barriers placed in their way as a result of urban sprawl. As the concrete jungle grows, their natural habitat inevitably shrinks.

Dramatic losses of wildflower-rich habitat and the fragmentation of the remaining protected spaces are some of the main threats to the survival of many pollinators. A significant further decline in their population would be a disaster for the UK: devastating for our farmers and our food sustainability. It would also have a huge impact on a wide range of businesses that rely on these insect-pollinated crops; our cider producers and food manufacturers, for example, would be hit hard.

Insect pollinators benefit both the yield and the quality of many crops. Studies suggest that their activity is worth nearly £700 million to UK food production annually—equivalent to 13% of the value of our agricultural produce. There is no overall assessment of the current impact of the decline on crop production, but we know that a lack of pollinators is already costing apple growers, for example, millions of pounds each year. A further decline would also devastate our wildflower population and change our biodiversity forever. It is important to note that creating wildlife sanctuaries and protecting our green spaces will not only support our bees and

insects; it will also have other positive outcomes for everything else. It will have a beneficial impact on our local communities, and on our individual mental health and wellbeing. That is as significant—if not more so—in deprived areas as in our leafy suburbs. Green spaces are places of tranquillity and provide a space away from the hustle, bustle and stresses of modern life—the more the merrier, in my view.

I met my hon. Friend the Minister for Agriculture, Fisheries and Food recently to discuss the protection of pollinators, which, I was pleased to hear, is a priority for the Government. I was pleased to hear about the positive work under way on the national pollinator strategy—an approach setting out how the Government, beekeepers, conservation groups, farmers and researchers can work towards common goals together.

A 2016 report on the implementation of the strategy highlighted positive progress across its actions, including on habitat creation, public engagement, protecting honey bee health and improving our understanding of this issue. Given the importance and value of pollinators, it is right that we should discuss whether there is a need for further legislation to work alongside the strategy and the powers currently in place. The national pollinator strategy is a 10-year plan, which was published in November 2014. It sets out the Government's commitment to playing a leading role in improving the status of the 1,500 or so pollinating insects in England. The strategy is an important step in protecting bees and other insects.

It is also important to recognise that current legislation includes the provision to regulate the use of pesticides and provide protection for bees and our most threatened species. Those are all positive steps, but I still believe that more could be done. The strategy covers key issues such as supporting pollinators on farmland and supporting bees and insects across towns, cities and the countryside, but it does not emphasise or plan to support pollinator pathways and corridors. Government support so far has focused on temporary habitats and patches of protected countryside. Although those provide some benefits to pollinators, they do not provide the variety of flora or the nesting habitats required for them to thrive.

The best habitats are fragmented throughout the UK, and insects are still confined to small areas—pollinators are not free to fly as they naturally would, but are often stuck in small pockets without the freedom to roam far and wide. That is especially problematic when we develop on land that does not have the connections and pathways to allow insects and wildlife to move to new areas. Almost a fifth of these habitats have been lost. Independent scientific reviews have identified the loss of wildflower-rich habitats as the likely primary cause of the recorded decline in the diversity of wild bees and other pollinating insects. When we develop on green space, too often we lose the local wildlife. This is where the Bill and pollinator corridors come in.

Charities such as Buglife have been working on solutions to our pollinator problems. One option is something it has called “B-Lines”. B-Lines are a series of insect pathways running through our countryside and towns. Along them stretch a series of wildflower-rich habitat stepping stones, providing support for these species and others. They are effectively a road network for insects. B-Lines provide a framework in which to target large-scale habitat restoration, as well as small-scale pollinator resources. The framework helps to encourage landowners,

businesses and the public to get involved locally. Going forward, the B-Lines network would ideally be identified within local plan frameworks to ensure a more joined-up approach, so that local authorities, developers, landowners and managers, and other partners, can work together to support pollinator corridors. Co-ordinated habitat restoration will help to ensure that we develop pollinator-friendly landscapes more efficiently and quickly.

The fragmentation of habitats presents a significant threat to species, as they find it increasingly difficult to colonise new areas, particularly as our climate changes. Where there is more continuous habitat, species can spread faster.

Modelling has demonstrated that targeting support at grassland habitat restoration and creation, and creating a channelled pattern of habitats is the most effective way of promoting species dispersal. The Bill will encourage local authorities to reference and support pollinators within their local plans and local environmental strategies. It will help to ensure the increased delivery of the national pollinator strategy locally and importantly it will promote the B-Lines network as a priority for action.

There are some positive case studies which show that this approach can be successful. On the banks of the River Derwent, east of York, a landowner was inspired by the B-Lines idea and proposed the creation of a new wildflower-rich floodplain meadow. The landowner worked with Buglife to turn a six hectare arable field, where flooding was an issue, into a large wildflower-rich habitat, which acted as a new stepping stone for pollinators on the B-Lines network. In addition, it helps to reduce sediment leaching into the river system. It shows that increasing our wildflower networks can have multiple environmental benefits.

In Kent, commercial orchards within the B-Lines network near Maidstone have been increasing pollinator habitat by changing mowing regimes to promote wildflowers between fruit trees. This is a win-win situation: a simple change that results in increasing habitat for wild pollinators and also helps to increase crop yields.

In the north-west of England one of the B-Line partners, Cumbria Wildlife Trust, is working with Highways England to focus on key stretches of the A66 and A595, aiming to use parts of the highways estate and other land to support pollinators and create B-Lines, increasing wildflower-rich habitat and helping to reduce the fragmentation of existing wildflower-rich areas.

B-Lines also provide an opportunity for Government Departments and agencies to prioritise work for pollinators. Buglife is working with both the Ministry of Justice and the Environment Agency to identify key sites, including prisons, seawalls and floodplains, where wildflower habitat creation could be taken forward. I hope that the Bill will place renewed emphasis on that work. The Bill asks the Department for Environment, Food and Rural Affairs to bring forward a mechanism to deliver B-Lines, including a national map of pollinator corridors, which will in turn encourage local authorities to act to support pollinators. Local authorities are of course best placed to know their local environment, understand specific local challenges and the needs of the local population.

Protecting pollinators involves action by many different groups, including large-scale and small-scale farmers. Farmers have played an important role so far. They are

the custodians of much of our natural environment and have generally worked hard to support bees and insects. I want to recognise the work that farmers have played in supporting our pollinators and their crucial role in the success of pollinator corridors, as well as the importance of protecting wildlife for our agriculture and food supply too. Protecting pollinators does not need to be an onerous commitment for farmers, the Department for Environment, Food and Rural Affairs or local authorities. It is an example of an evidence based approach with all-round benefits that need not consume huge resources to deliver an impact.

Local authorities already have a duty to conserve biodiversity under the Natural Environment and Rural Communities Act 2006. The national planning policy framework states that plans should include a strategy for enhancing the natural, built and historic environment and support for nature improvement areas. The Bill is another step towards encouraging local authorities to explicitly reference pollinators within local plans. I am pleased to confirm that it will also involve minimal expenditure for local authorities.

Helping bees and other insects can be easy, as the case studies I mentioned have demonstrated. Whether it is changing the patterns of cutting local verges, decreasing grass cutting in remote areas or working with local charities and housing developers to encourage pollinators in our urban spaces, the Bill does not seek to place a financial commitment on local authorities. Buglife and Friends of the Earth have published a paper that looks at developing local pollinator action plans. The Bill is another way to advance those plans.

You will like this bit, Madam Deputy Speaker. I am going to end on a high. We have an opportunity to make a beeline for the protection and growth of our pollinator population, which I am sure colleagues will flock to support like moths to a flame. DEFRA has been a hive of activity and positive announcements in recent months, and this could add further to their success. There has been a lot of talk and some positive steps. I do not believe that we have been just bumbling along. We must ensure that there is a sting in the tail. Further action must be taken. I had a joke about calling somebody “Honey”, Madam Deputy Speaker, but I will take it out as Mr Speaker has left the Chamber.

Having spoken to colleagues, I know that there is widespread support across the House for the protection of pollinators and for the idea of pollinator corridors. I therefore commend the Bill to the House.

*Question put and agreed to.*

*Ordered,*

That Sir Roger Gale, Sir Oliver Letwin, Dr Matthew Offord, Andrew Selous, Neil Parish and Ben Bradley present the Bill.

Ben Bradley accordingly presented the Bill.

*Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 206).*

## THE SPEAKER'S ABSENCE

*Ordered,*

That the Speaker have leave of absence on Wednesday 9 May to attend the funeral of the Right honourable the Lord Martin of Springburn, former Speaker of this House.—(*Andrea Leadsom.*)

## Secure Tenancies (Victims of Domestic Abuse) Bill

*Consideration of Bill, not amended in the Public Bill Committee.*

### New Clause 1

#### DUTY TO REVIEW COOPERATION BETWEEN ENGLAND, WALES, SCOTLAND AND NORTHERN IRELAND

(1) By the end of the period of six months, beginning with the day on which this Act is passed, the Secretary of State must publish a review into the potential for future cooperation between local authorities in England, Wales, Scotland and Northern Ireland in relation to the provisions of this Act.

(2) The review under subsection (1) must consider how it may be possible to extend the provisions of the Act to ensure that applications for secure tenancies in cases of domestic abuse—

- (a) from Wales, Scotland or Northern Ireland may be considered by local authorities in England;
- (b) from England, Scotland or Northern Ireland may be considered by local authorities in Wales;
- (c) from England, Wales or Northern Ireland may be considered by local authorities in Scotland; and
- (d) from England, Wales or Scotland may be considered by local authorities in Northern Ireland.

(3) The review must be laid before both Houses of Parliament.

(4) In this section, “local authority” means—

- (a) in relation to England, the council of a district, county or London borough, the Common Council of the City of London and the Council of the Isles of Scilly;
- (b) in relation to Wales, the council of a county or county borough;
- (c) in relation to Scotland, the council of a district or city;
- (d) in relation to Northern Ireland, the council of a district, borough or city.”—(*Melanie Onn.*)

*Brought up, and read the First time.*

5 pm

**Melanie Onn** (Great Grimsby) (Lab): I beg to move, That the clause be read a Second time.

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

Amendment 1, in clause 1, page 1, line 9, after “tenant)” insert

“and regardless of whether the qualifying tenancy is in the jurisdiction of another local authority”.

Amendment 2, line 25, at end insert—

“(2BA) A local housing authority which grants an old-style secure tenancy under subsection (2A) or (2B) has discretion to decide whether or not the maximum rent for the old-style secure tenancy should be determined according to regulation B13 of the Housing Benefit Regulations 2006 (SI 2006/213) as amended by the Housing Benefit (Amendment) Regulations 2012 (SI 2012/3040).”

Amendment 3, page 1, line 25, at end insert—

“(2BA) A private registered provider of social housing or a housing trust which is a charity that grants a tenancy of a dwelling house in England must grant an old-style secure tenancy if—

- (a) the tenancy is offered to a person who is or was a tenant of some other dwelling-house under a qualifying tenancy (whether as the sole tenant or as a joint tenant); and
- (b) the provider is satisfied that—
  - (i) the person or a member of the person’s household is or has been a victim of the domestic abuse carried out by another person; and

- (ii) the new tenancy is granted for reasons connected with that abuse and such a private registered provider of social housing or housing trust which is a charity shall be considered a person who satisfies the landlord condition under section 80 for the purpose of granting an old-style secure tenancy in accordance with this subsection.”

**Melanie Onn:** We are here to discuss a short but important Bill. It has been introduced by the Government to plug the gaps left by ministerial incompetence in the progression of the Housing and Planning Act 2016. Despite the Opposition’s warnings, the Government failed to listen, so we are here today to remedy the situation as fully as possible for victims of domestic violence.

In Committee, we tabled an amendment to try to secure additional guidance and training for local authority staff who are expected to make decisions about domestic violence cases. In response, the Minister talked about the high quality of Southwark Council’s homelessness team as an example of the Government already providing enough support. I am convinced that Southwark Council is doing an excellent job, but it has taken part in a number of pilot schemes, so surely the Minister recognises that it will not be representative of the whole country, particularly as it has been allocated well over £1 million to deal with the new burdens that have been introduced under the Homelessness Reduction Act 2017. Although there are good reasons for the extra funding, it allows the council to employ specialised officers who are responsible for specific areas of homelessness and to provide an holistic approach to those presenting as homeless.

However, if we look at another city elsewhere in the country—York—we find that it has been allocated just over one twentieth of the resources provided to Southwark and it does not have enough money even to hire one experienced housing officer, never mind a specified officer to deal with domestic abuse cases. The truth is that the quality of domestic abuse homelessness provision varies massively from authority to authority, and getting the proper care is far too much of a postcode lottery.

Although I am not introducing an amendment on this issue today, I hope that the Government consider the reports from charities such as Women’s Aid about the difficulty that some women face when trying to explain their situation to local councils. There are cases of women being told to go back to the perpetrator or to come back when the situation got worse. I think we can all agree that that is completely unacceptable. The Minister should look into those reports and take steps to improve the quality of advice in boroughs and districts where problems have been identified with the treatment of domestic abuse victims.

**Mrs Maria Miller** (Basingstoke) (Con): I understand the point that the hon. Lady is making, but does she not welcome the fact that the Government are introducing an extra £17 million to help more than 40 local authorities to provide better services? The Government really have made this a priority; does she not welcome that?

**Melanie Onn:** As I made clear, we are not tabling an amendment on this, but I urge the Minister to consider the reports from Women’s Aid to make sure that across the country there is parity of service for all victims of domestic violence.

**Wera Hobhouse** (Bath) (LD): There is obviously consensus that the Bill is a step in the right direction, and we welcome it, but are there not other barriers to secure tenancies—for example, if debt was incurred in the previous tenancy? Will social landlords have to accept these women? A lot of advice needs to be given, and that is why it is important that the extra services and help are provided.

**Melanie Onn:** I thank the hon. Lady for that intervention, and I agree: sufficient support should be available across the whole country. Very often, individuals will present with unique circumstances, and legislation cannot provide for each and every eventuality, but making sure that the appropriate training is in place across the country will go some way towards assisting those individuals.

**Toby Perkins** (Chesterfield) (Lab): I agree entirely with what my hon. Friend is saying about the postcode lottery. When I raised that on Second Reading, the Minister said that I was complaining about an issue that did not exist, but it has become clear from subsequent meetings with Women's Aid that different local authorities are applying very different interpretations of the rights in terms of housing allocations and local connections, so I support her efforts to ensure more consistency across the piece.

**Melanie Onn:** I thank my hon. Friend for his intervention and concur with his remarks. Other issues raised by hon. Members have prompted assurances during the Bill's progress, and I take the Minister at her word and hope the Government live up to her words.

New clause 1 would ensure that cross-border travel does not negatively affect the rights in the Bill. People who flee domestic abuse end up in all parts of the country, but an unevenness in legislation means that domestic abuse victims in the devolved nations are subject to different rights and protections. The new clause seeks to protect the rights of domestic abuse victims countrywide and ensure that travelling from one council area in one country to another in another country does not impede the rights of a domestic abuse victim.

Domestic abuse victims often have little time to plan when fleeing an abusive partner and are unlikely to think that a move to their nearest large town or city might change their circumstances as a victim of domestic abuse, yet that is the reality in places such as Chester and Wrexham. It should be unequivocal that the rights in the Bill travel with the victims. In Committee, the Minister informed me that this matter would be brought up at the devolved Administration roundtable last month in the hope of agreeing a memorandum of understanding between the Administrations.

**John Redwood** (Wokingham) (Con): I understand what the hon. Lady is trying to do, but I do not think her new clause does it, because it says that the Government should "review" the situation. What powers would she want the Government to take to override devolved Governments?

**Melanie Onn:** The purpose of the new clause is not to override the devolved Administrations, which is why it calls for a review. If the right hon. Gentleman listens to the remainder of my speech, perhaps it will clarify things for him.

I am pleased to see action to improve cross-border collaboration, but I have not seen any such memorandum. In any event, domestic abuse victims need more than a memorandum of understanding, and we have the opportunity to give them just that right now. I am aware of the sensitivities surrounding devolution, so the new clause does not seek to impose Parliament's desires on the devolved Administrations, but would instead commit the Government to publishing a review of the domestic abuse policies of each Administration and to working towards ensuring that victims of domestic abuse are treated equally when they move from one nation to another.

**Sir Robert Syms** (Poole) (Con): Has the hon. Lady written to the Scottish Parliament or Administration, or indeed to the Welsh Government, to ask whether they approve of her new clause?

**Melanie Onn:** I have relied on the good offices of the Minister, who is in government, to undertake the duties of consultation with the devolved Administrations, which was due to take place, I believe, on 19 April, and we await the distribution of a note on the outcome of those meetings, which was requested but which I have not had sight of as yet.

**The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler):** It was emailed to the hon. Lady and all Committee members this morning.

**John Healey** (Wentworth and Dearne) (Lab): Just in time!

**Melanie Onn:** I thank the Minister.

**Mrs Wheeler:** It is dated 8 May. It was sent over the bank holiday weekend.

**Melanie Onn:** That is an opportune time for materials to be sent, as we found out during the urgent questions this morning. I am sorry I have not seen the note. I am grateful that the Minister has provided it, but it is incredibly unfortunate it was not provided sooner, because the information might well have informed the debate. [*Interruption.*] The Minister may well wish to provide it to me right now, but I am in the middle of my speech and it would be difficult for me to speak and read at the same time—as good as I am at multi-tasking!

Amendment 1 adds a requirement for a secure tenancy to be offered when domestic abuse victims apply for rehousing in a local authority area different from the one in which they previously had their secure tenancy. In Committee, the Minister said that the amendment was ineffective because the requirement was already provided for in the Bill, but there remains some unease about the current wording. The amendment would provide peace of mind, as prescribed by the Government back in 2016. We must not forget that the sector has been waiting for two years, having been assured by the Government that the requirement would be covered by the Housing and Planning Act 2016. The purpose of the amendment is simply to ensure that we do not end up in the same position again if it turns out that the Bill does not guarantee domestic abuse victims secure tenancies if they end up crossing local authority boundaries.

**Ruth George** (High Peak) (Lab): I am sure that my hon. Friend, like me, welcomes the fact that tenants who have suffered domestic abuse will be offered secure tenancies, but does she share my concern about evidence given to the Work and Pensions Committee that when local authorities apply to the Department for Work and Pensions for benefits to support a victim of domestic abuse, they are frequently told that it will be several weeks before a decision can be made, and victims are returning to perpetrators because they cannot be guaranteed the funds that would secure their secure housing?

**Melanie Onn:** That is an important point, and I hope that the Minister will take it on board. The issue needs to be dealt with on a cross-Government basis. The Minister has given repeated assurances that she is engaged in conversation with representatives of other Departments, but there certainly should not be any Government policies that discourage victims of domestic violence from leaving the perpetrators of that violence.

Two thirds of all domestic abuse victims who present themselves at refuges come from outside the local area. We know that housing insecurity is a major reason for the fact that too many victims stay with their partners. The amendment is important, because this issue affects far too many of the domestic abuse victims whom we are trying to help today for us to leave things to chance. For the sake of absolute clarity, I ask the Minister again to accept it. I assure Conservative Members that this is not a matter of policy or politics, but a matter of good practice.

Amendment 2 would ensure that victims of domestic abuse do not have to pay extra charges as a result of the bedroom tax if they are provided with a secure tenancy that incorporates a spare room. There are particularly good reasons why the Government must see sense when considering whether to apply the tax to victims of domestic violence. Victims face all sorts of barriers to leaving abusive partners, and the sad impact is that one in five spends more than 10 years living with an abusive partner. That statistic applies only to women who are able to leave: as we all know, countless women never manage to leave their abusive partners, and every week two women are killed by a partner or ex-partner. That is why we need to knock down as many of the barriers as possible.

The amendment would help to remove some of the financial pressure on people fleeing domestic violence, and will ensure that no one who is considering leaving an abusive relationship has to worry about the extra burden that the bedroom tax could add to their costs. It is a vital amendment, because domestic violence victims often have limited means, and may not be able to take jobs that would enable them to provide for themselves and their families. Many domestic violence victims have been subject to financial abuse, being forced to quit their jobs and give their money to their abusive partners, and having little control over their own finances. Domestic abuse victims need help, not a cruel and unnecessary tax over which they have no control. I plead with the Government to make an exception to their bedroom tax, and provide the help and support that domestic abuse victims desperately need.

Amendment 3 would ensure that those in housing association properties are given the same rights to secure tenancies as those in council housing. In Committee,

I was concerned about the Minister's seeming lack of appreciation of the variety of council housing available. While I accept that some housing associations fulfil different functions in society from councils providing housing, a number of them represent the sole social housing provision in a local authority. In Committee, the Minister said that

"local authorities and housing associations are very different entities, which are subject to different drivers and challenges."—[*Official Report, Secure Tenancies (Victims of Domestic Abuse) [Lords] Public Bill Committee, 27 March 2018; c. 30.*]

If someone is a resident of Wakefield, their social housing is managed by the Wakefield and District housing association, which exists to manage the local authority's housing needs and assets, whereas my own local authority underwent a full stock transfer, with tenancies transferring as per council tenancies. Many housing associations in this country have extremely similar drivers and challenges to council-managed housing, and many people in areas such as Wakefield still think of their housing association house as a council house. This amendment seeks to ensure that such victims of domestic abuse in areas such as Wakefield and North East Lincolnshire are given the same rights and protections as those in council housing.

5.15 pm

The Minister has said that the amendment would result in private sector landlords having to operate two different systems, but the Bill as it stands could create two different sets of rights for domestic abuse victims, depending on how their local authority decided to meet its housing needs. I am sure that everyone will agree that it cannot be right that a domestic abuse victim who ends up in Wakefield is afforded fewer rights under this Bill than one who ends up in Leeds. We must guarantee that the rights of domestic abuse victims do not vary across the country.

**Mrs Wheeler:** Before responding to the specific amendments, I would like to say a few words about a number of the issues that arose in Committee. Also, I am sorry that the hon. Member for Great Grimsby (Melanie Onn) did not get that original letter; I will pass it over to her in a second.

The issue of doctors charging fees for letters of evidence of domestic abuse was first raised in the other place and was raised again on Second Reading and in Committee in the House. In my response, I said that my hon. Friend the Under-Secretary, Lord Bourne of Aberystwyth, had written to the Department of Health and Social Care to raise peers' concerns about this issue, and following our discussions I can now inform hon. Members that the Department has agreed to include in the remit for the negotiation on changes to the GP contract for 2019-20 stopping GPs charging victims of domestic abuse for the provision of letters or notes of evidence of abuse. This is a negotiation process, so the Department cannot guarantee that the General Practitioners Committee will agree to waive the fee for these services; however, I am sure Members will agree that this is a positive step forward.

I am also aware that concerns have been raised in this House and the other place about a lack of consistency in training for local authority staff to support victims of domestic abuse. I spoke at length in Committee about the new homelessness code of guidance and the emphasis it places on local authorities ensuring that local specialist

training on domestic abuse is made available to frontline staff and managers. I also spoke about the funding the Department has provided to the National Homelessness Advice Service and the National Practitioner Support Service over recent years to ensure that such training is put in place. I do not want to repeat myself, but I am very pleased that I can update hon. Members about a new initiative that the Department is funding: the London training academy is being delivered by Southwark Council and will provide training for frontline housing options staff and apprentices; people can apply to go there from any council.

As part of the training, Solace Women's Aid is providing domestic abuse champions training to 440 housing staff, and that is the figure across London alone. The focus of the training will be on ensuring housing teams understand the impact of domestic abuse, are clear about their roles in supporting victims and survivors, and are able to refer them to the specialist support they need. Again, I am sure hon. Members will agree that this is a very positive development, and that it demonstrates our commitment to ensure that local authority staff are properly equipped to support victims of domestic abuse and to respond appropriately and sensitively to their needs. I am sure, too, that hon. Members will agree that this is really good news and that the London training academy will provide a model, working with Solace, for frontline staff for how such difficult and sensitive cases should be handled. We would like to see that model filter through to all local authorities.

**Wera Hobhouse:** Women's refuge places across my constituency, and those other places where women go in the first place, are still very difficult to find. Does the Minister accept that if funding is not provided throughout the whole supported housing sector, the Bill will be doomed to fail?

**Mrs Wheeler:** Sadly, I think the hon. Lady has misunderstood what the Bill is about. Funding for refuges and other supported housing will be dealt with by 2020 in a different vehicle.

New clause 1 calls for a review into the potential for co-operation between local authorities in England and local authorities in Wales, Scotland and Northern Ireland to include consideration of the scope to extend the provisions of the Bill to apply across the UK. I entirely understand that there will be situations in which someone wishes to escape from one part of the UK to another to get away from an abusive relationship, perhaps to put a safe distance between themselves and their abusive partner, or to move back to where their family and support networks are. I sympathise with the broad intention behind this proposal to increase co-operation between England and the devolved Administrations, and I appreciate that there will be strong support for it. This issue was raised in Committee and also during the passage of the Bill through the Lords. However, I do not believe that this Bill is the appropriate vehicle to achieve that co-operation.

Nor would it be appropriate or necessary to seek to examine the possibility of extending the Bill to make changes to the legislation covering social tenancies in the devolved nations. I do not need to remind hon. Members that housing is a devolved matter. That means that it is for local authorities—or the Housing Executive

in the case of Northern Ireland—and social landlords in each part of the UK to decide whether to allow access to social housing and what type of tenancy to grant, in accordance with the law that operates in that country.

**Sarah Champion (Rotherham) (Lab):** It sounds as though the Minister has set her face against amendment 1. Would she consider issuing guidance to local authorities on this issue?

**Mrs Wheeler:** That will certainly be part of the package, yes. I will read out the letter as well, because that is the killer punch.

It is likely that most victims who flee from one part of the UK to another to escape domestic abuse and who are in need of housing would apply to a local authority for assistance on the basis that they were homeless. Homelessness legislation will provide a safety net for victims fleeing domestic abuse, even when they flee across national borders, but Wales, Scotland and Northern Ireland have their own homelessness legislation. That means that there may be differences of approach in accordance with the requirements of each devolved area. For example, local authorities in Wales, as in England, may discharge their duty to rehouse using the private rented sector.

The purpose of the Bill is to remove an impediment that might prevent someone who suffers domestic abuse from leaving their abusive situation in England when the provisions under the Housing and Planning Act 2016 come into force. The Act applies only to England. A victim of abuse in another part of the UK will not face the same impediment to fleeing their situation for fear of losing their lifetime tenancy. For example, if someone in Scotland were to flee to another council district within Scotland, the second local authority would grant them a lifetime tenancy if and when they were rehoused.

**John Redwood:** When I asked the hon. Member for Great Grimsby (Melanie Onn) whether there was a way of overriding the devolved Administrations, she did not seem to understand the question properly, so I am glad that the Minister is explaining that that cannot be done. It is interesting that the Opposition's amendment 3 expressly states that it applies only to England; whoever drafted their amendments probably did understand the point that the Minister is making.

**Mrs Wheeler:** Parliamentary drafting is not an easy task, which is why people with greyer hair than mine do the job and I do not. I thank my right hon. Friend for making the situation quite clear.

The commencement of the Housing and Planning Act 2016 does not change the situation. I do not believe that it would be appropriate to include a duty in the Bill—which applies in England only—to consider the potential for amending legislation in other parts of the UK. Parliament has already decided that this area of law should be devolved, so it does not seem right to have an amendment that appears to assume that the Secretary of State has some responsibility for it in relation to the devolved Administrations. Clearly, victims of domestic abuse seeking to move from one part of the UK to another is a common issue in which all parts of

[Mrs Wheeler]

the UK have an interest. However, owing to the differences in housing legislation across England and the devolved Administrations, a UK-wide provision in a Bill that is based on an Act that applies to England only is not the correct approach—I am getting to the nub of things now.

During the passage of the Bill in the other place, my hon. Friend the Minister gave a commitment to raise with colleagues in the devolved Administrations the concerns that have been expressed. I can confirm that Lord Bourne met his counterparts in the devolved Administrations on 19 April, and I am pleased to inform Members that he has since written to me to let me know that the devolved Administrations were supportive of the Bill. They have committed to reviewing the impact of the Bill once it comes into force and to let us know about any issues or concerns for victims of domestic abuse should they arise. The letter states:

“I am pleased to be able to inform you that the devolved administrations were supportive of the Bill and could find nothing in it to concern them. This is because they took the view that the Bill had no impact on the ability of social landlords to continue to grant tenancies in their own countries, and they will review the impact of the Bill, together with officials.”

I think that that says it all.

On a more technical note, new clause 1 would not work as currently drafted, because social housing is provided not through local authorities in Northern Ireland but through the Northern Ireland Housing Executive. For that and all the other reasons I have given, I do not consider the new clause to be appropriate or necessary, and I ask that it be withdrawn.

Amendment 1 aims to ensure that the requirement to grant a lifetime tenancy—should a new tenancy be offered—would still apply where the victim of domestic abuse applies to another local authority district to be re-housed. I sympathise entirely with the motivation behind the amendment, and I well understand that victims of domestic abuse may wish or indeed need to put a considerable distance between themselves and their abuser. The Bill is intended to protect all lifetime tenants who are victims of domestic abuse, not only those who need to move from their current home to escape abuse, but those who have already fled from their home. I entirely agree that it is vital that the Bill protects victims who have applied for housing assistance in another local authority district. That is partly why we amended the Bill in the other place to extend it to apply to those who, having fled their homes, may have lost their tenancy or their security of tenure.

We recognise that that may be particularly problematic for those who seek assistance in another local authority area, and I assure the shadow Minister that the Bill has been drafted with that issue in mind. Where the Bill refers to “a local housing authority”, it means that it applies to any and to every local authority in England, just as in the same way it applies to any tenant who has a lifetime local-authority or housing-association tenancy of a dwelling house anywhere in England and who needs to move from that house to escape domestic abuse. That is standard in legislative drafting practice, so local authorities should have no difficulty in understanding what it means. Any amendment to spell that out in the Bill would therefore be unnecessary and redundant.

**Toby Perkins:** I welcome the reassurance that the Minister has just given us, but the fact is that different local authorities understand the current legislation and their responsibilities to people fleeing domestic violence in different ways, so what possible harm would it do to include amendment 1 so that there would be no cause for any misunderstanding in future?

**Mrs Wheeler:** The hon. Gentleman is trying to entice me down a road that I will not go down. This is parliamentary legislative drafting, and there should be no reason whatsoever for local authorities to misunderstand the situation, which will obviously also be made clear in guidance. However, I thank him for giving me the opportunity to say it again. We will be issuing guidance to assist local authorities to implement the fixed-term tenancy provisions in the Housing and Planning Act 2016. To manage concerns, we can certainly look to ensure that it explains the provisions in this Bill as well, including making it absolutely clear that it applies where the victim is seeking to be re-housed in a different local authority district from the one in which her existing tenancy is situated.

**Wera Hobhouse:** The Minister is being generous in giving way. Under the 2016 Act, housing associations can choose whether to offer a flexible tenancy. What advice will the Government give to housing associations that will not have the same obligation to give a lifetime tenancy if a tenancy moves to another housing association property?

**Mrs Wheeler:** That is a slightly different clause, which I will come to in a moment. With that in mind, and taking into account the fact that amendment 1 is unnecessary for the reasons I have given, I therefore ask for it not to be pressed.

On amendment 2, I appreciate the concern of hon. Members to prevent further stress and anxiety. Survivors of domestic abuse have already suffered experiences that most of us here can only imagine. However, I do not think the amendment is necessary. The number of households likely to be granted a tenancy under this Bill that would lead them to under-occupy a property, and as a result become subject to removal of the spare room subsidy, is likely to be very small indeed.

Allocating a property that is too big for a tenant’s needs would not be in the interests of the tenant or the landlord. The tenant, if eligible for housing benefit, would see their eligible rent reduced, which would not be in the tenant’s or the landlord’s interest. It would also not be the best use of scarce social housing.

5.30 pm

**Ruth George:** Does the Minister recognise that children who have been through situations of domestic abuse are often severely traumatised and need new secure housing to be able to find their own way again? That might lead them to have problems sleeping at night, and it may therefore be more helpful for the family’s recovery if the younger children have separate bedrooms, not as prescribed in the under-occupancy legislation.

**Mrs Wheeler:** The hon. Lady brings up an interesting fact that was not discussed in Committee. I will address the discretionary powers that local authorities have, which might help her with an answer.

Allocating a property that is too big is not necessarily in the tenant's interest or the landlord's interest, and it certainly is not the best use of scarce social housing. Our 2012 allocations guidance clearly recognises that local authorities, when framing the rules that determine the size of property to allocate to different households and in different circumstances, will want to take account of removal of the spare room subsidy.

Where the victim wishes to remain in her own property after the perpetrator has left or been removed, we expect that in most cases it would not result in an under-occupation charge—domestic abuse normally occurs between partners who share a bedroom, so removing the perpetrator would not normally result in under-occupation. Furthermore, if there is any risk it could lead to a victim becoming subject to the under-occupation charge, it will be open to the authority to offer a new tenancy in another, smaller property, or to offer a similar one and take into account the next matter.

In the small number of cases in which, for whatever reason, a local authority grants a tenancy under the Bill in a property that has more bedrooms than the tenant needs, it is open to the tenant to apply for a discretionary housing payment to cover any rental shortfall. Some £900 million of funding for discretionary housing payments has been provided to local authorities since 2011 to support vulnerable claimants, including victims of domestic abuse.

**Ruth George:** Is the Minister aware that many local authorities put a limit on the amount of time for which discretionary housing payments can be made? Sometimes it is 18 weeks, and sometimes it is as low as 12 weeks, depending on the authority's budget. Discretionary housing payments would therefore not help families in this situation.

**Mrs Wheeler:** Indeed. Funding for the years 2018 to 2021 was set out in the summer Budget 2015. Next year, 2018-19, there will be £153 million in the discretionary fund for England and Wales, albeit this is an England-only Bill.

The removal of the spare room subsidy was introduced to ensure that tenants in the social and private-rented sectors are treated on the same basis, to encourage mobility, to strengthen work incentives and to make better use of available social housing. The Government's policy is not to deal with personal circumstances unrelated to the size of a property by the inclusion of general exemptions to the rules, but rather to take account of a person's individual circumstances separately, through the process of the discretionary housing payment.

In 2016, the Supreme Court upheld this policy and dismissed a challenge to the removal of the spare room subsidy brought by a victim of domestic abuse on the grounds that it amounted to unlawful sex discrimination. That case involved a victim who was being provided with protection under a sanctuary scheme. The rules on the removal of the spare room subsidy already include an exception for victims of domestic abuse in refuges. We are not minded to provide for any further exceptions.

When local authorities grant tenancies to victims of domestic abuse, they have a choice: they can either ensure that they offer a property that meets the tenant's needs or they can consider providing a discretionary housing payment. For the reasons I have given, I believe that the amendment is unnecessary and therefore ask that it is not pressed to a vote.

**Jim Shannon** (Strangford) (DUP): Can the Minister confirm that in areas where rental accommodation is extremely expensive, there is help for those who need discretionary payments in order to make the weekly rental payments? Is this something she is able to do?

**Mrs Wheeler:** I do not know whether the hon. Gentleman is specifically referring to Northern Ireland or anywhere else—

**Jim Shannon:** In Northern Ireland, we have a discretionary payment that sometimes enables provision to be made where rents are higher. Is the system similar on the UK mainland?

**Mrs Wheeler:** Again, I stress that this Bill is England-only, but there are such opportunities. There is a local housing rate and then there are discretionary housing payments that can be made above that.

I come to amendment 3, the final amendment. I fully understand the motivation behind this amendment, which would extend the Bill to housing association landlords—this was the point made by the hon. Member for Bath (Wera Hobhouse), I believe. However, as I said in Committee, we have some fundamental concerns about this amendment. First and foremost, local authorities and housing associations are very different entities. Housing associations are private, not-for-profit organisations which make a significant contribution to affordable housing supply. I am sure Members will agree that we all want to see more affordable homes built. It is therefore vital that housing associations remain in the private sector, so that they can borrow funding free of public sector spending guidelines, to build the affordable housing we so greatly need. For that reason, we must avoid imposing any unnecessary control that might risk reversing—

**Toby Perkins:** I am listening carefully to what the Minister is saying. It very much stands at odds with the Conservative party policy announced in the run-up to the general election, when it was going to impose right to buy on housing associations. How is it that the Conservative party is so happy to remove thousands of houses from the social rental sector when it comes to right to buy, but when it comes to legislation to protect domestic violence victims, suddenly the Conservatives feel that the private sector should not be touched?

**Mrs Wheeler:** Clearly, what the hon. Gentleman is discussing is outside the scope of this Bill, but we are talking about a voluntary pilot that is starting in the west midlands and we will see where that takes us.

**Bim Afolami** (Hitchin and Harpenden) (Con): On election manifestos, does the Minister not agree that this Bill is fulfilling a Conservative manifesto promise and that that should be welcomed by Members on both sides of the House?

**Mrs Wheeler:** I thank my hon. Friend for that very helpful intervention, with which I can only agree.

As I was saying, for this reason we must avoid imposing any unnecessary control that might risk reversing the Office for National Statistics classification of housing associations as private sector organisations. Housing associations grant assured tenancies under the

[Mrs Wheeler]

Housing Act 1988, including assured lifetime tenancies, and will continue to have the flexibility to grant lifetime tenancies as they see fit.

This amendment would bring housing associations back into the public sector regime, which they have not properly been part of since 1989, by requiring housing associations to grant secure tenancies under the Housing Act 1985. That goes beyond the very limited circumstances in which they are still obliged to give a secure tenancy—this is limited to those tenants who already have one predating 1989 and want to move, so this is known and in the books of the commercial housing association. Assured and secure tenancies have different rights. For example, secure tenants have a statutory right to improve their property, and be compensated for those improvements, in certain circumstances. To require housing associations to grant secure tenancies for this group of tenants would mean housing association landlords having to operate two different systems, which would be an unnecessary burden over and above the very limited circumstances in which they still manage pre-1989 tenancies, and would introduce unnecessary additional costs and liabilities. As I have already said, that could risk the re-classification of housing associations.

The amendment is also completely unnecessary: housing associations will continue to have the freedom, which they have now, to offer lifetime tenancies wherever they consider it appropriate. When schedule 7 to the Housing and Planning Act 2016 comes into force, local authorities will generally be required to offer fixed-term tenancies, and will be able to grant lifetime tenancies only in the limited circumstances specified in legislation or regulations. That is why the Bill is so important. The purpose of housing associations is to provide and manage homes for people in housing need. The vast majority are charities, and their charitable objectives require them to put tenants at the heart of everything they do. We expect housing associations to take very seriously their responsibilities for people fleeing domestic violence and abuse.

In previous debates on the Bill, I have mentioned the Domestic Abuse Housing Alliance, which was set up by two leading housing associations, Peabody and Gentoo, along with Standing Together Against Domestic Violence, a UK charity that brings communities together to end domestic abuse. The alliance's stated mission is to improve the housing sector's response to domestic abuse through the introduction and adoption of an established set of standards and an accreditation process.

I understand that the National Housing Federation, the body that represents housing associations, is actively taking forward work with its membership to tackle domestic abuse, and has recently set up a national domestic abuse group for its membership. The group was set up specifically to raise awareness among housing associations of the steps that they can take to minimise the impact of domestic abuse, as well as of how to spot the signs early and how best to support victims. My officials have been in touch with the NHF, and I am really pleased to say that it has expressed an interest in considering the tenancy issue as part of that work. That is a really positive development, and it adds to the information that I was able to give in Committee. With that in mind, and for the reasons that I have given, I invite Members to withdraw the new clause and amendments. I look forward to more debate.

**Jess Phillips** (Birmingham, Yardley) (Lab): First, I welcome the Minister's comments and the Bill itself. It is a good and necessary Bill, and some of the questions that we asked in Committee have been answered, for the most part.

Now, let me shed a bit of light on the reality of what actually happens to a domestic violence victim when they walk into a housing office, and on the very idea that we could not be doing as much as we possibly could with every single fibre of our beings to try to better serve victims of domestic abuse. Mostly, a woman will get up and walk into her local neighbourhood office. I say "walk", but where I live she has to get four buses because her local neighbourhood office is now shut, so she has gone into the centre of town, in the second-biggest city in the country. Even just five years ago, she would have found something different. In all the local neighbourhood centres in Birmingham—there used to be eight, then there were four in the Quadrants—there would have been a Women's Aid worker. This was a specialist adviser in a private room where that woman could have gone to speak about her issues and would have been found the most appropriate housing. That scheme won national awards and reduced homelessness in Birmingham by 50%. The biggest reason for homelessness in most cities will be domestic abuse. That scheme massively reduced it, but it is gone now. There is no local authority funding for the Women's Aid workers in those centres, and there is only one centre where women can go.

The woman will walk into a busy centre where there will be absolutely loads going on. There will be people with their children and people who are homeless—86 people are declared homeless every single day in the city where I live—and she will wait. She will then go to a small cubicle, with sides at shoulder height. The people next to her will be able to hear every single word that she says.

When I was a Birmingham City councillor, I requested that every single person who came through had to be asked whether they had ever been a victim of domestic abuse or sexual violence. I regretted it instantly. I went to a housing office—when they still existed—with one of my constituents. Next to me, in a tiny unsealed-off cubicle, a woman was sitting at her computer. "Have you got any arrears, love?" she asked. "No." "Have you ever been a victim of sexual violence?" "Yes, I was raped." "Have you ever been a victim of domestic violence?" "Yes, my husband has assaulted me a number of times. He has been to prison." "Okay." Move on.

5.45 pm

Nothing changed the way that that woman was approached in the future—nothing at all. I made the person tick a box that they did not want to tick. Now, we can add in another idea. If a woman has come from Walsall, or Dudley or Sandwell or Solihull, or any area that surrounds Birmingham that has nowhere near the level of local housing that Birmingham has—many women fleeing domestic abuse come to our area because the lines on a map mean absolutely nothing to them—we expect those same housing officers, that is, the ones who asked, "Have you ever been a victim of domestic violence, love?", to now say, "Hang on a minute, actually, you have every right to be in this situation."

There is a desperate need for training and belief. Part of the problem with this Bill is the same as that with legal aid, which is that the burden is on the victim to

prove it. If a woman turns up and says that she is a victim of domestic abuse, that should be enough. It was enough when Women's Aid was based in our local housing associations and in our local housing offices. That is why we desperately, desperately need a firm hand in this and why we must say that local authorities must do this. I love my local authority. I know that Margaret Thatcher's favourite council was Wandsworth—I personally think that it is weird that someone has a favourite local authority, but I have not tried them all. However, I have tried lots of them, and I have found them completely wanting when it comes to victims of domestic violence needing housing.

Let us add into the mix people who have no indefinite leave to remain. If they go to their local housing office, they will probably be told—even if they are a victim of domestic abuse—that they will not be housed and that their children will be removed from them, because the local authority does not have to house women who have a poor migration status.

There has been a hideous case in Birmingham recently where the children were threatened with removal until people like me got involved. There is a plethora of problems out there, and, with the greatest respect, the £17 million, which seems like a lot of money, will not put back what has been lost for victims of domestic abuse even in Birmingham alone. That is why we would like to see a bit of mettle in the training of housing officers. Some housing officers are brilliant—there is no two ways about it—but they are up against it. Someone could wait nine hours to see one in Birmingham. We need to ensure that there is a good system that treats these people appropriately. Unfortunately, when an authority has limited resources, its target is not rehouse someone immediately, so there is a definite need for training.

My hon. Friend the Member for Great Grimsby (Melanie Onn) covered the cross-border issue well. Unfortunately, I can see that the Minister does not think it is necessary to include it in the Bill, but I have handled hundreds of cases of women sent across the border. In fact, a woman who lived in the refuge where I used to work took the Government to court on the issue of cross-border living between Sandwell Council and Birmingham Council. The fact that a person no longer has to live in an area for whatever period it was—Birmingham said it was five years—is not thanks to anyone in this Chamber; it is thanks to charities and activists outside who bothered to take us—the decision makers—to court.

On the bedroom tax, it may well seem like a small number of women who will end up in a property that is too big for them. But I have seen many cases—I am handling one now—where women are rehoused and their children are removed from them. In cases of domestic abuse, it is utterly common that children are removed, for whatever period of time. These women then have to pay the bedroom tax, lose their property and end up in a one-bedroom flat. The judge in the family court then says, “You don't have a house big enough to have your children back. You're not good enough. We can't give your children back to you.” That happens a lot. It is not a small number of women who have their children removed in domestic violence cases. The vast majority of cases going through the family courts include domestic violence, and many women end up with their children removed for periods of time that

would definitely result in them being affected by this bedroom tax loophole. We should definitely consider what we can do to amend that problem today.

**Melanie Onn:** The minimisation of the issue around the bedroom tax seems to be due to the fact that the Bill is predicated on an example of someone with a stable and consistent life. But at the point that these people present at a housing office, their life will not be consistent or stable at all, which is why we need to amend the Bill.

**Jess Phillips:** I absolutely agree. If we could get our housing and welfare systems, which have become fragmented—and were never perfect, don't get me wrong—to work better together, at least people would have a fighting chance of understanding what the hell they were meant to be doing, because it is a bit confusing at the moment. My hon. Friend is completely right that we are talking about people in chaos.

A tiny fraction of victims of domestic violence present as homeless. The vast majority either stay or end up in refuge, and they will likely have help in those circumstances to get them through the process. But we have to do better for those who turn up the housing office. We have to ensure that local authority staff have a much clearer understanding of this cross-border issue, because the triumph of hope over experience has left many people unhoused.

**Mrs Miller:** It is a great pleasure to follow the hon. Member for Birmingham, Yardley (Jess Phillips), my fellow member of the Women and Equalities Committee. Of course she speaks with great power on these issues, given her experience. We also heard a great deal from the Minister to give us reassurance about how much work the Government have done to ensure that this Bill is the best that it can be and that it further supports victims of domestic violence—something that this Government have made a huge priority. I congratulate the Minister on all that she is doing to ensure that the situation improves ever further.

I will make some short comments about the amendments, because I think that the Bill generally has cross-party support. A lot of what the hon. Member for Birmingham, Yardley said was, frankly, about training among local authority employees, and whether we should be drafting legislation because of the imperfections in local authorities. It is always a balancing act, but we need to ensure that the legislation is as strong as it can be.

I am concerned that new clause 1 could have a clear unintended consequence of undermining the existing devolved powers by taking new powers in the way set out in the new clause. Parliament is clear, as was the Minister in the other place, that there was not and is not a need for primary legislation in this area regarding cross-border movements. In fact, we could unintentionally erode devolution by acting on new clause 1 in the way in which the hon. Member for Great Grimsby (Melanie Onn) has outlined. Ministers clarified that individuals will have the support that they need and that we do not need to legislate in this way. It is good to hear that these devolved matters are being discussed across the nations, and that there is nothing that concerns the devolved nations in this respect.

I turn to amendment 1. The Minister set out that there is already protection in the Bill for all lifetime tenants, including those who have fled their homes and

[Mrs Miller]

lost security of tenure. The Bill is specifically drafted to protect individuals facing that situation. In my experience as a Minister, I remember feeling on a number of occasions, “Perhaps we need a belt-and-braces approach here. We really need to spell it out in the Bill.” And what always came through to me in those circumstances was the fact that, in trying to do the very best we can to be as clear as possible, we can actually create confusion by not following the usual protocols. I urge the hon. Member for Great Grimsby to consider that for a moment. As the Minister said, local authorities should have no problem understanding their duties. Indeed, adding to the Bill in the way that the hon. Member for Great Grimsby is suggesting could, because of the redundancy of her new clause, create the opposite of the clarity that she wants.

I have a brief point on amendment 2. As the Minister said, allocating a house that is too big would not be in the best interests of the victim, but specific circumstances might require flexibility. I remember looking particularly at the role of discretionary housing payments when I was a Minister. Such cases fall squarely into the list of examples of why we have these payments. One of the reasons for having such an immense amount of money in this fund—£150 million or so a year—is to be able to give local authorities the flexibility that they need to be able to deal with local circumstances as they see fit. I think that it is better to trust local authorities to get that right than to create specific exceptions that might run the risk of not being used in the way in which the primary legislation requires.

I understand the reason behind this set of amendments. I particularly understand why the hon. Member for Birmingham, Yardley has spoken with a great deal of passion. One question that I would really like the Minister to answer is: how do we work even harder to ensure that local authorities provide the same support for victims of domestic violence, whether they are in Basingstoke, Birmingham, Yardley or anywhere else?

**Mrs Wheeler:** I hope that my right hon. Friend will be pleased to hear that this summer, for the first time ever, the Government are undertaking an audit of all domestic abuse support services right the way across England. We have done a deep dive in Essex, just as a trial. In the county of Essex alone there are over 1,000 different ways of finding help for domestic violence. That is incredible. We need to find out where the domestic violence support services are across the whole country. This is the first time that the Government have ever done this.

**Mrs Miller:** I thank the Minister for those comments. These interventions are driven by that inconsistency in provision of services and by Members of Parliament wanting to get the best for the people they represent. The Minister is entirely right. By knowing how we can better provide a more equal service across the country, I hope that we will provide reassurance to those who support these amendments.

**John Redwood:** Does my right hon. Friend agree that the hon. Members for Great Grimsby (Melanie Onn) and for Birmingham, Yardley (Jess Phillips) have made powerful points about family break-up and the role that

the legislation could play in all that? Is not this a case where discretionary payments are very important because if the family can be kept together or brought together again, that would surely be where we would want discretion exercised?

**Mrs Miller:** My right hon. Friend is absolutely right. That discretion at local level is so important. I have had one or two cases where the local authorities have not necessarily been on the front foot in the use of local discretionary housing payments. Perhaps the Minister could urge local authorities to understand their duties, particularly to families that have broken up and that are at risk of domestic violence, and to really understand the importance of delivering services using these payments.

**Mrs Wheeler:** I thank my right hon. Friend for mentioning that, because it gives me the opportunity to say that there is no limit to the length of time over which discretionary housing payment can be made; it could be one-off time-limited or it could be indefinite.

**Mrs Miller:** Again in her inimitable style, the Minister has answered another of the points that was raised earlier. I recognise that there are potentially time limits attached, and she is right to put on the record that that is entirely outwith any rules or regulations coming from this place.

This Bill helps to improve the lives of victims of domestic violence. That is a priority for this Government and a priority for this Prime Minister. I really applaud the Government’s work in trying to make the lives of victims of domestic abuse better. The hon. Member for Birmingham, Yardley is absolutely right that we should use every sinew in our body to make their lives better, and the Minister is doing a good job in that respect.

6 pm

**Toby Perkins:** I would like to start where the right hon. Member for Basingstoke (Mrs Miller) finished. I agree entirely about the importance of this Bill, which the Minister herself described as being so important. It behoves all of us to consider why somebody who has been through the appalling domestic violence that many of our constituents have experienced would then be willing potentially to stay in that relationship if their security of housing tenure was in danger of being lost. What does it say to all other housing tenants that something so crucial should be glibly given away by Government in their case? The fact that this Bill is so important makes a really vital point about the need for secure tenancy much more broadly.

The hon. Member for Hitchin and Harpenden (Bim Afolami) said that this was a Tory party manifesto commitment. I did not realise there were any Tory party manifesto commitments still standing, so if it was indeed that, I welcome it. I do not remember the part of the general election campaign where the Tories told us that they were going to take away secure tenancies for all other council housing tenants, so I do not entirely understand how they committed to ensure for domestic violence victims something that they had not told everyone else they were going to take away from them.

I support the amendments tabled by my hon. Friend the Member for Great Grimsby (Melanie Onn). On amendment 1, recognising local connections within the Bill is incredibly important. There is real inconsistency

not just in the way that different local authorities view their responsibilities towards domestic violence victims but in the provision of refuges. I was shocked to hear from Women's Aid that Devon County Council not only has no provision for refuges but gives no money towards refuges that Women's Aid provides. In Chesterfield, we are so well served by the refuges provided by the Elm Foundation that we often provide for domestic violence victims who are coming from other areas. Many of the people who are going to use these services will not be local people. It therefore behoves all local authorities everywhere to make provision on behalf of domestic violence victims.

Where there is that inconsistency of provision, the areas with the greatest provision of refuges end up taking more people on to their council house waiting list and then providing that housing, and so those who are best at providing refuges also see the greatest pressure on their housing services. That is a real disincentive to local authorities in making this provision.

**Mrs Miller:** The hon. Gentleman is making an important point, but he will have heard the Minister say that she will be undertaking the first ever audit of local authority provision. Does he not wonder, as I do, why that has not happened before?

**Toby Perkins:** I welcome the audit, but the question is what happens afterwards. I would like this to be a statutory service with a responsibility on local authorities to provide it. Will there be any move by the Government towards that? Having the information is one thing, but the next thing is what the Government do with it.

On amendment 2, my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) made an incredibly powerful point about the bedroom tax, describing the circumstances where domestic violence victims might lose their children and then find that they are moving into a small flat and are told by the family courts that they do not have appropriate accommodation to get their children back. I was not at all convinced by what the Minister said about why the amendment was not relevant. I urge my hon. Friend to press it to a vote, because we cannot talk about straining every sinew and still have a barrier of that kind in the way of domestic violence victims.

There is a broader need for us to recognise the threat to refuges that exists not only because of local authority funding cuts but because of proposed changes to housing benefit. We must look at the impact that that could have on refuge provision. I urge the Government, if they are serious about supporting domestic violence victims, to make every possible representation to the Department for Work and Pensions with regard to implementing those housing benefit changes. I support the Government on this important Bill. However, I urge Members to support all the amendments, particularly amendment 2, because they will add further powers to the Bill.

**Sir Robert Syms** This is an important Bill. I think that we all heard the passion with which the hon. Member for Birmingham, Yardley (Jess Phillips) spoke about this subject, which really underlined how important it is.

I have sat in this Parliament for a long time, and it has always struck me that short Bills, specifically to the point, are far more powerful in supporting people's rights than

the Bills that we sometimes see, with clause after clause. We know how complex housing issues are, and that is why guidance is the key. We put the right into primary legislation, and then we have the guidance to deal with the problems. Victims of domestic violence are often in a chaotic situation because of the nature of what is happening in the home. The best way of dealing with that is through guidance.

The Department consults very widely on guidance. A vast raft of housing charities and women's rights charities can give their views, and then we have a Committee upstairs. I must admit that having Committees upstairs that simply note what has been discussed always seems slightly odd, but the consultation gives Members an opportunity to raise a lot of points. Indeed, if the Opposition want to pray against something, it sometimes comes to the Floor of the House for a vote. There are mechanisms for ensuring that the guidance is comprehensive and right and it was probably written by the same experts in the Department who were trying to deal with this difficult and complex problem under the Labour Government.

I have seen the passion that many Members have expressed on this subject, and I understand that because this is about people's lives, but I also listened very carefully to the Minister. She talked about training; that is good. She talked about audit; that is good. She talked about various money pots; that is good. She talked about pilots, which means that the Department is open-minded about how we should go about solving some of these very important problems. Providing that the pilots and the audit are done properly, we can get a better service to those who face the real and great tragedy of domestic violence and the consequences that has for them, their children and the family.

I think that the Government are on the right track. I understand the passion that people feel about this. However, it is not about what is in the Bill; it is about what is in the guidance. There is a big debate to be had on that, but today we need to get on with supporting the Bill and getting it on to the statute book. I therefore support the Minister in resisting the amendments. Let us consult on the guidance, listen to what the experts want us to do, and have a listening Government who will try to ensure that we have a fit-for-purpose policy that will deal with people who are facing great misery at home because of this problem.

**Alex Norris** (Nottingham North) (Lab/Co-op): Before coming to this place, I served on my city council, where for a number of years I had responsibility for Nottingham's efforts to tackle domestic abuse and to support survivors. I learned many things during that period, but one thing has particularly stuck with me ever since: when a survivor—usually a woman—makes the decision to leave their abuser, the state must be there to wrap around that person. There can be no grey areas and no “I'll call you back on Monday”. It must be immediate and comprehensive. Whether it is housing, support for children or fostering for pets, it has to be there. It is with that in mind that I rise to speak.

The Bill enjoys support on both sides of the House, as we have heard, and from the charities that work tirelessly to protect women and children fleeing abuse. The intentions behind the Bill are decent, and while we in this place may not directly see the impact of the decisions we take today, those decisions will change the

[Alex Norris]

lives of very vulnerable people and allow them to escape their abusers and start to live their life free from fear. Nevertheless, there are some grey areas of outstanding concern that I want to focus on briefly.

The first is reciprocal arrangements, which are covered in new clause 1. The nature of the abuse that a survivor is fleeing means that they might need to leave Nottingham and go to Birmingham or even Cardiff or Glasgow, and it is vital that they are not disadvantaged. I am grateful for the assurance we were offered—not this morning, as the Minister said, but this afternoon, in letter form—that the Welsh, Scottish and Northern Irish Administrations are relaxed about their abilities to ensure such arrangements. Nevertheless, people change and circumstances change, and that letter will not be of much significance if co-operation is not properly monitored. That is all the new clause asks for, and whether it is accepted or not, I hope that the Government will continue to commit to that.

The Government have stated that the legislation will protect victims who need to move their secure tenancy across local authority boundaries and that amendment 1 is unnecessary because the courts and Government guidance state that the local connection test does not apply in domestic abuse cases. However, those who work on the ground know that that is not quite how it works. The organisations that work most closely with those fleeing abuse have made it clear that, as is so often the case, there is a difference between the best-intentioned Government guidance and the reality of the situation on the ground.

Women often have to flee across local authority boundaries to find safety, and we know that local authorities are at best inconsistent. In 2016-17, local housing teams prevented nearly a fifth of the women supported by Women's Aid's "No Woman Turned Away" project from making a valid homelessness application on the grounds of domestic abuse, for reasons including that they had no local connection. It is said in this place that the local connection test does not apply in domestic abuse cases, but it is not always filtering down. That is a good argument for putting that explicitly in the Bill, so that there is no doubt and no grey areas, and on the night or day when an individual leaves, whether they have a local connection or not, the expectation on the local authority is entirely clear.

Finally, on amendment 2 and the bedroom tax, I was really interested to hear from the Minister. She made it clear that this would happen in a very small number of cases, but I would be interested to hear what the evidence base was for that and what those numbers were. I am certain that none of us in this place would want finances to come into play when an individual is making the very difficult decision to leave their abuser. None of us would want that individual to be punished because the house they were moving into was deemed to have a spare room, because they were waiting to be reunited with their children or because of the way the housing stock we are talking about was structured. In Nottingham, there is not a suite of choices waiting for an individual, with the option of saying, "You'd be suitable for a one-bedroom place," or, "You might be suitable for a three-bedroom place." The fact of the matter is that we will be putting them wherever we can. I know that none of us would want them to be financially punished

for that, which is an excellent reason for accepting amendment 2, so that we are very clear, because it is in the grey areas that we will struggle.

I am conscious that other Members are waiting to speak, so I will leave it there. I believe that the new clause and the amendments would strengthen the Bill. I do not think that much of their substance has been disagreed with; it is just about whether or not to write them down. I will make this clear argument: let us not leave it to guidance. Let us be explicitly, painfully, to-the-letter clear about the system that we are designing today. The consequences of it are life and death, so it is well worth our putting those words on the face of the Bill.

**Lucy Allan (Telford) (Con):** It is a pleasure to follow the hon. Member for Nottingham North (Alex Norris), who made insightful remarks. Today's debate has been incredibly valuable and informative. I am so grateful to all Members who have come here to share their experience, including the hon. Member for Birmingham, Yardley (Jess Phillips). Often we talk about her passion, for which she is renowned, but she brings to this place the very lucid voice of the women she has worked with and the chaos she has seen, and so often the work we do misses that voice. It is not just her passion for which we should be grateful, but her great experience and her capacity to bring it to us in this place in a way that we can all understand.

I would also like to comment on the hon. Lady's remarks about children being taken into care as a result of domestic violence. She is absolutely right; the failure to protect so often causes women to lose their children to the care system, and anything we can do in this place to reduce that eventuality has to lessen some of the agony and pain that families go through in these circumstances.

6.15 pm

I am really pleased that we are here discussing the Bill. It is testament to the work of many Members that this issue has become centre-stage. I am grateful to the Prime Minister for giving her absolute commitment to tackling the issues of domestic violence and for keeping this manifesto commitment. We are all talking about it today, and that is what we need to do more of.

The Minister has given us a lot of reassurance today. The hon. Member for Birmingham, Yardley will be pleased to know that I previously worked at a Women's Aid refuge in Wandsworth Council's area, and I can confirm that the women coming to that refuge were always coming out of borough for the sake of their own safety. I listened to what the hon. Member for Great Grimsby (Melanie Onn) said about amendment 1, and she was persuading me that I should support it, because I have seen that at first hand and know exactly what she is alluding to. However, we have received some clear and categorical assurances from the Minister, for which I am grateful. I have taken those on board and am very pleased indeed.

I welcome the other important measures that the Government are seeking to introduce, including the £17 million violence against women and girls service transformation fund. I am grateful that the issue has become central to our agenda in this Parliament, not least because in the past 18 months, three women in the

Telford area have been killed by partners or ex-partners in their own home or a home they shared with the perpetrator. Sometimes these horrific events can become normalised. We read about it in the *Shropshire Star*, but nobody even alludes to the fact that it was an ex-partner or that it was domestic violence. We need to talk about it, which is why it is so important that we are all here today.

I do not want to add any further comments to what has been said, other than on training. In my experience, women approaching housing authorities do not always come up against the type of treatment and response that we would like them to receive. I feel that demanding that all councils provide training is not the way forward. Councils have to take this on board and understand that it is their duty to provide a better level of response, and by having this debate, we are making them aware that women who go to housing authorities in these circumstances are not receiving the sort of response that they should expect and that we all want them to receive.

I am very grateful to the Minister for her comments and to colleagues on both sides of the House for the contributions they have made. This is a very important Bill. It is a short Bill, as the hon. Member for Great Grimsby said at the outset, but it is a hugely significant one, and that is why I wanted to share these comments.

**Bim Afolami:** I am aware that many others wish to speak, so I will be brief. Those who are still left in the Public Gallery have seen today the best of Parliament. This is the complete opposite of yah-boo politics. There has been cross-party discussion about a Bill that generally appears to have cross-party support. We should welcome that and welcome the exchange of ideas and views. That does not always happen in this Chamber, but it has happened today.

As my hon. Friend the Member for Poole (Sir Robert Syms) said, this is a short Bill. It is clear and to the point, and it deals with a specific problem. When the hon. Member for Birmingham, Yardley (Jess Phillips) reads *Hansard* tomorrow morning, she will see many references to her speech, but let me add one more. The disagreement from Conservative Members with certain points she made was not on the substance of the issue, but on the appropriateness of those points in relation to the Bill. However, I am sure that she, the Minister and others will continue to work on this issue, and I think that Members across all parties appreciate her expertise in this area.

One point in particular is worth making. Labour Members have spoken about the spare room subsidy, which is not really the subject of the Bill, but I want to make the point that it is critical to get more social housing built. For the Bill to be effective, we really need as much social housing as possible to be built. If they take a look at the record, as I have, they will see that roughly 2,900 local authority homes a year were built from 1997 to 2010, while under this Government—about half of that time—over 10,000 local authority homes a year were built from 2010 to 2017. Labour Members must look at their own record on social housing, and realise that a lot of the problems we now face are partly down to the fact that they did not build enough homes when they were in office. I know that the Minister and the Government are working on that.

I finish by agreeing with the Minister and other Conservative Members that I do not believe the new clause and amendments are appropriate in this context, and I shall vote against them for that reason.

**Luke Graham** (Ochil and South Perthshire) (Con): I rise to speak to new clause 1, which would have a specific impact on local authorities in Scotland, including in my constituency. I would say at the outset, in relation to the thrust of what was said by the hon. Member for Great Grimsby (Melanie Onn), that I agree about the need for more co-operation across the United Kingdom, and I will come on to that shortly. The difficulty, as shown by the fact that I am the only Scottish MP in the Chamber, is that the Bill is not necessarily the right vehicle to do so, because it cuts across some devolved areas, and I want to go into that in a little more detail.

The Government have a strong record on domestic abuse, and the Bill is a further example of that. We have criminalised coercive and bullying behaviour, and we have made sure that we have domestic violence orders. We currently have an open consultation, which provides the potential for more powers and a greater understanding of other types of crimes, such as economic abuse, that are often unseen. That is certainly the experience of many of my constituents, as many people in public authority have seen.

My knowledge of this matter has largely come from my constituents, as well as from some of my own family experience. Many of my constituents have relationships that span the United Kingdom. Men and women who have had such relationships may have some children in England and some in Scotland, so there is a real need for co-ordination and for a UK minimum standard. I have seen at first hand, in refuges and in my constituency office, the bravery of these women as well as the hardship that they have endured. I know how much of an impact there can be on individual lives, and how much need there is for them to move from one local authority to another, which may not be an adjacent one but a local authority far up the country in Scotland or somewhere in England.

Members have talked a lot about the terrible abuse that women have endured, and we know that domestic abuse has a disproportionate impact on women. It is also important to say, however, that 700,000 men were victims of domestic abuse in 2015-16, and that young people are also victims. When we talk about giving people opportunities in secure tenancies in other local authorities around the country, we need to ensure that we capture everyone, because domestic abuse affects many different types of individual at many different ages.

As I have said, and I will keep my remarks brief, a national minimum is desirable. I very much feel that there are times when we are four nations and many regions, but there are also times when we are one country. On this issue, I believe that having a national minimum would be incredibly desirable. I am very keen to work with Opposition Members, certainly as we examine other pieces of legislation in this place, on having UK-wide frameworks, especially in new policy areas, to make sure that there are UK-wide minimums, even if the services are delivered through devolved Administrations, local authorities or other devolved agencies. I am very willing to help in such a way. Unfortunately, however, as the Bill is targeted at England,

[Luke Graham]

making an amendment to loop in what is a devolved area in Scotland—it would have an impact in my local authority and others—this is not the best place to do so. I hope to work with Opposition Members in future to try to develop policies on such minimums.

I hope that my hon. Friend the Minister will continue in the spirit of consultation that she always shows in relation to the devolved Administrations, and perhaps she will consider extending her audit of services elsewhere in the United Kingdom—beyond England to Scotland, Wales and Northern Ireland.

**Melanie Onn:** I want to assure the Minister that at every stage of the Bill, since I have been involved, I have sought to be constructive in my approach. Having heard the arguments and the Minister's response, let me say that I do not intend to push new clause 1 or amendments 1 and 3 to a vote. We have made our points as fully as we can—sadly, to no avail—but I do not want to cause any unnecessary delay to the Bill.

On the bedroom tax, however, the Minister's response was not wholly sufficient to ease the Opposition's concern about the potential for a damaging loophole to be created, which would be to the detriment of domestic abuse victims. As the hon. Member for Poole (Sir Robert Syms) said, we want a fit-for-purpose policy, and that is what we are all aiming for. I therefore request that the House be permitted to divide on amendment 2, but I beg to ask leave to withdraw new clause 1.

*Clause, by leave, withdrawn.*

### Clause 1

#### DUTY TO GRANT OLD-STYLE SECURE TENANCIES: VICTIMS OF DOMESTIC ABUSE

*Amendment proposed:* 2, page 1, line 25, at end insert—

“(2BA) A local housing authority which grants an old-style secure tenancy under subsection (2A) or (2B) has discretion to decide whether or not the maximum rent for the old-style secure tenancy should be determined according to regulation B13 of the Housing Benefit Regulations 2006 (SI 2006/213) as amended by the Housing Benefit (Amendment) Regulations 2012 (SI 2012/3040).”—(*Melanie Onn.*)

*Question put,* That the amendment be made.

*The House divided:* Ayes 246, Noes 302.

### Division No. 149]

[6.26 pm

#### AYES

Abbott, rh Ms Diane  
Ali, Rushanara  
Amesbury, Mike  
Antoniazzi, Tonia  
Ashworth, Jonathan  
Austin, Ian  
Bailey, Mr Adrian  
Barron, rh Sir Kevin  
Benn, rh Hilary  
Berger, Luciana  
Betts, Mr Clive  
Blomfield, Paul  
Brabin, Tracy  
Bradshaw, rh Mr Ben  
Brake, rh Tom  
Brennan, Kevin

Brown, Lyn  
Brown, rh Mr Nicholas  
Buck, Ms Karen  
Burden, Richard  
Burgon, Richard  
Butler, Dawn  
Byrne, rh Liam  
Cable, rh Sir Vince  
Cadbury, Ruth  
Campbell, rh Mr Alan  
Campbell, Mr Ronnie  
Carden, Dan  
Carmichael, rh Mr Alistair  
Champion, Sarah  
Chapman, Jenny  
Charalambous, Bambos

Clwyd, rh Ann  
Coaker, Vernon  
Cooper, Julie  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Crausby, Sir David  
Creasy, Stella  
Cruddas, Jon  
Cryer, John  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Dakin, Nic  
Davey, rh Sir Edward  
David, Wayne  
Davies, Geraint  
De Cordova, Marsha  
De Piero, Gloria  
Debonnaire, Thangam  
Dent Coad, Emma  
Dhesi, Mr Tanmanjeet Singh  
Dodds, Anneliese  
Doughty, Stephen  
Dowd, Peter  
Drew, Dr David  
Dromey, Jack  
Duffield, Rosie  
Efford, Clive  
Elliott, Julie  
Ellman, Mrs Louise  
Elmore, Chris  
Esterson, Bill  
Evans, Chris  
Farrelly, Paul  
Fitzpatrick, Jim  
Fletcher, Colleen  
Fovargue, Yvonne  
Foxcroft, Vicky  
Frith, James  
Furniss, Gill  
Gaffney, Hugh  
Gapes, Mike  
Gardiner, Barry  
George, Ruth  
Gill, Preet Kaur  
Glindon, Mary  
Godsiff, Mr Roger  
Goodman, Helen  
Green, Kate  
Greenwood, Lilian  
Greenwood, Margaret  
Griffith, Nia  
Grogan, John  
Gwynne, Andrew  
Haigh, Louise  
Hamilton, Fabian  
Hanson, rh David  
Hardy, Emma  
Harman, rh Ms Harriet  
Harris, Carolyn  
Hayes, Helen  
Hayman, Sue  
Healey, rh John  
Hepburn, Mr Stephen  
Hermon, Lady  
Hill, Mike  
Hillier, Meg  
Hobhouse, Wera  
Hodgson, Mrs Sharon

Hoey, Kate  
Hollern, Kate  
Hopkins, Kelvin  
Howarth, rh Mr George  
Huq, Dr Rupa  
Hussain, Imran  
Jardine, Christine  
Jarvis, Dan  
Johnson, Diana  
Jones, Darren  
Jones, Gerald  
Jones, Graham P.  
Jones, Helen  
Jones, Mr Kevan  
Jones, Sarah  
Jones, Susan Elan  
Kane, Mike  
Keeley, Barbara  
Kendall, Liz  
Khan, Afzal  
Killen, Ged  
Kyle, Peter  
Laird, Lesley  
Lammy, rh Mr David  
Lavery, Ian  
Lee, Karen  
Leslie, Mr Chris  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Lewis, Mr Ivan  
Lloyd, Stephen  
Lloyd, Tony  
Long Bailey, Rebecca  
Lucas, Caroline  
Lucas, Ian C.  
Lynch, Holly  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Malhotra, Seema  
Mann, John  
Marsden, Gordon  
Martin, Sandy  
Maskell, Rachael  
Matheson, Christian  
McCabe, Steve  
McDonagh, Siobhain  
McDonald, Andy  
McDonnell, rh John  
McFadden, rh Mr Pat  
McGinn, Conor  
McGovern, Alison  
McInnes, Liz  
McKinnell, Catherine  
McMahon, Jim  
McMorrin, Anna  
Mearns, Ian  
Miliband, rh Edward  
Moon, Mrs Madeleine  
Moran, Layla  
Morden, Jessica  
Morgan, Stephen  
Morris, Graham  
Murray, Ian  
Nandy, Lisa  
Norris, Alex  
O'Mara, Jared  
Onasanya, Fiona  
Onn, Melanie  
Onwurah, Chi

Osamor, Kate  
 Owen, Albert  
 Peacock, Stephanie  
 Pearce, Teresa  
 Pennycook, Matthew  
 Perkins, Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pidcock, Laura  
 Platt, Jo  
 Pollard, Luke  
 Pound, Stephen  
 Powell, Lucy  
 Qureshi, Yasmin  
 Rashid, Faisal  
 Rayner, Angela  
 Reed, Mr Steve  
 Rees, Christina  
 Reeves, Ellie  
 Reeves, Rachel  
 Reynolds, Emma  
 Reynolds, Jonathan  
 Rimmer, Ms Marie  
 Rodda, Matt  
 Rowley, Danielle  
 Ruane, Chris  
 Russell-Moyle, Lloyd  
 Shah, Naz  
 Sheerman, Mr Barry  
 Sherriff, Paula  
 Shuker, Mr Gavin  
 Siddiq, Tulip  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, Angela  
 Smith, Cat  
 Smith, Eleanor  
 Smith, Laura

Smith, Owen  
 Smyth, Karin  
 Snell, Gareth  
 Sobel, Alex  
 Spellar, rh John  
 Starmer, rh Keir  
 Stevens, Jo  
 Stone, Jamie  
 Streeting, Wes  
 Tami, Mark  
 Thomas, Gareth  
 Thomas-Symonds, Nick  
 Thornberry, rh Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turley, Anna  
 Turner, Karl  
 Twigg, Derek  
 Twigg, Stephen  
 Twist, Liz  
 Umunna, Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Walker, Thelma  
 Watson, Tom  
 West, Catherine  
 Western, Matt  
 Whitehead, Dr Alan  
 Whitfield, Martin  
 Williams, Dr Paul  
 Williamson, Chris  
 Wilson, Phil  
 Woodcock, John  
 Yasin, Mohammad  
 Zeichner, Daniel

**Tellers for the Ayes:**

**Jeff Smith and  
 Nick Smith**

**NOES**

Adams, Nigel  
 Afolami, Bim  
 Afriyie, Adam  
 Aldous, Peter  
 Allan, Lucy  
 Allen, Heidi  
 Amess, Sir David  
 Andrew, Stuart  
 Argar, Edward  
 Atkins, Victoria  
 Bacon, Mr Richard  
 Badenoch, Mrs Kemi  
 Baker, Mr Steve  
 Baldwin, Harriett  
 Barclay, Stephen  
 Baron, Mr John  
 Bebb, Guto  
 Bellingham, Sir Henry  
 Benyon, rh Richard  
 Berry, Jake  
 Blackman, Bob  
 Blunt, Crispin  
 Boles, Nick  
 Bone, Mr Peter  
 Bottomley, Sir Peter  
 Bowie, Andrew  
 Bradley, Ben  
 Bradley, rh Karen  
 Brady, Sir Graham  
 Braverman, Suella  
 Brereton, Jack  
 Bridgen, Andrew  
 Brine, Steve  
 Brokenshire, rh James  
 Bruce, Fiona  
 Buckland, Robert  
 Burghart, Alex  
 Burns, Conor  
 Burt, rh Alistair  
 Cairns, rh Alun  
 Campbell, Mr Gregory  
 Cartledge, James  
 Cash, Sir William  
 Caulfield, Maria  
 Chalk, Alex  
 Chope, Sir Christopher  
 Churchill, Jo  
 Clark, Colin  
 Clark, rh Greg  
 Clarke, rh Mr Kenneth  
 Clarke, Mr Simon  
 Cleverly, James  
 Clifton-Brown, Sir Geoffrey  
 Collins, Damian  
 Costa, Alberto  
 Courts, Robert  
 Cox, Mr Geoffrey  
 Crabb, rh Stephen  
 Crouch, Tracey  
 Davies, Chris

Davies, David T. C.  
 Davies, Glyn  
 Davies, Philip  
 Davis, rh Mr David  
 Dinagen, Caroline  
 Djanogly, Mr Jonathan  
 Docherty, Leo  
 Dodds, rh Nigel  
 Donaldson, rh Sir Jeffrey M.  
 Donelan, Michelle  
 Dorries, Ms Nadine  
 Double, Steve  
 Dowden, Oliver  
 Doyle-Price, Jackie  
 Drax, Richard  
 Duddridge, James  
 Duguid, David  
 Duncan, rh Sir Alan  
 Dunne, Mr Philip  
 Ellis, Michael  
 Ellwood, rh Mr Tobias  
 Elphicke, Charlie  
 Eustice, George  
 Evennett, rh David  
 Fabricant, Michael  
 Fallon, rh Sir Michael  
 Ford, Vicky  
 Foster, Kevin  
 Fox, rh Dr Liam  
 Francois, rh Mr Mark  
 Frazer, Lucy  
 Freeman, George  
 Freer, Mike  
 Fysh, Mr Marcus  
 Gale, Sir Roger  
 Garnier, Mark  
 Gauke, rh Mr David  
 Ghani, Ms Nusrat  
 Gibb, rh Nick  
 Gillan, rh Dame Cheryl  
 Girvan, Paul  
 Glen, John  
 Goldsmith, Zac  
 Goodwill, Mr Robert  
 Gove, rh Michael  
 Graham, Luke  
 Graham, Richard  
 Grant, Bill  
 Grant, Mrs Helen  
 Grayling, rh Chris  
 Green, Chris  
 Green, rh Damian  
 Greening, rh Justine  
 Grieve, rh Mr Dominic  
 Griffiths, Andrew  
 Gyimah, Mr Sam  
 Hair, Kirstene  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, rh Mr Philip  
 Hammond, Stephen  
 Hancock, rh Matt  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Harrison, Trudy  
 Hart, Simon  
 Hayes, rh Mr John  
 Heald, rh Sir Oliver  
 Heapey, James  
 Heaton-Harris, Chris

Heaton-Jones, Peter  
 Henderson, Gordon  
 Hinds, rh Damian  
 Hoare, Simon  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holloway, Adam  
 Howell, John  
 Huddleston, Nigel  
 Hughes, Eddie  
 Hunt, rh Mr Jeremy  
 Hurd, rh Mr Nick  
 Jack, Mr Alistair  
 Javid, rh Sajid  
 Jayawardena, Mr Ranil  
 Jenkin, David  
 Jenkins, Andrea  
 Jenrick, Robert  
 Johnson, Dr Caroline  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, rh Mr David  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Keegan, Gillian  
 Kennedy, Seema  
 Kerr, Stephen  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Lamont, John  
 Lancaster, rh Mark  
 Latham, Mrs Pauline  
 Leadsom, rh Andrea  
 Lee, Dr Phillip  
 Lefroy, Jeremy  
 Leigh, Sir Edward  
 Letwin, rh Sir Oliver  
 Lewer, Andrew  
 Lewis, rh Dr Julian  
 Liddell-Grainger, Mr Ian  
 Lidington, rh Mr David  
 Little Pengelly, Emma  
 Lopez, Julia  
 Lopresti, Jack  
 Lord, Mr Jonathan  
 Loughton, Tim  
 Mackinlay, Craig  
 Maclean, Rachel  
 Main, Mrs Anne  
 Mak, Alan  
 Malthouse, Kit  
 Mann, Scott  
 Masterton, Paul  
 Maynard, Paul  
 McLoughlin, rh Sir Patrick  
 McVey, rh Ms Esther  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Miller, rh Mrs Maria  
 Milling, Amanda  
 Mills, Nigel  
 Milton, rh Anne  
 Mitchell, rh Mr Andrew  
 Moore, Damien  
 Mordaunt, rh Penny  
 Morgan, rh Nicky  
 Morris, Anne Marie

Morris, James  
 Morton, Wendy  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, rh Caroline  
 Norman, Jesse  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Opperman, Guy  
 Paisley, Ian  
 Parish, Neil  
 Patel, rh Priti  
 Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Perry, rh Claire  
 Philp, Chris  
 Pincher, Christopher  
 Poulter, Dr Dan  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, Dominic  
 Redwood, rh John  
 Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Ross, Douglas  
 Rowley, Lee  
 Rudd, rh Amber  
 Rutley, David  
 Sandbach, Antoinette  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Simpson, rh Mr Keith  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston

Soames, rh Sir Nicholas  
 Soubry, rh Anna  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Iain  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomson, Ross  
 Throup, Maggie  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Mrs Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggin, Bill  
 Williamson, rh Gavin  
 Wilson, rh Sammy  
 Wollaston, Dr Sarah  
 Wood, Mike  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Noes:**

**Kelly Tolhurst and  
 Mims Davies**

*Question accordingly negatived.*

**Madam Deputy Speaker (Dame Rosie Winterton):** I remind the House that before Second Reading, as required by the Standing Order, the Speaker certified the entire Bill as relating exclusively to England and within legislative competence. The Bill has not been amended since then. Copies of the certificate are available in the Vote Office and on the parliamentary website.

Under Standing Order No. 83M, a consent motion is required for the Bill to proceed. Copies of the motion are now available. Does the Minister intend to move the consent motion?

**The Minister for Women and Equalities (Penny Mordaunt)** indicated assent.

*The House forthwith resolved itself into the Legislative Grand Committee (England) (Standing Order No. 83M).*

[DAME ROSIE WINTERTON *in the Chair*]

6.42 pm

**The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton):** I remind hon. Members that, if there is a Division, only Members representing constituencies in England may vote.

I call the Minister to move the consent motion.

*Motion made, and Question put forthwith (Programme Order, 19 March, and Standing Order No. 83M(5)),*

That the Committee consents to the Secure Tenancies (Victims of Domestic Abuse) Bill [*Lords*].—(*Mrs Wheeler.*)

*Question agreed to.*

*The occupant of the Chair left the Chair to report the decision of the Committee (Standing Order No. 83M(6)).*

*The Deputy Speaker resumed the Chair; decision reported.*

*Third Reading*

6.43 pm

**Mrs Wheeler:** I beg to move, That the Bill be now read the Third time.

I will be very brief, because I believe the Bill has cross-party support. This short and targeted Bill is an important part of the Government's wider aims of supporting victims of domestic abuse to leave their abusive situation, and ensuring that they and their families are provided with the stability and security they need and deserve. I am sure all Members agree that domestic abuse is a particularly horrible crime. Its effects are insidious and its impacts are wide-reaching. It has serious and lasting impacts on victims, their families and society as a whole.

The Bill will protect lifetime tenants who have to flee their home, whether they apply for rehousing by their own local authority or to any other local authority in England. It will also protect those who have lost their lifetime tenancy if they have fled their home, and it will protect those who want to return to their home after the perpetrator has left or been removed. It will ensure that in every case, where they are granted a new tenancy by the local authority, they will know that they are able to retain their lifetime tenancy in their new social home.

Lord Bourne was personally very committed to taking the Bill through the other place and I am proud to have been able to do so in this place. He was very grateful for the cross-party support he received from his noble colleagues and I would like to echo my thanks to hon. Members for their support. I know that we have had our differences regarding the detail, but I am sure we are all in agreement on the main aims of the Bill. We can all take credit for ensuring that this small but vital piece of proposed legislation is put on the statute book, but I would like, if I may, to pay particular tribute to Baroness Lister of Burtersett. She has been the mainspring behind the Bill and it is through her persistence during its passage in the other place that it is in such good shape.

I am heartened to know that the Bill has been widely welcomed by the organisations that support victims of domestic abuse, in particular Women's Aid. I would like to take this opportunity to pay tribute to all those who work so hard to support victims of domestic abuse everywhere, not just Women's Aid but Refuge, IMKAAN and many more.

Before I finish I would also like to thank the members of the Bill team for their hard work and support in taking the Bill through: Frances Walker, Jane Worthington, Jane Everton, Lizzie Clifford, the parliamentary draftsman Anthony Brown, and finally, from my own team, Emma Andrews.

6.46 pm

**Melanie Onn:** I would like to start by thanking my colleagues in this House, in particular my hon. Friends the Members for Croydon Central (Sarah Jones), for Birmingham, Yardley (Jess Phillips), for Chesterfield (Toby Perkins), for Nottingham North (Alex Norris), for Walthamstow (Stella Creasy), and for Canterbury (Rosie Duffield), and, for her contributions this afternoon, my hon. Friend the Member for High Peak (Ruth George). I also thank Members in the other place for scrutinising this proposed legislation and ensuring that it leaves in a marginally better state than when it arrived. I would particularly like to pay tribute to my colleague Baroness Lister, as her amendment to the original Housing and Planning Act 2016 is the reason the Bill is before us today.

I am disappointed that the Minister has been so reluctant to support any of our amendments, as they would have strengthened the Bill by helping to equalise the quality of care across the country and guaranteeing that domestic abuse victims who move authorities still have a secure tenancy in their new authority. I had hoped that, given that mistakes had been made in this area in the past and such provision had not been included in the Housing and Planning Act 2016, the Government might have listened to some of the concerns from the sector about the ambiguity of the Bill. However, given that we have just divided on the matter, we will support the Bill as drafted.

Despite that, the Bill leaves the House today and it will do a large amount of good for many domestic abuse victims across the country. By guaranteeing a secure tenancy to victims of domestic abuse moving from a secure tenancy, the Bill will remove a key barrier that prevents domestic abuse victims from leaving their perpetrator. There is a clear need for a new radical and credible approach to housing and refuges, but the Bill will provide more security to many domestic abuse victims who are in secure tenancies. We therefore support the Bill.

6.48 pm

**Ruth George:** I welcome the Bill before us today. I also welcome the Minister stating the Government's wider aim of enabling victims of domestic violence to be able to leave the perpetrator so that abuse can end.

Like my hon. Friend the Member for Great Grimsby (Melanie Onn), I was very disappointed that the Government were not prepared to listen, in particular to amendment 2. I urge the Minister to go back to housing benefit and discretionary housing payment practice in local authorities, because even the national housing executive guidance on the gov.uk website states that a discretionary payment will last for a set period of time. That is what happens in practice.

In the last period for which we have information on discretionary housing payment, 121 councils ran out of discretionary housing payment budget. That means time-limited grants that people are able to reapply for, but, in a domestic violence situation, that is another burden

and payment cannot be guaranteed. That leads to further insecurity for victims and for their children, in particular in the very distressing circumstances, mentioned by my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), where children have been taken away due to failure to protect. We would all wish to see those circumstances come to an end as soon as possible for such families.

I turn to the wider implications of the Government's policy on domestic violence, particularly around universal credit, which I have been looking at as a member of the Work and Pensions Committee. I very much hope that the Minister will take her experience of issues relating to domestic violence and to women who seek to flee from their abuser and speak to colleagues in the Department for Work and Pensions about the single payment system under universal credit. The *Financial Times* highlights this issue today, saying that women will not even be able to access the money for a bus, train or taxi fare to leave their abuser. As I mentioned in an intervention, even when victims manage to leave, they need a benefits system that will respond immediately to their needs and guarantee them benefit and support. Some victims are not even able to access a place in a refuge without that support and end up going back to the perpetrator of their abuse. One cannot imagine the additional abuse that they will receive having attempted to leave, and then having to go back again.

Although the Bill is welcome, a lot of social housing providers are very concerned about universal credit in cases when there is a joint tenancy, because when a perpetrator of domestic violence leaves, the payment is split between the perpetrator and the victim of domestic abuse. This means that the victim receives only half the housing element of universal credit and therefore immediately falls into arrears. Evidence that we took on the all-party group on universal credit showed that some victims of domestic violence were already being evicted, because the system meant that their arrears had built up to thousands of pounds.

Although I very much welcome the Bill and the Government's wider intentions, I hope that the Minister will use the experience that she has gathered on the Bill to talk to other Departments and to look at the overall experience of victims of domestic violence and the support that they get from Government.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed, without amendment.*

## NUCLEAR SAFEGUARDS BILL (PROGRAMME) (NO. 2)

*Motion made, and Question put forthwith (Standing Order No. 83A(7)),*

That the following provisions shall apply to the Nuclear Safeguards Bill for the purpose of supplementing the Order of 16 October 2017 (Nuclear Safeguards Bill (Programme)).

### *Consideration of Lords Amendments*

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement at today's sitting.

(2) The proceedings shall be taken in the following order: Lords Amendments Nos. 3, 1, 2 and 4 to 7.

### *Subsequent stages*

(3) Any further Message from the Lords may be considered forthwith without any Question being put.

(4) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(*Kelly Tolhurst.*)

*Question agreed to.*

## **Nuclear Safeguards Bill**

*Consideration of Lords amendments.*

*Queen's consent signified.*

### **After Clause 1**

#### AGREEMENTS REQUIRED BEFORE WITHDRAWAL

6.53 pm

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington):** I beg to move, That this House disagrees with Lords amendment 3.

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

Government amendment (a) in lieu of Lords amendment 3.  
Lords amendments 1, 2 and 4 to 7.

**Richard Harrington:** Before I say a few words about the amendments, I want to reflect on the passage of the Bill. It has passed through this House in an orderly manner, with a great many thoughtful points made by Members on both sides of the House who are here today and by many who are not. I particularly pay tribute to the Opposition Front-Bench team, led by the hon. Member for Southampton, Test (Dr Whitehead)—I will never forget his constituency after this Bill. Although we have had our moments of disagreement, I have been encouraged by the strong consensus and have done my best to listen carefully to his amendments. I hope he would accept that I have given a lot of thought to them and that I have tried to accept those that I can. Lord Henley and I have made considerable efforts to listen to concerns in the other place as well, as has been seen in the amendments we have made to the Bill.

Outside the legislation, my right hon. Friend the Secretary of State committed to making regular progress updates to Parliament. The first report was published on 27 March and the next will follow next month. We also provided draft regulations to support the House's deliberations on the Bill, and I confirm today that I am placing in the Library the Department's analysis on the application of Standing Order No. 83O, in respect of any motion relating to a Lords amendment, for Commons consideration of Lords amendments stage.

The Government opposed amendment 3 on Report in the House of Lords. I have listened carefully to the views of Members, including the Opposition spokesman, the hon. Member for Southampton, Test. The amendment would require that in a situation where particular agreements relating to nuclear safeguards are not in place, the Government would have to request that the UK's withdrawal from Euratom be suspended until they are.

**John Howell (Henley) (Con):** The Minister may be aware that in the last few hours, I have had a conversation with the head of Culham Centre for Fusion Energy, who says that the Government are moving in the right direction on this, and have already agreed to pay for an association and are moving in the right direction on that. If the Minister is going to oppose the amendment, he has my full support and that of the head of Culham.

**Richard Harrington:** I thank my hon. Friend for that comment, which I believe reflects the progress that we have made. He works very hard for Culham; it is an extremely impressive place and I am sure that everyone on both sides of the House supports what they do.

**Sir Robert Syms (Poole) (Con):** May I be the first to congratulate the Minister on the co-operation agreement that we have signed with the United States of America? This is a very good sign. There was some concern in Committee about the progress that we had made, and I believe that the Minister is doing his utmost to make sure that we have a fit-for-purpose regime in future.

**Richard Harrington:** I thank my hon. Friend. I would like to say that it was because of the personal influence that I have with President Trump, but no one in this House, and particularly you, Madam Deputy Speaker, would hear that. However, it shows that we have made a lot of progress and things are going according to plan. I am grateful to the United States for that assistance it has given us, as well as that of the other countries we are dealing with and the International Atomic Energy Agency, whose initials some of us repeatedly had difficulty pronouncing—I will come to the IAEA in a moment.

As currently formulated, amendment 3 will not work. Subsection (3)(c) currently contains a broad reference to international agreements made by Euratom to which the UK is a party. First, the UK is not a party to Euratom's nuclear co-operation agreements; Euratom concludes them on behalf of member states, and Euratom, rather than the member states, is a party to those agreements. Secondly, subsection 3(c) covers a number of international agreements that are not in fact required to ensure the continuity of nuclear trade after withdrawal from Euratom. For these reasons, the other agreements that are covered by Lords amendment 3 should be restricted to the priority nuclear co-operation agreements with Australia, Canada, Japan and the US. Although I cannot agree to Lords amendment 3 in its present form, I am tabling an amendment in lieu, which I believe will address parliamentarians' concerns. I particularly hope that it will address the issues raised by the shadow Front-Bench team and Members on both sides of the House.

**John Woodcock (Barrow and Furness) (Ind):** With respect, the Minister is doing what every single Minister will always do when faced with Opposition amendments—that is, nit-pick over the precise wording. If he is going to table his own amendment, will it clearly state that the UK will not withdraw from Euratom until the required agreements are in place so that we have a similar, commensurate level of security?

**Richard Harrington:** I have always listened carefully to what the hon. Gentleman says. He knows a lot about nuclear and deserves attention particularly on this Bill and every other nuclear subject that comes up. He accuses me of nit-picking—politely, as always—and then nit-picks about the language in my amendment, which I do hope he has read and which I will explain more about now. We do nit-pick in Parliament, though, because everyone is trying their best to get it right, and I accept that language can mean everything. I am sure that “nit-picking” is a parliamentary word, Madam Deputy Speaker. If it is not, I still fully accept it from him.

7 pm

Under the amendment in lieu, if any principal international agreements are not signed, which is everybody's fear, and no other equivalent arrangements in respect of unsigned agreements have been made, the Secretary of State would have to ask the EU for the corresponding Euratom arrangements to continue to have effect in place of the unsigned agreements. The relevant agreements are: the voluntary offer agreement and additional protocol with the IAEA and the four priority nuclear co-operation agreements—with the USA, Canada, Japan and Australia.

The amendment in lieu provides a sensible compromise that addresses the central concerns of parliamentarians about the possibility of a cliff edge while removing the technical—we could say “nit-picking”, in honour of the hon. Member for Barrow and Furness (John Woodcock)—issues. It addresses the valid points that he and others have made about a cliff edge. It specifically names only the agreements that the UK needs to avoid disruption to our civil nuclear trade and co-operation, whereas Lords amendment 3 refers to agreements entered into more broadly. We have prioritised putting in place bilateral NCAs with those countries that have a legal or policy requirement for an NCA to be in place for civil nuclear trade to continue. As I have said, those countries are the USA, Canada, Australia, and Japan.

The amendment in lieu creates a two-part test, in respect of international agreements and other arrangements, for existing Euratom arrangements to continue to apply after exit day. Amendment 3 was tabled before the agreement with the EU on the terms of an implementation period, whereas the amendment in lieu is capable of taking account of such a period. That implementation period, by meeting hon. Members' wish for assurance of continuity in nuclear safeguards arrangements, would satisfy the second part of the test in this amendment in lieu.

**Alex Sobel (Leeds North West) (Lab/Co-op):** The Minister has talked about the implementation period and our ongoing relations with Euratom. What discussions has he had with the European Commission to determine whether our membership of Euratom will continue during the transition period?

**Richard Harrington:** My officials have had a lot of discussions with the EU on Euratom, as the hon. Gentleman might imagine, and I am very satisfied with the stage we have reached. If he will excuse me, I will try to cover that in the rest of my contribution.

**Stephen Kerr (Stirling) (Con):** During the Select Committee hearings on this matter, David Wagstaff, the head of the Euratom exit negotiations at the Department for Business, Energy and Industrial Strategy, indicated that progress in establishing new nuclear co-operation agreements with the USA, Canada, Japan and Australia was well advanced and that these would be completed in time for our departure. Did he mean next March or the end of the implementation period?

**Richard Harrington:** I can assure my hon. Friend that he meant March 2019. In answer also to the hon. Member for Leeds North West (Alex Sobel), I would like to assure the House that the UK and the EU have

[Richard Harrington]

reached agreement on the terms of an implementation period that will run from 30 March 2019 until the end of 2020. The existing Euratom treaty arrangements will continue during this period and businesses will be able to continue to trade on the same terms as now. As part of this, the UK and the EU agreed that for the duration of the implementation period the EU's international agreements will continue to apply to the UK. This will include Euratom's existing nuclear co-operation agreements with the USA, Canada, Australia and Japan.

**Sir Robert Syms:** I presume that the objective is to sign agreements with all the countries mentioned before March 2019, but there is also a process of ratification. Is it the Government's objective to get those ratified before the leaving date, or will some of them be ratified during the transition period?

**Richard Harrington:** The best example I can give is the ratification of the agreement with the US—and this will also explain the difference between signing and ratification. Now that it has been signed, it needs to be approved in accordance with the relevant constitutional requirements of the UK and the US, just as will be the case with the other bilateral agreements, but we have built into our timetable sufficient time to allow for the necessary processes in both the UK Parliament—it will come before Parliament this year—and the US Congress, which has a slightly different arrangement involving several days of congressional business. I am very confident, however, that the process will be completed. In both cases, it is unprecedented for this to be anything other than a formality. Both countries will then exchange notes to bring the agreement into force when required, which we fully expect to be at the end of the implementation period, but we have built plenty of time into the process.

**John Redwood (Wokingham) (Con):** This all sounds like very good progress. Is it true that the other four agreements the Minister says are necessary will be similarly available and ready by March 2019?

**Richard Harrington:** I have every confidence that those agreements will be ready, signed and ratified. I have no reason to believe anything other than that.

If the relevant agreements or arrangements are not in place 28 days before exit day, the amendment in lieu would impose a requirement on the Secretary of State to make a request to the European Council to continue to be covered by the corresponding Euratom agreements—the trilateral agreements between the IAEA, Euratom and the UK and the bilateral agreements between the countries I have mentioned. That request would cover only those areas for which the UK had not signed a relevant agreement or made arrangements for the corresponding Euratom agreement to continue to apply to the UK after exit. I think that answers the questions about process.

I have not mentioned the IAEA itself. We have made very good progress in negotiating with the IAEA, having held several productive rounds of discussions, and it has shared with us the draft voluntary offer agreement and additional protocol. Negotiations on these documents have made good progress, and we expect to conclude a

final draft in time for them to be put to the June meeting of the board of governors. The UK has a very strong relationship with the IAEA and continues to support it across a range of nuclear non-proliferation issues—something I was able to reinforce in my meeting last week with the director general, Mr Amano.

Lords amendments 1, 2 and 7 were Government amendments placing the definition of “civil activities” in the Bill. The Delegated Powers and Regulatory Reform Committee recommended that a definition of “civil activities” be placed in the Bill, so far as is possible, supplemented by a power to develop, where necessary, its meaning in regulations. The definition we inserted takes into account the continuing work on the draft regulations that will underpin the Bill, on which we are intending to consult in July. Although the Committee accepted that it might still be necessary to supplement this definition with a power to embellish its meaning in regulations, I have not found that to be necessary, so the amendments remove the existing power to specify in regulations activities that are or are not to be treated as “civil activities” and replace it with a definition in the Bill without creating another power. They therefore reduce the number of powers created by the Bill.

The sunset clause discussed by the Opposition Front-Bench team places a time limit—colloquially known as a “sunset”—on the use of the power in clause 2. Hon. Members may recall that clause 2 contains the power to amend three pieces of legislation in consequence of a relevant safeguards agreement—an agreement relating to nuclear safeguards to which the UK and the agency are parties. That legislation makes detailed references to specific provisions of international safeguards agreements. Those references, including references to specific articles, are likely to change as a result of any amendment of, or change in, the agreements. We therefore believe that the power in the Bill is necessary to make the changes in the relevant legislation to update the references when the new agreements are in place. The Delegated Powers and Regulatory Reform Committee recommended preventing the use of the power after a period of two years had expired. The amendment addresses the principle of the Committee's recommendation, but provides for a “sunset” period of five years to ensure that the provision can function effectively in all scenarios, including that of an implementation period with the EU.

Lords amendments 5 and 6 deal with statutory reporting. As I have said, I took very seriously the cross-party requests from parliamentarians for regular detailed updates about nuclear safeguards arrangements in this country. The amendments, as amended by the Opposition, would place a statutory duty on the Secretary of State to provide quarterly reports on nuclear safeguards, covering both domestic and international matters, for the first year after the Bill receives Royal Assent.

**Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** This is a general point, but I should like the Minister to be mindful of it. I do not pretend to understand the morass of amendments and timings, but the nuclear site at Dounreay, in my constituency, is being decommissioned, and, thanks to the involvement of Euratom and other agencies in the past, we have achieved a standard of excellence that is second to none in the world. I am anxious to ensure that the skills that we have there are developed and exported to other

countries, and to ensure that, whatever Her Majesty's Government puts in place of Euratom—whatever systems are introduced, and whatever clauses are included in the various bits of legislation—the importance of that is remembered and the quality is retained where it should be for the future, because otherwise we will lose an opportunity.

**Richard Harrington:** I entirely agree with the hon. Gentleman: Dounreay has one of the finest reputations. I have not yet had the pleasure and honour of visiting it—although if I were able to visit it, I should be pleased to do so—but I have visited Sellafield, and have discussed matters extensively with all the nuclear decommissioning authorities there. Dounreay is thought of very highly, and I assure the hon. Gentleman that nothing will be done to denude it of its reputation or lower the current non-proliferation standard. I was delighted to hear that the skills to which he has referred are being exported all over the world. The last thing that this or, I hope, any Government would want to do is bring about a reduction from the gold standard that is led by his constituency. *[Interruption.]* I am sorry if I am nit-picking again. The hon. Member for Barrow and Furness is very alert to nit-picking, and I shall try not to do so.

I hope Members will agree that the Government have proceeded with the Bill on a consensual basis. As I have said, we have made several important concessions in both Houses. Although we have not been able to agree to Lords amendment 3, I have listened to the arguments advanced today, and I believe that the compromise amendment goes a long way to achieving what the Opposition want. It preserves the key features of their amendment by requiring the Government to write to the EU seeking support if certain agreements or alternative arrangements are not in place. I therefore hope that Members will join me in agreeing to amendments that provide important reassurance for Members of both Houses.

**Dr Alan Whitehead** (Southampton, Test) (Lab): This is, I trust, the last occasion on which we will deal with the Bill in the House of Commons. I thank the Minister for the careful, courteous and inclusive way in which he has handled it, which I have found very helpful. We all want the Bill to be enacted, and I think that our discussions about how it should proceed have benefited from the way in which he has conducted himself and presented his side of the argument.

7.15 pm

I support Lords amendment 3, which, as the Minister has said, is the only amendment that the Government oppose. We welcome their acceptance of the sensible additions to the Bill that are contained in the other amendments, some of which, although originally proposed by the Government, make adjustments for which we have pressed throughout its passage. For instance, there are proposals to limit the period during which Henry VIII clauses could be used to amend existing legislation retrospectively, and to give the Minister fewer powers to define civil nuclear activities. Lords amendment 5 would insert a new clause on reporting, for which the Opposition have pressed strongly both in Committee and on the Floor of the House. By introducing a three-monthly reporting regime, it would ensure that issues relating to Euratom's wider remit, over and above nuclear

safeguarding—such as nuclear research and development and the import and export of qualifying nuclear material—were debated regularly in the House.

Those are all sensible additions to the Bill. They strengthen it, and we are pleased that they will become part of its final architecture. As I have said, we have always agreed about the overall need for it as a contingency measure, to deal with the eventuality that we do indeed leave Euratom at the end of March 2019. We will of course continue to raise the issue of leaving it at all, and the question of the role that it might play during the transition period after the end of March. However, we clearly need the best possible alternative arrangements to fully protect nuclear safeguarding, and to ensure that the regime is as good as that which was deployed under the Euratom arrangements that we will be transferring to the Office for Nuclear Regulation.

In the establishment of that regime, a vital role will be played by the adoption of bilateral treaties with civil nuclear countries—particularly Australia, Canada, Japan and the United States—and, of course, by the voluntary agreement that will supersede the agreement made with the IAEA on behalf of European civil nuclear countries by Euratom. That agreement will be tenable only on the basis that we have in place a mechanism that will satisfy the IAEA that we are in earnest about nuclear safeguarding separately from Euratom. That is one of the central purposes of the Bill.

The adoption of those treaties is an essential element of ensuring that there are no cliff edges as we leave Euratom. In Committee, representatives of the nuclear industry, among others, expressed the fear that leaving Euratom without introducing all the measures necessary to ensure a smooth continuation of function could create a gap in provision that would be devastating for the operation of civil nuclear in the UK.

**Stephen Kerr:** Does the hon. Gentleman welcome the progress that the Government are evidently making towards the conclusion of these agreements? That is good news, is it not?

**Dr Whitehead:** I think the hon. Gentleman has slightly anticipated what I was about to say. It is indeed good news that progress is being made in that regard, but there is not much time left between now and March 2019, and there are still a number of treaties to go.

Lords amendment 3 addresses what is perhaps the most central point of the whole exercise. If those treaties are not securely in place before the date of withdrawal, we must have mechanisms for extending the period of coverage of Euratom, as it were—which means not just an extension during the implementation period, but an extension in its own right—until they are in place. We were told earlier in the Bill's passage that all this was unnecessary, because everything would be put in hand before March 2019, and we have discussed the progress that has been made, but we have heard nothing about a plan B to be deployed in the event of its not being concluded. It may be that all the treaties will be in place, and we heard today that one of the bilaterals had been signed with the United States, but there are three more to be signed with major civil nuclear countries, and there is also the voluntary arrangement to be established with the IAEA. The Lords amendment gives us that fall-back protection, and a clear route towards obtaining it.

**Layla Moran** (Oxford West and Abingdon) (LD): Does the hon. Gentleman agree that while some of the safeguards the Minister mentions might well work, it would be easier to stay in Euratom until such time as everything is concluded so that there is absolutely no way we would fall off any cliff edges? Does he agree that “may” is not good enough in this scenario?

**Dr Whitehead:** The hon. Lady makes the important point that to have the full protection of staying in Euratom would be the best thing to do, not just on nuclear safeguarding but on a range of other civil nuclear activities, until we are absolutely certain that we have ticked every box and ensured that we have alternatives that are as good as what we have under Euratom. That, very largely, is what Lords amendment 3 seeks to do. It seeks to ensure that there is recourse to the full covering arrangements of Euratom if those boxes have not been ticked.

After waiting until the very last moment to tell us that Lords amendment 3 is not needed and will be opposed, the Government have finally come up with an amendment in lieu of their own that suggests that perhaps a fall-back plan is needed after all. Its wording is, in many respects, very similar to Lords amendment 3. It places the signing of these treaties as the essential element in securing the transition to a full nuclear safeguarding role without Euratom, and specifies, as amendment 3 does, what they are. That in itself is a considerable victory for those who counselled for this over a period of time, and is a substantial turnaround from the Government’s previous position. But, at the last, the amendment falls short. It places the option to decide not on whether principal agreements have been signed—for that will be evident, or not, at the time of departure—but on what one might call an interim stage on a fall-back which provides for circumstances where, at the beginning of a period of 28 days prior to exit, agreements may not have been signed and completed, but will in the Secretary of State’s opinion have been so signed before that 28-day period is up. In other words, there is a very abbreviated, but nevertheless significant, period during which the Secretary of State will decide whether treaties are going to be signed. That will, in effect, be putting off the relevant request to the European Council for an extension of the time during which Euratom provisions hold, because the Secretary of State thinks it is, after all, going to be all right. That is a far shorter period than under the original general provisions that the Secretary of State said he would try to organise and get right in time for exit from the EU, but we are still back to that assumption that it will be “all right on the night” with no complete plan B in place. I accept that the amendment in lieu proposed by the Government comes a very long way, and that it has taken a considerable amount of U-turning, if we want to call it that, to put in place these arrangements, but in reality it is not quite far enough.

**Ben Bradley** (Mansfield) (Con): It was a pleasure to serve with the hon. Gentleman on the Bill Committee. Does he agree that the Government’s new approach offering more flexibility and the ability to take a common-sense approach based on the circumstances at the time is a better approach than an inflexible decision taken now which might not fit the circumstances next year?

**Dr Whitehead:** I am not sure that the term “inflexible decision” can be accurately addressed to this set of circumstances, because we have a very inflexible date by which these decisions will have to be made. If we have a provision that is based on the Secretary of State deciding whether things are going better or worse, and if the House then does not have time to apply to the European Commission for an extension, an objective judgment will be made about whether to make an application to the European Commission for an extension of Euratom’s overview, particularly in relation to nuclear safeguarding activities.

That is another reason why we seek to preserve the original clause and ensure that it goes into the final Bill. My hon. Friend the Member for Barrow and Furness (John Woodcock) mentioned nit-picking in respect of some of the wording of the amendment. It would have been possible, I think, to fix that wording without diluting the effect of the clause in the way the Government have done through their amendment in lieu. It still has the flaw in it that there is a period when the Secretary of State has the option to decide whether he thinks something is going to be done, as opposed to the absolute guarantee that it will have been done at the point of departure. For that reason, we seek to preserve the original clause, if necessary by means of a vote. Depending on the result of that vote, we might then offer the amendment in lieu back to the other place for it to decide whether it thinks it comes close enough to its intention not to be sent back to this House once more.

**Stephen Kerr:** I do not intend to detain the House with a long speech, but I want to commend the Minister on the way in which he has guided the Bill to this point and to assure him of my support for the amendment that he has tabled. He has been, and is being, attentive and responsive to the concerns he has heard; he has listened and responded, and I believe that that is what makes for good legislation. I also wish to add to his compliments to the hon. Member for Southampton, Test (Dr Whitehead), whose positive contribution to the progress of this Bill has been greatly appreciated by us all.

To be clear, we need this Bill. Leaving the European Union creates the necessary, even if unwanted, step of leaving Euratom. The Government’s stated preference is for Euratom to continue to provide safeguarding functions in the UK. That is a laudable example of the pragmatic approach that the Government, and in particular the Prime Minister, are taking to issues surrounding our departure from the European Union. I like to think that my conservatism is based not on ideology but on pragmatism, and it is pragmatism that is going to see us through the process by which we leave the European Union. This Bill is a vital contingency plan, because if it transpires that we cannot agree with Euratom to continue with the civil nuclear safeguarding, we will need to have the regulatory framework, the infrastructure and the capabilities in place to maintain our international obligations and responsibilities as an independent and responsible nuclear state.

**Bob Stewart** (Beckenham) (Con): I was under the impression that we cannot remain in Euratom unless we are a member of the EU—we may want to, but we cannot, according to the rules.

**Stephen Kerr:** My hon. Friend has the power of mind-reading because the next thing I wish to say is that given that it will not be possible for us to maintain Euratom membership, the Government have taken the realistic approach of declaring through the process of the current round of negotiations that we would like to achieve an “as close as possible” relationship with Euratom, however that might ultimately be described. Although there is no such thing today as an associate membership, perhaps it is possible to become an associate of some form or another to the end of achieving that “as close as possible” relationship that we desire.

**Kwasi Kwarteng (Spelthorne) (Con):** My understanding is that we as a country want to leave Euratom. Does my hon. Friend agree that opening up a suggestion that we could have associate membership muddies the waters slightly in terms of the clarity of the debate?

7.30 pm

**Stephen Kerr:** I am grateful to my hon. Friend for his intervention, but I do not think it does. The Minister has made it clear during the passage of the Bill that although we are leaving the European Union and our membership of Euratom will therefore end, we still want as close a relationship as possible with Euratom. The Government have been absolutely clear in their determination on this. They stated in a written statement published last September that

“it is vitally important that the new domestic nuclear safeguards regime, to be run by the Office for Nuclear Regulation, is as comprehensive and robust as that currently provided by Euratom. The government has therefore decided that it will be establishing a domestic regime which will deliver to existing Euratom standards and exceeds the standard that the international community would require from the UK as a member of the IAEA.”

I hope that the Minister will reconfirm tonight that it is still the Government’s intention to reach and maintain existing Euratom standards in respect to safeguarding. I recognise that it will take time to get to that point, but it would be useful if he indicated when he expects we will be able to assume that we have everything in place to maintain the Euratom safeguarding standards, and if possible, how much that will cost.

I also commend my hon. Friend on his success in progressing towards his objective of putting in place what his amendment in lieu describes as “principal international agreements” and “corresponding Euratom arrangements”. These principal international agreements refer to and include the nuclear co-operation agreements that we will need to maintain because it is on the basis of these agreements that nuclear goods, including intellectual property, software and skills, can be moved between the UK and other countries. The Select Committee report summarised the evidence we heard and concluded that nuclear co-operation agreements were

“expected to depend on the existence of a mutually acceptable UK safeguards regime. Witnesses were concerned about any potential gap between leaving Euratom and setting up new arrangements, which would cause considerable disruption to nuclear supply chains”.

We also heard that

“nuclear cooperation agreements with the US, Canada, Japan and Australia will be crucial for maintaining existing operations and should be prioritised.”

I welcome the news that the Minister has brought to the House tonight about the IAEA, the draft voluntary offer agreement and the additional protocol. I also

welcome the US-UK nuclear co-operation agreement. Perhaps he will give us more detail on how long it will take for the agreement to be ratified. I referred earlier to the optimistic note that David Wagstaff, the head of Euratom exit negotiations at the Department for Business, Energy and Industrial Strategy, brought to our Committee, where he indicated that the co-operation agreements were

“well advanced and...would be completed in time for our departure.”

I have heard again tonight that that means March 2019.

With reference to the principal international agreements, perhaps the Minister will update the House on our negotiations with Canada, Japan and Australia. Will all Euratom’s existing nuclear co-operation agreements continue to apply to the United Kingdom until such time as new agreements can be established? It is vital that our civil nuclear industry can continue to operate with certainty and that there should be minimum to no disruption to the sector as we leave the European Union. Britain must be in a position to continue to honour its international obligations—

**Layla Moran:** Will the hon. Gentleman explain what “minimum” would be acceptable? I do not feel that any minimum disruption would be acceptable; for me, no disruption is the only possible scenario. What would his minimum be?

**Stephen Kerr:** The hon. Lady is right to pick me up on those words, and I am grateful for her intervention. Because the Prime Minister has successfully concluded the implementation agreement with the European Union, the minimum that we should settle for is no disruption, especially in this sector.

I was about to say that we as a country must be in a position to continue to honour our international obligations, and to be the responsible nuclear state that we are. The importance of this Bill, with this amendment, is that in the event of there being no agreement with Euratom, which is not what we want, it will enable the United Kingdom to be in a position to act as an independent and responsible nuclear state. That is why the amendment should command support on both sides of the House.

**Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP):** I should like to begin by echoing the remarks of the hon. Member for Southampton, Test (Dr Whitehead) about the Minister’s participation in the Bill so far. He has indeed been helpful, inclusive and relentlessly courteous as we have gone through the process. I welcome the progress that has been made, but that must be set against the background of what we believe to be the folly of leaving Euratom in the first instance. The last time the Bill came before us, I said that despite the Government’s ideological intention to abandon Euratom—it is ideological; there has been no attempt to challenge whether there might be a possibility to stay in it—their proposals fell short of answering vital questions on the UK’s nuclear future. Those answers have been asked for by the nuclear industry, the medical profession, our research sector and virtually everyone associated with nuclear power. Simply put, we should not be leaving Euratom.

Even with some sensible amendments from the Lords that have been accepted by the Commons, the Bill still fails to answer many critical concerns. As I have stated

[Drew Hendry]

before, we in the Scottish National party believe that the safest nuclear power is no nuclear power. In Scotland, we have demonstrated what can be achieved by alternative renewable energy sources, and there is still a vast potential to be tapped, especially offshore, for an abundance of low-cost clean energy. In contrast, the UK Government continue to chase the folly of new nuclear, including the white elephant that is Hinckley C. That means higher costs for consumers, and technologies whose capital costs continue to skyrocket.

**Kwasi Kwarteng:** Does the hon. Gentleman believe that “no nuclear” can be squared with full participation in Euratom? If he had to choose one or the other, what would he decide?

**Drew Hendry:** I find the hon. Gentleman’s question rather odd. I shall come to the reasons that we support Euratom in a moment, but a no-nuclear future means that we still have to navigate the nuclear that we have at the moment, and the wider public need to understand the existing nuclear technology.

**Kwasi Kwarteng** *rose*—

**Drew Hendry:** I want to make progress, because I am aware that Members wish to move ahead and I wish to accommodate that as much as I can.

On safeguards, at Dounreay in the highlands we have lived with the consequences of the UK’s previous regulatory regime. Decades on, we are still finding nuclear material that has simply been dumped or buried. For these reasons, and many more, while we work for a nuclear-free future, we recognise the vital need for the continuing protections and benefits that we have enjoyed through Euratom. I hope that that answers the hon. Gentleman’s question.

Turning to the Lords amendments, and the Government amendment in lieu, I should like some clarification from the Minister. On Lords amendments 1 and 2, I have said that providing clarification on the definition of “civil activities” is a sensible move, but is he in a position to enlighten us on the question put by Lord Hutton as to why the phrase, “for peaceful purposes”, has been defined in regard to electricity generation? I understand that Lord Henley, the Under-Secretary for Business, Energy and Industrial Strategy, was to write to Lord Hutton with a response to that question. However, I am not aware that there is anything on the public record on that issue, so I would be grateful if the Minister enlightened us.

Lords amendment 4 proposes a sunset clause, but I still do not think that the Government have fully answered the question as to why the sunset provision needed to be extended to five years from two years, so I would welcome clarification from the Minister. That being said, this is a sensible clause to add to the Bill.

I also agree with Lords amendment 5, which will mean that we receive a report for each three-month period in the years after the Bill is enacted. I note that the reports could include information on the development of the domestic operational arrangements required for the new domestic safeguards regime. Will the Minister outline what level of information he expects to provide? What information does he intend to include in the

reports? For example, will they include information on the profile of ongoing costs, including any increases, on skills, on the recruitment and skills opportunities for girls and women and on gender pay? Reports should also include a rolling risk register.

I also note that we are to expect, or “may” have, a report that includes information on future arrangements with Euratom, including on nuclear research and development and on the import and export of qualifying nuclear material. I listened carefully when the Minister said that he had “every confidence” about the situation. It is good that he does, but we should have a guarantee. As was said earlier, there should be no diminution of the current protection that we enjoy under Euratom. I remain concerned about radioactive isotopes, but I do not intend to go through the rationale that I presented in the previous debate for why they are vital—although if I did, I would make no apology for doing so. The medical profession is concerned about their future availability, and even if there are agreements about access to such isotopes, the question remains unanswered about how we are supposed to obtain them in a Brexit future that means no customs union. How are they going to get across the border in time, before their limited half-life has expired? I could say much more on that, but perhaps the Minister can tell us how he intends to overcome the customs barriers and get that material here.

The Scottish National party supports Labour’s position on Lords amendment 3, and if it comes to a vote, we will vote to disagree with the disagreement that the UK Government have brought forward. If the Minister was serious about giving Parliament assurances, he would accept Lords amendment 3, which was moved by a Cross-Bench peer. The amendment quite literally does what it says on the tin: no exit from Euratom if relevant and necessary agreements are not in place. Instead, in presenting their own amendment (a), the UK Government are again asking us to take things on trust and believe that everything will be all right on the night. That is not good enough when it comes to nuclear safeguards.

**Rachel Maclean (Redditch) (Con):** The hon. Gentleman talks about taking things on trust, but does he not agree that we have just heard hard evidence from the Minister of other parties coming to the table and negotiating with us to put safeguards in place?

**Drew Hendry:** I am delighted that the hon. Lady intervened at that point, because I was just about mention that condition 2 in amendment (a) states that

“(a) one or more of the principal international agreements have not been signed, but

(b) in respect of each agreement that has not been signed, arrangements for the corresponding Euratom arrangements to have effect in relation to the United Kingdom after exit day—

(i) have been made”—

which would be fine—

“or (ii) will, in the Secretary of State’s opinion, have been made before exit day.”

That is simply not good enough. Given that we are already seeing a lack of transparency around Hinkley Point C and rising costs, and around what is happening in Anglesey at the Hitachi plant, we cannot take such

things on trust. It is vital that the Government are transparent on this issue now, because so much is at stake for people.

In conclusion, we have been advised that a deal has been struck with the USA, but will the Minister provide an update on the other agreements that need to be in place before the UK exits Euratom? After all, he expects us to take him at his word, so it should follow that we will be regularly updated on progress. In the interests of transparency, will he place the draft withdrawal agreement with Euratom in the Library? Although this is a reserved matter for the UK Government, the Scottish Government have regulatory powers on nuclear waste and emissions, so what discussions has he had with the Scottish Government to date on this issue? If he has had none, as I expect, what discussions does he intend to have?

7.45 pm

**Trudy Harrison** (Copeland) (Con): I listened with interest to my hon. Friend the Minister's opening statement. Of the 87,000 people working in the UK's nuclear sector today, some 27,500 people—nearly 40% of the workforce—are based in Cumbria. That is why, in Copeland and in Cumbria, we proudly call ourselves the centre of nuclear excellence, and I am so pleased to hear from the Minister that swift progress is being made.

I have said before that not to have arrangements in place would be catastrophic for my community and devastating for the nuclear sector nationally and internationally and for all who rely upon the sector for energy: low-carbon electricity, fuel, research and development, science and industry, clean-up operations, defueling, decommissioning, reprocessing, waste processing—the list goes on. There would also be wider supply-chain implications from advance manufacturing to apprenticeships and implications for ensuring that we continue the legacy of world-class skills and for the enormous number of businesses employing people right across the country in component factories and on our high streets. In my community, that means hairdressers and hardware stores, taxi firms and teashops; the nuclear industry in west Cumbria puts food on so many of our tables. Britain's nuclear industry equals our automotive industry in terms of value to the economy. It is a vital to our economy, our environmental obligations and our society. It is therefore absolutely right that the Bill is being given the kind of priority that the ministerial team are affording it.

I thank all those who have been working so hard and so collaboratively on this important issue. The priority for me and my community is the UK being able to operate as an independent and responsible nuclear state when the Euratom arrangements no longer apply to the UK. There is a strong consensus across Parliament on the importance of ensuring that the necessary measures are in place so that the UK nuclear industry can operate with certainty while meeting all international commitments. That is clear from speaking with people working in the 70-something nuclear businesses in my constituency, including my husband, who is in the Gallery tonight and celebrating his birthday by watching this debate.

**Rachel Maclean:** Will my hon. Friend forgive me if I take this opportunity to wish her husband a happy birthday?

**Trudy Harrison:** I thank my hon. Friend.

The importance of having measures in place is clear from speaking to those working in the Nuclear Decommissioning Authority. It is also clear from reading the Minister's report, published on 27 March—and no doubt will be from reading the next report, to be published in June—that the ministerial team is making considerable effort to address all concerns. I am grateful for the time that the Minister for Nuclear has spent with me and in my Copeland constituency. He has met many businesses in Copeland, including on his visit to Sellafield, visits to the Copeland Borough Council "Open for Business" event and to a Britain's Energy Coast Business Cluster meeting. I know that he understands both our concerns and our capabilities.

To ensure that we will operate without interruption after the implementation period ends on 31 December 2020, the amendments introduced by the Minister will improve the transparency of negotiations and improve our understanding of the procedures being carried out. The progress being made will result in better, stronger industry confidence, and I welcome that. The definitions that will be included in the Bill are also welcome.

Amendment (a), in lieu of Lords amendment 3, will address the concerns raised in the other place. As I understand it, 28 days before exit day on 1 March 2019, if any relevant agreements are not signed and if no other equivalent arrangements have been made, the Secretary of State would have to ask the EU for corresponding Euratom arrangements to continue to have effect, providing vital secondary reassurance in the unlikely event that all measures are not fully in place.

I am pleased that the UK has now signed a bilateral nuclear co-operation agreement with the United States of America, as the agreement will allow the UK and the US to continue their mutually beneficial co-operation after the point at which Euratom arrangements cease to apply to the UK. The UK-US nuclear co-operation agreement will enter force at the end of 2020, following the conclusion of the implementation period of 21 months after the end of March 2019.

It is vital we have certainty and confidence that there will be no interruption to existing relationships that are underpinned by international agreements. I also welcome the fact that the nuclear co-operation agreement has been drafted and signed on the same principles as the current Euratom-US nuclear co-operation agreement, with the same robust assurances on safeguards, security, transfers, storage, enrichment and reprocessing in relation to the transfer of nuclear material and related items between the United Kingdom and the United States.

All that is relevant to my Copeland businesses and constituents, who rely on the nuclear industry for their livelihoods, and vital so that the country can continue to generate electricity, carry on reprocessing operations and continue with the decommissioning and legacy clean-up operations in Britain and abroad.

I urge Government officials to ensure that the same swift, smooth, effective transaction agreements are prioritised with Australia, Canada and, especially, Japan, with which my constituency businesses are working very closely. World-leading and innovative clean-up, defueling and decommissioning work must continue. Skills and products are being invented and deployed to support the Fukushima clean-up.

Companies such as React Engineering, based in Cleator Moor, have worked with Sellafield to develop brand

[Trudy Harrison]

new technologies and techniques to deal with incredibly complex situations. It is in everyone's interest that this essential work is carried out, without interruption, as we leave the EU and Euratom. The last nuclear reactor to be constructed in Britain was Sizewell B, completed in 1995 using imported pressurised water reactor technology. Since then, no nuclear power plants have been completed. The UK's capability to design and build a nuclear power plant has been dissipated, and the renewal of the nuclear programme has been dependent on overseas technology and nuclear systems suppliers, so it is all the more important that we ensure that the international nuclear co-operation agreements are fit for purpose and in place.

This is surely a depressing situation for a country that led the way in nuclear development. I share the widely expressed concerns about the energy trilemma: the need to keep costs down, to ensure the security of supply and to reduce carbon. There must be a concerted cost-reduction emphasis, supported financially and in policy terms, and I urge the Government to consider becoming much more directly engaged in the nuclear fleet deployment to revitalise the UK nuclear industry.

Diversification of the industry is already happening in Copeland, as companies such as Shepley Engineers, for which my husband works as a welder and which was started at Sellafield in the late 1940s, are now winning contracts across the country. Such companies are deploying their highly skilled workers, who are very experienced and competent at working safely, in highly regulated environments and in extreme conditions. As I speak, the Shepley Engineers workforce are above us fixing the roof and deploying their reverse-engineering techniques to complex and ancient systems. They are replacing the cast-iron tiles and giving the stonework a new lease of life, and they are also working at considerable height on the Elizabeth Tower, always with safety as their principal concern.

It is brilliant that those skills, that expertise and that precision working are in demand across Britain and beyond, but what I really want, and what the industry is crying out for, is for our globally envied skills in nuclear to be valued, employed and deployed, grown and exported as we develop, once again, a UK fleet of nuclear reactors of small scale, advanced breed and large scale to power the country and to export across the world—leading the way and making the most of our established and highly regarded reputation for excellence, innovation and British-built, safe reliability.

The Government's industrial strategy speaks of grand challenges, pledging to

“put the United Kingdom at the forefront of the industries of the future”.

I agree with the statement that a truly strategic Government must do more than just fix the foundations, important as they are, and must plan for a rapidly changing future. The industrial strategy reports:

“Nuclear is a vital part of our energy mix, providing low carbon power now and into the future. The safe and efficient decommissioning of our nuclear legacy is an area of world-leading expertise.”

Let us not forget that this is our responsibility. This is not the kind of job that we should be leaving for our children and grandchildren to deal with.

We have enjoyed the power generated by nuclear, we have benefited from more than 70 years of highly skilled employment and we have learned many lessons along the way. Now, we are doing the responsible thing and cleaning up our legacy waste. Old and deteriorating storage facilities are nearing the end of their useful life at Sellafield, and it is our generation's task to deal with this, both by prioritising safe storage and disposal and by investing in research and development to realise the full potential of the highest grade fissile material.

The research and development carried out at the national nuclear laboratory and at the Dalton nuclear institute, in partnership with universities and academia, and with the small and medium-sized enterprises in Copeland, is world leading. It is truly ground-breaking innovation that will transform the way we power our homes and businesses, our vehicles on this planet and travelling to others, and how we live our lives.

This Bill is an essential element of that work, and nothing should detract from its delivery. Today is a positive step in the right direction for our nuclear industry. I am so proud to be part of the journey, serving my community in this House. I commend this Nuclear Safeguards Bill, Lords amendments 1, 2 and 4 to 7 and amendment (a) in lieu of Lords amendment 3.

**John Woodcock:** I rise to speak in favour of Lords amendment 3.

It is a pleasure, as ever, to follow the hon. Member for Copeland (Trudy Harrison). She spoke powerfully about the contribution of civil nuclear power to our local economy. As she knows full well, every day several hundred people from my constituency go up that basket-case road and on that awful coastal rail line to Sellafield. I hope the Minister was not taken the long way around, and so avoided that awful bit of the A595 and that dreadful bit of the Cumbria coastline. Those routes are truly appalling, and we need his and his Department's help in trying to unlock our dreadful logjam with the Department for Transport.

Before I reach the substance of my brief remarks, I would like to say how nice it is to hear that the husband of the hon. Member for Copeland is in the Gallery and that she has brought him to hear her speak on Lords amendment 3 to the Nuclear Safeguards Bill for his birthday. That shows, despite all the rumours to the contrary, that people from Millom really know how to have a good time. [Laughter.] I really should not say that, given that the boundaries may expand and I might end up asking for the votes of the people of Millom at the next election.

In this place and elsewhere, we often end up getting cross with the wrong people. I have a great deal of sympathy for the Minister because, as has been talked about at length in the Chamber today, he has listened. If we were to tally the people who are broadly on the right side of this debate, he would be one of them. The people we should be cross with—those who made the wrongheaded, deeply Europhobic decision to exit Euratom at the time of our leaving the European Union—are not here. We still do not accept the legal advice that he quotes. To my knowledge—he could set us straight either way—even when the Government are talking about associate Euratom status, or whatever is put in place, they will still not accept the jurisdiction of the European Court in those decisions, although I believe they have already conceded this in other areas, such as civil aviation.

8 pm

The hon. Member for Copeland spoke well about the importance and power of the civil nuclear industry. She posited this Bill as essential to it, and in one case it is, but let us not forget that the Bill is necessary only because of that wrongheaded decision to leave Euratom, which, even at this late stage, could still be unpicked. Surely this is just common sense. The Lords considered these amendments at great length, and I had the privilege of reading back the speech of my predecessor, Lord Hutton of Furness, who was saying how catastrophic this would be not only for the many, many thousands of jobs currently in Sellafield and for the up to 18,000 jobs that could come through as part of the NuGen power station in Moorside, but for our whole energy security framework. In the words of Lord Hutton, it is not right for us to be playing fast and loose with this.

I hope that, even at this late stage, the Minister will reconsider the opposition to the well-put proposal from the Lords. Ultimately, however, there is still time for the Government to make this decision and say, “Forget this, we don’t have to pursue associate membership. We don’t have to enact all of this scrabble to get new nuclear inspectors in place.” He may tell me if I am wrong about this, but if we have Euratom status, will these inspectors that we are recruiting be needed? We do not have to go through with this process if the Government swallow their collective pride and admit they were wrong to put us on the path to leaving Euratom in the first place.

**Kwasi Kwarteng** (Spelthorne) (Con): I am grateful for the opportunity to speak tonight as I spoke in this important debate at an earlier stage—on Second Reading. I was pleased to hear the speech from my hon. Friend the Member for Copeland (Trudy Harrison), who gave a good, comprehensive analysis of why civil nuclear power and the nuclear industry are so important, not only to her constituency but to the country as a whole. In this debate, we tend to get forgetful about the immense contribution Britain has made to the nuclear industry and nuclear science. At the beginning of the 20th century, we had people such as Thomson and Rutherford, and others in the Cavendish laboratory at Cambridge and at other universities. They pioneered nuclear technology and advances in the nuclear industry. It is sad to hear speeches in this House that yet again undermine, frustrate or seek to question our capacity to get this right and to institute safeguards.

In that regard, the Bill is an excellent piece of legislation. It is sensible and it tries to construct a framework that will allow us to leave Euratom and go our own way. After all, we are members of the International Atomic Energy Agency—it has a structure and about 169 countries as members—and we should celebrate that. To hear people in this Chamber, one would think that without Euratom we were absolutely nothing and there would be no safeguards and no industry. We have heard the doom-mongering prophecy of thousands of job losses, to which the hon. Member for Barrow and Furness (John Woodcock) alluded in his mildly entertaining speech. We have had all these bugbears and goblins, and all this terror, held before us, but we are taking a simple step: we are going to leave Euratom and institute our own Bill, as we are doing, that will provide for safeguards in the industry. We also have the IAEA as a backstop. All this fear-mongering and these doom-laden prophecies of job losses are grossly exaggerated.

The other thing to say on the amendments is that in eight years in this House I cannot remember a Government who have been so accommodating and open to amendments as we have been on this Bill. In general, we see Governments, including the one of which I am a member, rejecting amendments; sometimes the amendments make sense and often they do not. In this instance, I have been surprised and impressed by the fact that our Front Benchers and the Government as a whole have adopted many of the amendments proposed in the Lords.

I want to talk a little about the House of Lords amendments and the processes they are going through. The job of scrutiny that the Lords are doing is good, but in the context of Euratom and debates about the EU there is a suspicion—I am not saying that all the people in the other place are influenced in this way—that a lot of these debates and institutions are being set up as straw men with which to block Brexit. When people say we should stay in this or that institution, there is always the suspicion of it being a rearguard fight to reverse the decision of the referendum of June 2016 and somehow to stay in the EU by other means. I am not suggesting the majority of their lordships are influenced by that, but in these debates there is always the suspicion that people are trying to use proxies and excuses to prolong our membership, unnecessarily, of these European institutions.

Euratom is a creature not of the EU but very much of the philosophy that was underpinning countries of western Europe coming together. I believe Euratom was established in 1957, roughly at the same time as the treaty of Rome, but we did not actually join it until 1973. To hear some of these speeches, one would think that we had no nuclear industry and no nuclear expertise before we joined Euratom. As I was trying to suggest, that is, of course, completely false.

**Layla Moran:** Would the hon. Gentleman perhaps concede that he has misunderstood the amendment? It says that its provisions would be invoked only if everything had not been agreed. It does not say that we would stay in Euratom in perpetuity; it simply says that we would stay in until the point at which every single i had been dotted and every single t had been crossed.

**Kwasi Kwarteng:** I accept that it is a clever amendment. I accept that on the face of it, it says that it is just a backstop, there purely to ensure that if we do not have the right treaties in place we get to stay in Euratom forever and ever, but the hon. Lady and I know that the people who composed the amendment do not expect all the relevant treaties to have been signed in the short timeframe available. I suggest, perhaps cynically—perhaps the hon. Lady will challenge me on this—that the clever amendment is simply a ruse to prolong our membership of Euratom. Call me an over-cynical man of superstition, but a lot of my constituents, if they pay any attention to this issue, would come to the same conclusion.

**Layla Moran:** I am grateful to the hon. Gentleman for allowing me a second go. In a sense, we are all rooting for the Minister, in the hope that he will come to a complete set of agreements in time. We all want that, and as soon as he does that, the amendment’s provisions will no longer apply. There is no issue, because if it all happens, it is fine, and even if it does not happen, the amendment will no longer apply as soon as it does happen. I do not understand the hon. Gentleman’s argument; it does not make logical sense.

**Kwasi Kwarteng:** I am grateful for the hon. Lady's interventions. All I am suggesting is that what we have seen in the other House and heard in speeches there over several weeks is a consistent and concerted attempt to reverse the verdict of June 2016. I feel that this Euratom debate—I spoke on Second Reading—has been very much a proxy debate about the merits of the EU, which it should not have been. I have every confidence that the Government have the right safeguards in the Bill. I do not feel that the British civil nuclear industry is under any threat whatsoever. With the IAEA, we have in place the right structures. The scaremongering and doom-laden prophesies should be set aside, we should encourage the Government and we should reject the Lords amendments.

*Question put,* That this House disagrees with Lords amendment 3.

*The House divided:* Ayes 306, Noes 278.

### Division No. 150]

[8.10 pm

#### AYES

Adams, Nigel	Clark, rh Greg
Afolami, Bim	Clarke, rh Mr Kenneth
Afriyie, Adam	Clarke, Mr Simon
Aldous, Peter	Cleverly, James
Allan, Lucy	Clifton-Brown, Sir Geoffrey
Allen, Heidi	Collins, Damian
Amess, Sir David	Costa, Alberto
Andrew, Stuart	Courts, Robert
Argar, Edward	Cox, Mr Geoffrey
Atkins, Victoria	Crabb, rh Stephen
Bacon, Mr Richard	Crouch, Tracey
Badenoch, Mrs Kemi	Davies, Chris
Baker, Mr Steve	Davies, David T. C.
Baldwin, Harriett	Davies, Glyn
Barclay, Stephen	Davies, Philip
Baron, Mr John	Davis, rh Mr David
Bebb, Guto	Dinenage, Caroline
Bellingham, Sir Henry	Djanogly, Mr Jonathan
Benyon, rh Richard	Docherty, Leo
Berry, Jake	Dodds, rh Nigel
Blackman, Bob	Donaldson, rh Sir Jeffrey M.
Blunt, Crispin	Donelan, Michelle
Boles, Nick	Dorries, Ms Nadine
Bone, Mr Peter	Double, Steve
Bottomley, Sir Peter	Dowden, Oliver
Bowie, Andrew	Doyle-Price, Jackie
Bradley, Ben	Drax, Richard
Bradley, rh Karen	Duddridge, James
Brady, Sir Graham	Duguid, David
Braverman, Suella	Duncan, rh Sir Alan
Brereton, Jack	Duncan Smith, rh Mr Iain
Bridgen, Andrew	Dunne, Mr Philip
Brine, Steve	Ellis, Michael
Brookshire, rh James	Ellwood, rh Mr Tobias
Bruce, Fiona	Elphicke, Charlie
Buckland, Robert	Eustice, George
Burghart, Alex	Evennett, rh David
Burns, Conor	Fabricant, Michael
Burt, rh Alistair	Fallon, rh Sir Michael
Cairns, rh Alun	Ford, Vicky
Campbell, Mr Gregory	Foster, Kevin
Cartledge, James	Fox, rh Dr Liam
Cash, Sir William	Francois, rh Mr Mark
Caulfield, Maria	Frazer, Lucy
Chalk, Alex	Freeman, George
Chope, Sir Christopher	Freer, Mike
Churchill, Jo	Fysh, Mr Marcus
Clark, Colin	Gale, Sir Roger

Garnier, Mark	Lancaster, rh Mark
Gauke, rh Mr David	Latham, Mrs Pauline
Ghani, Ms Nusrat	Leadsom, rh Andrea
Gibb, rh Nick	Lee, Dr Phillip
Gillan, rh Dame Cheryl	Lefroy, Jeremy
Girvan, Paul	Leigh, Sir Edward
Glen, John	Letwin, rh Sir Oliver
Goldsmith, Zac	Lewer, Andrew
Goodwill, Mr Robert	Lewis, rh Brandon
Gove, rh Michael	Lewis, rh Dr Julian
Graham, Luke	Liddell-Grainger, Mr Ian
Graham, Richard	Lidington, rh Mr David
Grant, Bill	Little Pengelly, Emma
Grant, Mrs Helen	Lopez, Julia
Grayling, rh Chris	Lopresti, Jack
Green, Chris	Lord, Mr Jonathan
Green, rh Damian	Loughton, Tim
Greening, rh Justine	Mackinlay, Craig
Grieve, rh Mr Dominic	Maclean, Rachel
Griffiths, Andrew	Main, Mrs Anne
Gyimah, Mr Sam	Mak, Alan
Hair, Kirstene	Malthouse, Kit
Halfon, rh Robert	Mann, Scott
Hall, Luke	Masterton, Paul
Hammond, Stephen	Maynard, Paul
Hancock, rh Matt	McLoughlin, rh Sir Patrick
Hands, rh Greg	McVey, rh Ms Esther
Harper, rh Mr Mark	Menzies, Mark
Harrington, Richard	Mercer, Johnny
Harris, Rebecca	Merriman, Huw
Harrison, Trudy	Metcalfe, Stephen
Hart, Simon	Miller, rh Mrs Maria
Hayes, rh Mr John	Milling, Amanda
Heald, rh Sir Oliver	Mills, Nigel
Heapey, James	Milton, rh Anne
Heaton-Harris, Chris	Mitchell, rh Mr Andrew
Heaton-Jones, Peter	Moore, Damien
Henderson, Gordon	Mordaunt, rh Penny
Hinds, rh Damian	Morgan, rh Nicky
Hoare, Simon	Morris, Anne Marie
Hollingbery, George	Morris, James
Hollinrake, Kevin	Morton, Wendy
Hollobone, Mr Philip	Mundell, rh David
Holloway, Adam	Murray, Mrs Sheryll
Howell, John	Murrison, Dr Andrew
Huddleston, Nigel	Neill, Robert
Hughes, Eddie	Newton, Sarah
Hunt, rh Mr Jeremy	Nokes, rh Caroline
Hurd, rh Mr Nick	Norman, Jesse
Jack, Mr Alister	O'Brien, Neil
James, Margot	Offord, Dr Matthew
Javid, rh Sajid	Opperman, Guy
Jayawardena, Mr Ranil	Paisley, Ian
Jenkin, Mr Bernard	Parish, Neil
Jenkyns, Andrea	Patel, rh Priti
Jenrick, Robert	Pawsey, Mark
Johnson, Dr Caroline	Penning, rh Sir Mike
Johnson, Gareth	Penrose, John
Johnson, Joseph	Percy, Andrew
Jones, Andrew	Perry, rh Claire
Jones, rh Mr David	Philp, Chris
Jones, Mr Marcus	Pincher, Christopher
Kawczynski, Daniel	Poulter, Dr Dan
Keegan, Gillian	Prentis, Victoria
Kennedy, Seema	Prisk, Mr Mark
Kerr, Stephen	Pursglove, Tom
Knight, rh Sir Greg	Quin, Jeremy
Knight, Julian	Quince, Will
Kwarteng, Kwasi	Raab, Dominic
Lamont, John	Redwood, rh John

Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Lee  
 Rudd, rh Amber  
 Rutley, David  
 Sandbach, Antoinette  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Simpson, rh Mr Keith  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston  
 Soames, rh Sir Nicholas  
 Soubry, rh Anna  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Iain  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi

Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomson, Ross  
 Throup, Maggie  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Mrs Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggin, Bill  
 Williamson, rh Gavin  
 Wilson, rh Sammy  
 Wollaston, Dr Sarah  
 Wood, Mike  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Ayes:**  
**Kelly Tolhurst and**  
**Mims Davies**

#### NOES

Abbott, rh Ms Diane  
 Alexander, Heidi  
 Ali, Rushanara  
 Amesbury, Mike  
 Antoniazzi, Tonia  
 Ashworth, Jonathan  
 Austin, Ian  
 Bailey, Mr Adrian  
 Bardell, Hannah  
 Barron, rh Sir Kevin  
 Benn, rh Hilary  
 Berger, Luciana  
 Betts, Mr Clive  
 Blackford, rh Ian  
 Blackman, Kirsty  
 Blomfield, Paul  
 Brabin, Tracy  
 Bradshaw, rh Mr Ben  
 Brake, rh Tom  
 Brock, Deidre  
 Brown, Alan  
 Brown, Lyn  
 Brown, rh Mr Nicholas  
 Buck, Ms Karen  
 Burden, Richard  
 Burgon, Richard  
 Butler, Dawn  
 Byrne, rh Liam  
 Cable, rh Sir Vince  
 Cadbury, Ruth

Cameron, Dr Lisa  
 Campbell, rh Mr Alan  
 Campbell, Mr Ronnie  
 Carden, Dan  
 Carmichael, rh Mr Alistair  
 Champion, Sarah  
 Chapman, Jenny  
 Charalambous, Bambos  
 Cherry, Joanna  
 Clwyd, rh Ann  
 Coaker, Vernon  
 Coffey, Ann  
 Cooper, Julie  
 Cooper, Rosie  
 Cooper, rh Yvette  
 Corbyn, rh Jeremy  
 Coyle, Neil  
 Crausby, Sir David  
 Creasy, Stella  
 Cruddas, Jon  
 Cryer, John  
 Cummins, Judith  
 Cunningham, Alex  
 Cunningham, Mr Jim  
 Dakin, Nic  
 Davey, rh Sir Edward  
 David, Wayne  
 Davies, Geraint  
 Day, Martyn  
 De Cordova, Marsha

De Piero, Gloria  
 Debonnaire, Thangam  
 Dent Coad, Emma  
 Dhesi, Mr Tanmanjeet Singh  
 Dodds, Anneliese  
 Doughty, Stephen  
 Dowd, Peter  
 Drew, Dr David  
 Dromey, Jack  
 Duffield, Rosie  
 Eagle, Maria  
 Edwards, Jonathan  
 Efford, Clive  
 Elliott, Julie  
 Ellman, Mrs Louise  
 Elmore, Chris  
 Esterson, Bill  
 Evans, Chris  
 Farrelly, Paul  
 Fitzpatrick, Jim  
 Fletcher, Colleen  
 Fovargue, Yvonne  
 Foxcroft, Vicky  
 Frith, James  
 Furniss, Gill  
 Gaffney, Hugh  
 Gapes, Mike  
 Gardiner, Barry  
 George, Ruth  
 Gethins, Stephen  
 Gibson, Patricia  
 Gill, Preet Kaur  
 Glindon, Mary  
 Godsiff, Mr Roger  
 Goodman, Helen  
 Grady, Patrick  
 Gray, Neil  
 Green, Kate  
 Greenwood, Lilian  
 Greenwood, Margaret  
 Griffith, Nia  
 Grogan, John  
 Gwynne, Andrew  
 Haigh, Louise  
 Hamilton, Fabian  
 Hanson, rh David  
 Hardy, Emma  
 Harman, rh Ms Harriet  
 Harris, Carolyn  
 Hayes, Helen  
 Hayman, Sue  
 Healey, rh John  
 Hendry, Drew  
 Hepburn, Mr Stephen  
 Hermon, Lady  
 Hill, Mike  
 Hillier, Meg  
 Hobhouse, Wera  
 Hodgson, Mrs Sharon  
 Hoey, Kate  
 Hollern, Kate  
 Hopkins, Kelvin  
 Hosie, Stewart  
 Howarth, rh Mr George  
 Huq, Dr Rupa  
 Hussain, Imran  
 Jardine, Christine  
 Jarvis, Dan  
 Johnson, Diana  
 Jones, Darren  
 Jones, Gerald  
 Jones, Graham P.  
 Jones, Helen  
 Jones, Mr Kevan  
 Jones, Sarah  
 Jones, Susan Elan  
 Kane, Mike  
 Keeley, Barbara  
 Kendall, Liz  
 Khan, Afzal  
 Killen, Ged  
 Kinnock, Stephen  
 Kyle, Peter  
 Laird, Lesley  
 Lake, Ben  
 Lammy, rh Mr David  
 Lavery, Ian  
 Law, Chris  
 Lee, Karen  
 Leslie, Mr Chris  
 Lewell-Buck, Mrs Emma  
 Lewis, Clive  
 Lewis, Mr Ivan  
 Linden, David  
 Lloyd, Stephen  
 Lloyd, Tony  
 Long Bailey, Rebecca  
 Lucas, Caroline  
 Lucas, Ian C.  
 Lynch, Holly  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Malhotra, Seema  
 Mann, John  
 Marsden, Gordon  
 Martin, Sandy  
 Maskell, Rachael  
 Matheson, Christian  
 McDonagh, Siobhain  
 McDonald, Andy  
 McDonald, Stuart C.  
 McDonnell, rh John  
 McFadden, rh Mr Pat  
 McGinn, Conor  
 McGovern, Alison  
 McInnes, Liz  
 McKinnell, Catherine  
 McMahan, Jim  
 McMorris, Anna  
 Mearns, Ian  
 Miliband, rh Edward  
 Monaghan, Carol  
 Moon, Mrs Madeleine  
 Moran, Layla  
 Morden, Jessica  
 Morgan, Stephen  
 Morris, Grahame  
 Murray, Ian  
 Nandy, Lisa  
 Newlands, Gavin  
 Norris, Alex  
 O'Hara, Brendan  
 O'Mara, Jared  
 Onasanya, Fiona  
 Onn, Melanie  
 Onwurah, Chi  
 Osamor, Kate  
 Owen, Albert  
 Peacock, Stephanie  
 Pearce, Teresa  
 Pennycook, Matthew

Perkins, Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pidcock, Laura  
 Platt, Jo  
 Pollard, Luke  
 Pound, Stephen  
 Powell, Lucy  
 Qureshi, Yasmin  
 Rashid, Faisal  
 Rayner, Angela  
 Reed, Mr Steve  
 Rees, Christina  
 Reeves, Ellie  
 Reeves, Rachel  
 Reynolds, Emma  
 Reynolds, Jonathan  
 Rimmer, Ms Marie  
 Rodda, Matt  
 Rowley, Danielle  
 Ruane, Chris  
 Russell-Moyle, Lloyd  
 Ryan, rh Joan  
 Saville Roberts, Liz  
 Shah, Naz  
 Sheerman, Mr Barry  
 Sheppard, Tommy  
 Sherriff, Paula  
 Shuker, Mr Gavin  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, Angela  
 Smith, Cat  
 Smith, Eleanor  
 Smith, Laura  
 Smith, Owen  
 Smyth, Karin  
 Snell, Gareth  
 Sobel, Alex

Spellar, rh John  
 Starmer, rh Keir  
 Stephens, Chris  
 Stevens, Jo  
 Stone, Jamie  
 Streeting, Wes  
 Tami, Mark  
 Thomas, Gareth  
 Thomas-Symonds, Nick  
 Thornberry, rh Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turley, Anna  
 Turner, Karl  
 Twigg, Derek  
 Twigg, Stephen  
 Twist, Liz  
 Umunna, Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Walker, Thelma  
 Watson, Tom  
 West, Catherine  
 Western, Matt  
 Whitehead, Dr Alan  
 Whitfield, Martin  
 Whitford, Dr Philippa  
 Williams, Hywel  
 Williams, Dr Paul  
 Williamson, Chris  
 Wilson, Phil  
 Wishart, Pete  
 Woodcock, John  
 Yasin, Mohammad  
 Zeichner, Daniel

**Tellers for the Noes:**

**Nick Smith and  
 Jeff Smith**

*Question accordingly agreed to.*

*Lords amendment 3 disagreed to.*

*Government amendment (a) made in lieu of Lords amendment 3.*

*Lords amendment 1, 2 and 4 to 7 agreed to.*

**Barbara Keeley** (Worsley and Eccles South) (Lab):  
 On a point of order, Madam Deputy Speaker. In the  
 urgent question on the Learning Disabilities Mortality

Review earlier on, which had been published at 8 am on  
 Friday 4 May with no press releases or advance copies  
 in the middle of the local election results, the Minister  
 of State for Care said:

“It is an independent document and the University of Bristol  
 decided when it was going to be published. It was published on  
 Friday without permission from or any kind of communication  
 with the Department of Health and Social Care.”

However, the Secretary of State had told the House in  
 December 2016:

“As the programme develops, all learnings will be transferred to  
 the national avoidable mortality programme. I have today asked  
 the LeDeR programme to provide annual reports to the Department  
 of Health on its findings”—[*Official Report*, 13 December 2016;  
 Vol. 618, c. 622.]

What the Minister of State said today cuts directly  
 across what the Secretary of State told the House,  
 which was that he intended annual reports to be made  
 to the Department of Health. Since our urgent question,  
 the programme itself has clarified this on social media.  
 It said that following claims made by the Care Minister  
 in Parliament,

“we would like to clarify that @NHSEngland chose when to  
 publish the #Leder report and directed all communications.”

Given that clarification from the programme itself, has  
 the Minister of State or the Secretary of State asked to  
 correct the record?

**Madam Deputy Speaker (Mrs Eleanor Laing):** The  
 hon. Lady wishes to put her point on the record and, by  
 raising a point of order, she has done so. I am quite  
 certain that the Treasury Bench will have taken note of  
 what she has said. She, like all Members of this House,  
 will know that it is not a matter for the Chair what an  
 individual Minister says at the Dispatch Box. Therefore,  
 I cannot give her any ruling on the matter, but she has  
 sought to put her point on the record, and she has  
 succeeded in doing so.

**BUSINESS OF THE HOUSE (TODAY)**

*Ordered,*

That, at this day's sitting, proceedings on the Motion in the  
 name of Jeremy Corbyn relating to Criminal Legal Aid Remuneration  
 may continue, though opposed, for 90 minutes after the  
 commencement of proceedings on the motion for this Order, and  
 shall then lapse if not previously disposed of, and Standing Order  
 No. 41A (Deferred divisions) will not apply.—(*Rebecca Harris.*)

## Criminal Legal Aid

8.27 pm

**Richard Burgon** (Leeds East) (Lab): I beg to move,

That the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I., 2018, No. 220), dated 20 February 2018, a copy of which was laid before this House on 23 February, be revoked.

The gravest consequences for anyone accused of a serious crime in our criminal justice system is that their liberty is taken away from them. When that is at stake, no one should be left unrepresented in a court. When that is at stake, we have a duty, as a society, to guarantee the future of effective legal representation. Failing to do so creates the real risk of injustices. This motion today is about the threats posed to our justice system and specifically to criminal defence by the Government's changes to the payments for the criminal legal aid system. These changes are why around 100 chambers are now, in effect, striking, taking co-ordinated industrial action, and refusing more publicly funded work. The serious consequences of this action are clear for all to see. As the BBC reported on 4 April:

"A murder case at the Old Bailey has become one of the first to be affected by a strike by barristers."

On 9 April WalesOnline explained:

"A woman accused of murdering Swansea pensioner John Williams has appeared in Crown Court without legal representation because of a barristers' strike."

There are many other examples.

**Sir Oliver Heald** (North East Hertfordshire) (Con): The hon. Gentleman must recognise that the Bar was strongly in favour when this was consulted on, with statements such as

"the bar council and the young barristers committee welcome new proposals published today",

and

"as circuit leaders over the period of the negotiations it is our shared view that we should support the implementation of the scheme".

The Criminal Bar Association was in favour. So what exactly is the hon. Gentleman talking about?

**Richard Burgon:** Well, this is not the CBA's scheme and it does have serious concerns about aspects of this provision. Tonight is an opportunity for the Government to think again and make some sensible concessions on the most controversial aspects. If everyone was happy with the measures, the criminal barristers would not have voted by 90% to take strike action.

We have a responsibility to contribute to resolving this situation by encouraging negotiation and facilitating a solution before there is further escalation. That means that the Government should withdraw these controversial changes, go back to the drawing board and come up with a scheme that attracts widespread support, rather than provoking a backlash.

**Simon Hoare** (North Dorset) (Con): Given the importance of what the hon. Gentleman said in his opening remarks about the right of representation in court—a very serious procedure indeed—does he not agree that barristers withdrawing their services in strike protest is not serving justice at all, and that there should be another way for them to seek redress? Will he take this opportunity to condemn the strike?

**Richard Burgon:** I will not be taking this opportunity to condemn our barristers because I do not condemn our barristers. The hon. Gentleman may wish to ask whether we support the action. Yes, we support it. We deeply regret the fact that the Government have pushed the barristers into this position. We want the Government to take this opportunity to think again and listen to people who have been backed into a corner.

**Ian C. Lucas** (Wrexham) (Lab): Does my hon. Friend agree that this action is the cumulative effect of years and years of assault on honest, hard-working lawyers who represent clients? These people are not at the top of the profession in terms of their income or their futures; they are people who are committed to individuals in very difficult situations, and it is the Government who have let them down.

**Richard Burgon:** My hon. Friend makes an important point eloquently. For many of the barristers I have spoken to, this really is the straw that broke the camel's back.

Before I touch on the precise concerns that have been raised about the new scheme, I will briefly look at the wider context that has caused this issue to be so controversial. As I have said, in many ways this issue is the straw that broke the camel's back in the justice sector. Our justice system is at tipping point. The deep crisis unleashed by drastic cuts could soon become an emergency. In some areas, it already has.

**James Cartlidge** (South Suffolk) (Con): The hon. Gentleman is talking about cuts. Does he accept that, had Labour won the 2010 general election, it too would have made substantial cuts to the Ministry of Justice budget based on its own manifesto promises?

**Richard Burgon:** Things have moved on since the 2010 general election.

Since 2010, the budget of the Ministry of Justice has fallen by 40% in the deepest cuts of any Department. A further £600 million—around 10% of the MOJ's budget—is to be cut in the next two years. It is a system that has already been cut to the bone. The crisis in our prisons is driven by staff and budget cuts, as has been well documented. It has been less well documented that 100 or so courts have been sold off for little more than the price of the average UK house, having negative impacts on victims and witnesses. What has also not been discussed as much as it should have been is the fact that youth offending team budgets have been decimated, with central Government funding halved over the past few years, or the fact that probation privatisation is failing despite hundreds of millions of pounds more recently going into bailing out these failing private companies. But it does not stop there, because on top of this, there are big reductions in police numbers and big reductions in the Crown Prosecution Service budgets. In 2016, the Public Accounts Committee told Members of Parliament that the criminal justice system was at breaking point. After years of cuts, the system is clearly now broken. Let us be clear: an underfunded system risks yet more victims being denied justice and risks yet more miscarriages of justice.

Today we are discussing cuts related to legal aid. Our democracy and the rule of law, despite the hon. Member for North Dorset (Simon Hoare) advocating people

[Richard Burgon]

being banned from not going to work, depends on people being able to defend their rights. Our welfare state, created in the aftermath of the second world war, was about defending people's basic human rights. It was about guaranteeing every citizen access to the human rights of education and healthcare but also of access to justice. In civil cases, when people cannot access justice, the consequences are grave.

**Sandy Martin** (Ipswich) (Lab): Does my hon. Friend agree that one of the basic fundamentals of our society is equality before the law, and that without access to legal aid, very many people are being denied equality before the law?

**Richard Burgon:** If people do not have access to justice—access to legal representation—and are not equal before the law, then basically some of our hard-won rights are not worth the paper they are written on. My hon. Friend makes a very good point.

As I said, in civil cases, when people cannot access legal aid, the consequences are grave. To illustrate that idea, let us look at what has happened in recent days and recent weeks. A migrant, or perhaps someone who was thought to look like a migrant, is not able to get legal advice after the Government slashed access. Without legal help, as I said, the rights that we have—often rights hard won by social justice campaigners across the decades—are simply not worth the paper they are written on.

**Mike Kane** (Wythenshawe and Sale East) (Lab): My hon. Friend is making a powerful point. My constituent Caitriona McLaughlin works in the particular area of migrants and justice. With the Bar refusing to take new work at the new rates, she says that more and more people will suffer miscarriages of justice because of this statutory instrument. Does he agree with her?

**Richard Burgon:** I do agree. My hon. Friend makes a powerful point from his constituent's experience. That is why I have been forced to bring this motion before the House to revoke the statutory instrument.

**Mr Jonathan Djanogly** (Huntingdon) (Con): Will the hon. Gentleman give way?

**Richard Burgon:** I will make some progress if that is okay.

The crisis in legal aid goes much wider than the civil sector, with criminal cases affected too. As I said, that has the gravest of consequences. We now have more people representing themselves, even in the most serious of criminal cases—those tried at the Crown court. I want to draw the House's attention to Ministry of Justice research published last week. The summary paper—only a summary—was published only after dogged pressure from journalists like Emily Dugan. It highlights judges' concerns about people representing themselves, referring to

“unrepresented defendants not understanding how to present evidence about their case at hearings, how to prepare defence statements, or how to ask questions in court.”

The obvious result of this is that some judges and prosecutors felt that those who appeared in court without a lawyer were more likely to be found guilty. The legal

system should not be skewed towards wealthier people. Everybody who wants it should have access to proper legal representation if charged with a criminal offence. Justice should be blind. It should also not be based on the depth of people's pockets. We now have criminal barristers forced to take co-ordinated action in refusing to take up legal aid work because of changes to the Government's funding scheme.

Labour Members are proud to have submitted this motion to annul the legislation changing the scheme through which criminal defence advocates are paid for carrying out publicly funded work in the Crown court—the so-called advocates graduated fee scheme. The motion has now won the backing of over 130 Members of Parliament. We welcome the fact that, albeit belatedly, time was given for a parliamentary vote to annul this legislation.

I hope that Conservative Members who understand and respect our legal system and the importance to justice of proper access to criminal defence will not vote along party lines tonight. I hope they will help to forge a consensus that helps the Government to rethink this flawed scheme.

**Victoria Prentis** (Banbury) (Con): When these negotiations were in process, Bar circuit leaders said:

“As the Circuit Leaders over the period of the negotiations, it is our shared view that we should support the implementation of this proposed scheme.”

Does the hon. Gentleman not think it is important to listen to those who are working in our criminal courts day after day?

**Richard Burgon:** It is not the Criminal Bar Association's scheme. The CBA has serious concerns about the controversial aspects of the scheme. If the scheme were fine, 90% of criminal barristers would not have voted to take this action. It is clear that something has gone wrong and that the Government have backed these barristers into a corner rather than forging the consensus we need.

The Government's scheme fundamentally changes the way in which criminal defence advocates are paid for carrying out publicly funded work in the Crown court. The new fee system means that the vast majority of cases will now receive a flat fee for a case, so that a case with 250 pages pays the same as a case with 5,000 pages. A rape case with a single complainant and defendant will have the same fee as a rape case involving multiple victims and multiple defendants. That disincentivises lawyers from undertaking complex cases, which often require weeks of preparation.

**Andy Slaughter** (Hammersmith) (Lab): My hon. Friend is making a powerful speech. The main losers in this are senior-level junior practitioners, who prepare and research complex cases. There is no fee for looking at prosecution disclosure, which means there is a greater chance of miscarriages of justice. Is this not completely misconceived in the way it has been put together? As he says, it will simply lead to cases either not being taken or not being prepared to the standard that they should be.

**Richard Burgon:** My hon. Friend makes a powerful point. We cannot tolerate a situation where either the guilty walk free or the innocent go to prison.

The scheme fails to recognise the growing work required to deal with the increasing amount of evidential and unused material. Advocates are expected to consider that material without specific payments, however much additional material is served. That is especially worrying, given the fact that a series of trials, including rape trials, have recently collapsed because of failings in the disclosure of evidence.

Despite Government promises of cost neutrality, the CBA says that the scheme amounts to a £2 million cut, and no future-proofing is built into it, resulting in a year-on-year inflationary cut. The new scheme does not address the damage caused to the system by substantial real-terms cuts to legal aid rates over recent years of 40%. As a result of these reductions, there are pressing concerns about the ability to retain younger barristers and recruit the next generation into criminal defence work. After two decades without any sort of basic cost-of-living pay rise, criminal law is no longer an attractive career option for young solicitors or young barristers entering the system saddled with debt, and others are leaving because of the increasingly unreasonable demands made on them to do more and more for less and less.

**Ms Karen Buck** (Westminster North) (Lab): My hon. Friend is making a powerful speech. On the issue of recruitment, is he not particularly concerned that if the Bar is to reflect the whole of society and is to draw more widely on people from less privileged backgrounds, black and minority ethnic backgrounds and so forth, it is essential that a career at the Bar is seen to provide a reasonable income?

**Richard Burgon:** My hon. Friend makes an important point. We are running the risk, with the path we have been taking in recent years in the justice sector, of the death knell being sounded on social mobility in the legal professions.

These changes also threaten the insufficient but none the less hard-won progress made on diversity and, as my hon. Friend says, social mobility. That has profound consequences, not just for people hoping for a career in the law but for public trust, as the judicial professions and institutions cease to reflect the communities they are there to serve. As Lady Justice Hallett has explained, “cuts to legal aid and the publicly-funded criminal justice system will set back the cause of improving diversity on the bench.”

Criminal solicitors face similar problems with their fee scheme—the litigators graduated fee scheme. They have not received any fee increase since 1998, and the number of firms in England and Wales registered for criminal defence work has recently fallen from 1,600 to 1,200. The profession is in crisis, with an ageing demographic profile. In fact, new Law Society data paint a very bleak picture indeed of “advice deserts”, where the remaining criminal solicitors will retire and no younger solicitors are coming in to take their place. That is hardly surprising when Young Legal Aid Lawyers figures show that 53% of survey respondents earn less than £25,000 per year, and those figures relate to people qualified for up to 10 years.

**Ian C. Lucas:** Does my hon. Friend agree that the combination of the closure of courts and the reduction in the number of solicitors firms in market towns across the country is having a massive impact on these towns, and Conservative Members just do not seem to believe in a Britain that supports its local towns?

**Richard Burgon:** That is a very important point. The whole swathe of court closures that have occurred have really done damage to the principle of justice accessible to all and delivered locally, so that point is very important.

The Law Society has issued judicial review proceedings against the Government in relation to further cuts to solicitors’ fees for Crown court work, and that crisis is not one that will go away. The issue for barristers will not be settled if the Government vote against our motion and carry on regardless. I understand that there is a presumption that barristers are all highly paid and some will want to paint this as being about more money going to the wealthy, but the CBA briefing points out that average pre-tax pay is about £28,000. Barristers are self-employed and the headline figures often exclude expenses, including the costs of office space, travel, staff, insurance, pension and sick pay, which the CBA estimates account for about half of a barrister’s turnover.

To draw my remarks to a conclusion, I want to cite an anecdote published by one criminal defence lawyer:

“Today I helped a colleague out by prosecuting the sentencing hearing in one of his cases, in a court 94 miles away from my home. The fee for that hearing is £60. £10 of that goes straight to my chambers as rent. I spent £33 on petrol and £6.30 on parking. The CPS do pay some travel—I think I’ll get £23.50 for this. Therefore, I come out with £34. The offence, by the way, was an assault on a baby. It was a 2pm hearing, so I left home at 10 and got home at 5. During those 7 hours, apart from the 10 mins I spent eating my packed lunch, I was either driving, getting ready for the hearing, in court, or explaining the outcome (a prison sentence) to the baby’s family. I don’t wish to sound ungrateful for my £34. I just can’t help but feel a little undervalued. I’ve been at the criminal Bar for 9 years. The government decides how much to pay me, and I think they take advantage of me, my skills, and my sense of public duty. #TheLawIsBroken”.

I hope you will forgive me, Mr Deputy Speaker, if, when the hon. Member for North Dorset, who has left the Chamber, invites me to condemn people such as that barrister, I do not do so. I hope you will forgive me if, when the hon. Gentleman who has left says that this person should be forced to go to work, I say that I do not agree with such a cruel and detached analysis.

The Government will say that they sought consensus on these issues, and that the Ministry of Justice has worked with the CBA and the Bar Council, although there are different accounts of those talks. The truth of the matter is that the Government have failed, as hundreds of barristers are now taking direct action. They have failed, as there is press speculation of further barrister action if they press on with this scheme tonight, with walkouts and returns not being done, which would send our courts into chaos. The Government have failed, as people in our justice system are being affected. Whatever one makes of it, the Government’s approach has not created consensus; it has created a backlash. When they are in a hole, the Government should stop digging.

The Criminal Bar Association has made a formal request for the Ministry of Justice to delay, withdraw, amend or reconsider the implementation of this statutory instrument. The Government should listen to the CBA, not deny that there is a problem. They should put the new scheme on hold and set about fixing it. To do that, they should do the right thing in tonight’s vote. I commend the motion to the House.

8.51 pm

**The Parliamentary Under-Secretary of State for Justice (Lucy Frazer):** I congratulate the hon. Member for Leeds East (Richard Burgon) on securing this debate, which relates to the value of the independent Bar. It is therefore important for me, as a former barrister: I understand very clearly the role that advocates play in justice. The work done by the criminal Bar, day in, day out, up and down the country, is a fundamental part of our justice system. It is criminal barristers, criminal advocates, who ensure that people, often at the most desperate time of their lives, get the opportunity to have their points put coherently and effectively, when their futures are on the line, ensuring justice. I start by acknowledging and thanking criminal barristers for the hard work that they do.

The Lord Chancellor and I have heard many concerns about the wider justice system in the short four months since we took office. We take those concerns very seriously and we are committed to ensuring that there is an efficient and effective support for those who go through our court system. We want people to have every confidence in every part of their justice system. We want a system that supports victims and ensures a smooth and efficient process for litigants, and a legal profession that is enticing at every level for those who want to work within it.

Those are all important points, but the hon. Member for Leeds East has prayed against a statutory instrument. In the interests of advocates affected by that instrument, we should now focus on the issues that it raises. It is appropriate to start with four clear facts. First, this scheme was put together in close co-operation with the Bar leadership. Secondly, the scheme does not bring in a cut; at the very least, it is cost neutral, but it is more likely to give rise to an increase in expenditure, given that built into the calculations is a £9 million risk of such an increase. Thirdly, the scheme is more advantageous to the Bar overall than the one it replaces, particularly for those at the junior end. Fourthly, a clear commitment was given at the time the scheme came in that the Government would review it in 18 to 24 months. If, in the course of that review, legitimate concerns are raised about the system and a good case is made for investment, we will look at those proposals.

**Sandy Martin** *rose—*

**Lucy Frazer:** I am very happy to give way.

**Sandy Martin:** I thank the Minister. If she believes that her Government's changes to legal aid have not been damaging to the profession, will she explain why there is not one single criminal law solicitor aged under 35 in Suffolk—or indeed in Norfolk, Cornwall or Worcestershire?

**Lucy Frazer:** Like the hon. Member for Leeds East, the hon. Gentleman raises a broad point about the justice system which I will come on to. On his specific point, it is of course important to have duty solicitors across the country doing legal aid. The Legal Aid Agency regularly reviews the geographical spread of the profession.

This is a debate about a statutory instrument and it is very important, for the advocates affected by it, that we focus on it. I would now like to expand on the four points I made.

**Sir Oliver Heald:** I think everyone would acknowledge that to go out and do the job of a criminal barrister is incredibly demanding, and that the profession faces challenges of various sorts. On the negotiations on the advocates' graduated fee scheme, great efforts were made to involve the Bar at every stage. The Legal Aid Agency put a huge amount of work into the talks, as did the Ministry of Justice. The intention was to find a better way of paying barristers, not to do anyone down. Does the Minister agree that the response to the consultation document, which was so positive, seems to have evaporated for some reason?

**Lucy Frazer:** My right hon. and learned Friend, who was a Minister at an early stage in this process, makes a very important point. The scheme we are debating today came about because both the Bar and the Government accepted that the old scheme was outdated. Advocates told us that it did not reflect the amount of time and effort they put into their cases. For example, under the old scheme there were no separate fees for the second day of a trial and there were no fees for a sentence hearing. The new scheme is the result of a two-year exercise involving the leadership of the Bar—the Bar Council—the Criminal Bar Association and the circuit leaders. When the scheme was put forward in a consultation in 2017 it was widely welcomed by those organisations.

**Maggie Throup** (Erewash) (Con): I am not a lawyer, so it may be that I am looking at this issue in a very simplistic way. It seems that my hon. and learned Friend is saying that the professionals said that the old regime was broken, yet the Opposition seem to be arguing that they want to go back to that old regime. Can my hon. and learned Friend enlighten me on why the Opposition are opposing modernising the system?

**Lucy Frazer:** My hon. Friend makes an extremely important point, which is at the very heart of this debate. The old system is not supported by the Bar. It did not want that system. The new scheme is an improvement, so the answer to my hon. Friend's question is that the Labour party is simply playing politics with an honourable and important profession.

**Mr Dominic Grieve** (Beaconsfield) (Con): As the Minister knows, there is a continuing funding crisis at the Bar. The reality is that at some point the Government are going to have to face up to the very great difficulties facing the justice system. That is not the fault of my right hon. Friend the Lord Chancellor; it is the situation he inherited. I have to say that I am in complete sympathy with the stance that my hon. and learned Friend is taking this evening. The scheme was wanted by the Bar and it is clearly an improvement on the previous system. Granted there are very great difficulties with funds, but it seems entirely reasonable for the Government to proceed with it.

**Lucy Frazer:** I thank my right hon. and learned Friend for his intervention and recognition that this scheme was wanted. I hope I have conveyed that the Lord Chancellor and I recognise that where there are difficulties in the criminal justice system we will seek to ensure that we have the best possible criminal justice system and legal system. The scheme, which we are

voting on today, is the right scheme going forward. The proposal that it should be revoked and annulled is disadvantageous to the Bar and is simply politics.

**Ian C. Lucas:** Why then does the Minister think the barristers are taking action?

**Lucy Frazer:** The hon. Gentleman will have to ask the barristers why they are taking action, because the new scheme is more favourable.

The consultation was broadly welcomed by the organisations I mentioned earlier. I would like to provide just one quote among many. When the consultation was put forward in 2017, the then chair of the Bar Council said:

“The suggested scheme is a fairer way of rewarding advocates for their work”,

and that it is a

“a positive example of the Ministry of Justice participating in constructive dialogue with the profession”.

As with any consultation, suggestions were made to improve the scheme. It was said, for example, that it was not right that the initial scheme proposed was to be cost-neutral as against 2014-15. Concerns were also raised that it may have an adverse impact on junior advocates. The Ministry of Justice listened to those concerns and increased the amount in the scheme in line with the costs at the time, which increased the funding by £9 million. This allowed it to improve the scheme for junior advocates. The MOJ also assesses that the scheme will cost significantly more—approximately £9 million more—than anticipated.

The new scheme in this statutory instrument is better than the one it replaces. With this motion, which calls for the new scheme to be revoked, the hon. Member for Leeds East is disadvantaging those he professes to support. He says that it is a threat to our justice system, but the motion is playing politics. It puts party politics above supporting the right outcome. With the motion, the Labour party and those who intend to join them today are using the Bar and justice as a political tool for their own ends.

**Andy Slaughter:** Minister, that is a silly thing to say, because the motion reflects the disquiet that has been expressed by the Bar. The hon. and learned Lady does not have the curiosity to ask barristers why they are unhappy; perhaps one reason is that the scheme was an alternative to a further 8.5% cut, which would have caused mayhem in the criminal courts. It is just robbing Peter to pay Paul. Why does she not go back and ask the Bar who the losers are now, what the problems are and how they could be reformed, and why does she not take this away and look at it again?

**Lucy Frazer:** I am sorry if I misrepresented the position earlier. I have spoken regularly to a number of organisations that represent the leadership of the Bar. Over the last week, my Department has gone to chambers up and down this country. We have talked to them to understand their concerns about the scheme and to try to understand what position they prefer. We are extremely engaged in talking. The point I am making is that the new scheme is a better one. It was supported by the circuit leaders, the Criminal Bar Association, the Bar Council and the Young Barristers' Committee, and about 15 press releases all support that position.

**Mr Iain Duncan Smith** (Chingford and Woodford Green) (Con): I am very pleased to see my hon. and learned Friend in her place, with her knowledge and background. I will, of course, support the Government tonight, because I agree that this motion is playing politics with an issue, but I have a concern, which I have raised with her before. Following on from the comments of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), I hope that after this the Government will address one of the problems that they face with the junior Bar, particularly here in London. I know, because my son is one of them, and he would tell us that those we want to encourage to come to the Bar, who would diversify the Bar, cannot afford to do so. This is a big crisis for us, otherwise we will end up yet again with a narrow Bar. I wonder whether the Minister might urge her colleagues and hon. Friends to think about that, because it is those who will come through to be the judges of the future.

**Lucy Frazer:** My right hon. Friend makes a really important point about recruitment at the Bar. The Ministry of Justice is of course concerned about this issue, but it is not just a problem for the MOJ. When I went to the Bar, Bar fees for the course were £5,000, and they are now £15,000. Asking people to pay that sort of money is a barrier to access when the chances of their getting a pupillage and a tenancy are limited.

I will highlight three points to show why asking to revoke the scheme, as the shadow Secretary of State is asking, disadvantages the Bar. First, he is saying by doing so that he does not want the additional funds that the new scheme is likely to produce, as against the old scheme. Secondly, he is asking junior barristers to go to sentence and other hearings for no fees. Thirdly, he is asking to retain a scheme that calculates fees on the basis of page count, which is wholly outdated.

As I suggested, it was right to focus on the statutory instrument, but it would be wrong not to correct some of the many inaccuracies and misrepresentations in the hon. Gentleman's speech, which focused on broader issues. He made several comments about disclosure without even mentioning either that the Attorney General's review is due to report this summer or the national disclosure improvement announced by the CPS and the National Police Chiefs Council on 26 January. He talked about recruitment and failed to mention my points about fees. He said that recruitment was falling—there is anecdotal evidence for that—but failed to mention that the number of pupillages at the Bar went up in 2016-17 to its highest level since 2013. Very importantly, it is good to note that there were more women than men in 2016-17. In fact, the total number of barristers at the Bar now in practice stands at 16,435 and is incrementally increasing year on year.

The hon. Gentleman sought very quickly to broaden out the debate by talking about cuts, but he failed to identify why the coalition Government had to make the cuts they did across the board after 2010. It was because the Labour Government overspent and increased our debt and deficit. A few weeks ago, I went to a school in my constituency to explain how Governments spend their money. I identified the different Departments of State, and we looked at the proportion of spending for each. If interest was a Department of State, it would be our fourth-biggest

[Lucy Frazer]

in terms of expenditure, and that is because of the unreasonable and irresponsible decisions taken when Labour was in office.

The hon. Gentleman also talked about court closures. When 41% of courts and tribunals used less than half their available hearing capacity in 2016-17, it would be wrong not to look at our court estate. All the money from the sales is reinvested into the court estate, into our court buildings and court structure, and into technology, and that is alongside our billion-pound reform of the court process. I know that he is in favour of strikes of any kind, whether they are legal or illegal and whether or not they disadvantage ordinary members of society. I know that he favours disruption, demonstration and discontent over careful, constructive and collaborative processes, but the Conservative party believes in justice and that those who need representation should be entitled to it. We will continue to work with the profession to help them to protect the rule of law and the vulnerable people who come through our courts.

Several hon. Members *rose*—

**Mr Deputy Speaker (Sir Lindsay Hoyle):** Order. With so many Members wanting to speak, I suggest that each Member aims to speak for about six minutes.

9.7 pm

**Bambos Charalambous** (Enfield, Southgate) (Lab): The fundamental principles of justice and the right to a fair trial have been enshrined in the English law since as far back as Magna Carta, and despite all the many different threats to the right to a fair trial since its signing in 1215, the biggest threat facing our country's legal system is right here, right now, today. The constant chipping away at, and the catastrophic underfunding of, criminal legal aid has led to a broken justice system perilously close to collapse. Two years ago, the Public Accounts Committee stated that the criminal justice system was at breaking point. The Government have failed to heed those warnings, and we now have a situation whereby it is only through the extraordinary good will and willingness to go the extra mile of prosecutors and defence barristers that justice can be done.

I had an email on Sunday from one of my constituents who is a pupil barrister specialising in criminal law in her second six months of training. She told me that she had already been prosecuting cases, had had experience of being handed papers to prosecute a case at court on the day, had seen cases adjourned because of disclosure failures, and that this was not uncommon. She went on:

"I'm afraid that I won't be able to earn enough to support myself, let alone enough to buy a home, start a family, retire with a decent pension. I hope I'll be able to justify staying in this profession, which is so hard but which I already love so much, and which I've invested so much work and money in joining. I don't need riches, but I need to be able to live, and my future clients will need me to be able to dedicate the time their cases require and deserve. I need to know I will be paid for my work, or I just won't be able to do it. And where will we be if a thousand people in my position come to that conclusion, and there is no one to replace us?"

That is the point. Where will we be if we stop being able to attract people to practise criminal law? How many miscarriages of justice can we expect for defendants and victims as disclosures are made late, documents are not properly read, and defendants cease to be properly

represented? With more cuts planned in the Ministry of Justice, it is clear that this is a targeted assault on the criminal justice system, and that the Government have a flagrant disregard for the future of criminal justice.

The advocates' graduated fee scheme is the means by which the Government hope to reap some of those cuts. AGFS spending has fallen by 40% since 2010, and given that the new scheme proposed in the regulations is meant to be cost-neutral, this is surely just a case of rearranging the deckchairs on the Titanic. The fact that the views of the Criminal Bar Association have not been listened to also leads me to conclude that the scheme is a sham, and exists purely to deliver cuts for the Government.

There are so many absurdities in the current AGFS system that one would think it had been devised in an "Alice in Wonderland" environment. Why—this question was asked by my hon. Friend the Member for Leeds East (Richard Burgon)—is an advocate who deals with a case involving 250 pages of evidence paid the same as an advocate who deals with one involving 5,000 pages? Why is someone handling a rape case with one defendant and one complainant paid the same as someone else handling a case involving multiple victims and multiple complainants? Why is there no recognition of the additional work involved in dealing with vulnerable witnesses, children or people with mental health conditions? Is a standard appearance fee of £90 really acceptable when the cost of catching a train to the court is significantly more? Is a fee of £125 for a sentencing acceptable? Why have fees not gone up since 2007? The Minister and others have claimed that this scheme is an improvement on the previous one, but an improvement on a terrible, failing scheme which makes it into a bad one is, for criminal barristers, no improvement at all.

The impact of the cuts in criminal legal aid will be felt for many years to come, as barristers and solicitors leave criminal justice in their droves. Why would anyone stay in a profession that is incredibly stressful when the pay is barely enough to survive on? Research conducted by Young Legal Aid Lawyers—lawyers with up to 10 years' experience—revealed that 30% of respondents earned less than £20,000 and 83% earned less than £35,000. Throw into the mix tuition fees for undergraduates and the Bar Professional Training Course, which could leave them with debts of £50,000 or more, and we have a very unappealing set of factors that will repel applicants rather than attract them.

We are approaching a tipping point which, if not addressed, could have disastrous effects on the number of practitioners working in criminal law, and could also have an effect on the quality of the legal advice that people receive. We can forget any diversity or social mobility targets, because unless criminal legal aid is properly funded, only those who are able to afford to support themselves will enter the profession. That threatens the very right to a fair trial, which takes me back to where I started. Unless criminal legal aid is properly funded, which means tearing up the AGFS and starting again, this will sound the death knell for those practising criminal law. I say to the Minister, "You cannot do justice on the cheap."

9.13 pm

**Robert Neill** (Bromley and Chislehurst) (Con): It is a pleasure to follow my Justice Committee colleague, the hon. Member for Enfield, Southgate (Bambos Charalambous).

It is important that we are having this debate. I refer Members to my declarations in the Register of Members' Financial Interests, and to the fact that I have the honour to chair the Justice Committee. During the last Parliament and the one before it, the Committee considered a number of issues affecting remuneration of the Bar and the way in which we operate our criminal justice system, as well as broader issues, and we heard a great deal of evidence. There is no doubt that the debate touches on very serious issues to which there are no easy answers, but it is also a specific debate about a specific statutory instrument. I will therefore do my best, in the time available, to confine myself to its specifics, but I think it right to give a little of the context.

I speak as someone who practised for 25 years at the criminal Bar, who regards it as one of the finest things someone can do, who has friends still in practice at the Bar, and who is conscious of the hours that are worked and the things that are thrown at people at the last minute, that it is a demanding profession and is not well rewarded—and, arguably, is not rewarded as well as it should be in the circumstances. But we should take a step back from that, because some of the things we are talking about have, I regret to say, always been there. The last minute brief was a feature of my very early days in practice and continued all the way through it, and the large quantities of unused material that people were never paid for reading have also always been a feature of the scheme.

I do think, however, that we should perhaps look at future designs of the scheme now, because of the issues we have found around disclosure, which is ever more important and has grown with the use of digital and online material. We need to look again at whether it is reasonable not to fund people for reviewing the disclosure in these cases. I am conscious of that because I prosecuted a case which we rightly abandoned upon its second appeal when disclosure that should have been made was finally—some years too late, I am afraid, for the person serving the sentence—made to us. So we do need to take that seriously, but, again, it is not a part of the debate on this statutory instrument. That system has always been there, and revoking this statutory instrument will not solve the issue of payment for people dealing properly with disclosure, nor will it solve the issues of the late return or the late nights that we have always been used to. Those are broader matters.

It is also worth observing that the pressure on incomes at the criminal Bar, which I accept has been real and not made easy by extraneous factors such as the cost of training, has not occurred only under this Government or the coalition. The hon. Member for Enfield, Southgate referred to there being no increase in fees since 2007, but, going back further, the squeeze at the Bar started under the Blair Government, from 1997 onwards, so the idea that this has been placed upon the Bar by the current Government is not fair and is not based on the evidence.

It is clear that the Bar now has issues with the scheme. I am deeply saddened that colleagues and friends feel unable to accept work under the scheme. Is it perfect? No, I am sure it is not. Would it be better if more money could be found? Yes, I am sure that it would be. Is revoking the instrument going to solve that? No, I do not think it will. We need a much broader and maturely based debate about that.

I particularly take note of the intervention of my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald), who was the Minister at the time and whom I have known since my earliest days at the Bar. I know he is an honest and trustworthy man and when he says that there was a real and genuine attempt to engage the professions in this, I know he is telling the truth. It is also worth bearing in mind that the best evidence is sometimes what is said at the time, and we have a number of quotations from that time that show very clearly that all the representative bodies at the Bar gave a broadly favourable welcome, on the basis that it was not perfect—they did not pretend it was—but it was an improvement on what was there.

The chairs and membership of the Bar Council, the Criminal Bar Association and other representative bodies change annually. They cannot bind their successors and attitudes change, and I am not going to speculate on that. However, it is unfair to say that this was brought in by the Government against a backdrop of universal hostility, because that is not the case; broadly, a fair wind was given to it at the time. Issues have perhaps blown up subsequently, however, and many of us who keep in touch and follow this matter closely might suggest that the real problems are not purely around this statutory instrument, but that broader issues need to be addressed.

The most important things we need to do now do not include talking about the revocation of a scheme that could be improved. Instead, we must make the case for more funding for the criminal Bar. My right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) talks powerfully about his own experience, and friends and children of mine suffer exactly the same difficulty. It is a lot harder to start at the junior criminal Bar now than it was in my day, and that is not a healthy situation. We need a stream of bright, talented and dedicated young people coming through, and this issue deserves a longer and broader debate, in terms of both time and context, than the narrow one we are having now.

**Victoria Prentis:** Does my hon. Friend agree that the justice system stands or falls together, and that far from being broken, it is one of the finest justice systems in the world? It is worth £25 billion a year, and we need to ensure that all levels of the Bar, and our solicitor advocates, are supported in the work that they do.

**Robert Neill:** My hon. Friend is absolutely right. There are pressures and difficulties, and some areas of the system creak, but talking it down does no justice to anyone. At the end of the day, it is an immensely better system than anything else we have on offer. If we want to look at really badly funded systems, we can look across the Atlantic and to other places, which would horrify all of us. We are not in that situation, and I do not want to get into that situation, but we will only ever go forward if we can make a measured case for why, for example, it is cost-effective to have representation because litigants in person actually burn up more time and cost than if they were properly represented, and the trials take longer. Let us make the business case around that. That will not be done, however, by revoking this instrument or by people not accepting instructions—however great the temptation—and people going unrepresented. I hope that the Bar and the solicitors will feel able to get back round the table with the Ministry of Justice.

[Robert Neill]

I was concerned to hear the powerful evidence given to the Justice Committee recently by the Criminal Law Solicitors Association. It was suggested that a duty solicitor was probably less well remunerated than a teacher with comparable experience. In a competitive world, that does not seem entirely fair. They are both demanding jobs, and we need to find a constructive way forward rather than walking away from these matters.

**Bob Stewart** (Beckenham) (Con): I have had contact with five junior criminal law barristers, and not one of them earns more than £21,000 a year. That means that after they have paid tax and expenses, they have to live on about 10 grand a year, in London.

**Robert Neill:** My hon. Friend makes an important point; it was in fact the last point I was going to make. If we are to win this debate on fairer funding, we need to get back to a more honest awareness of the realities of remuneration. The press have something to answer for in that regard. It is all too easy to talk about fat-cat barristers and the occasional £1 million-plus fee, which usually relates to a case that lasted about 18 months and was of a highly complex nature. Those sorts of cases are not around any more, for a raft of reasons, and those reports wholly misrepresent the position of the vast majority of barristers, who are working on really modest take-home incomes. Above all, we forget the level of deductions that have to be taken out. My hon. Friend's point is an entirely fair one. I want to see more money in the system, but that will only come from having a strong and well-managed economy. I want to see more money in the system, but I do not think that this is the right way to go about it.

**Andy Slaughter:** The Chairman of the Select Committee is making a very good case, but he does not seem to be persuaded by his own advocacy. If this scheme corrects some of the anomalies of the previous scheme, it does so only by reducing the brief fees overall to below a level that was already extremely low. The purpose of annulling the statutory instrument is to make the Government go back and renegotiate on that basis. Does the hon. Gentleman not accept the logic of that?

**Robert Neill:** I do not accept that logic, persuasive though it might be, because annulling the SI would simply put us back on to the old scheme. I would prefer to bank what we have—imperfect though it is—and move on, pressing the Government to move more swiftly than Ministers currently intend to do on the review of the scheme, and starting to talk urgently, at the earliest possible date, with the Bar Council and the Law Society about what could be changed. I want improvements as much as Opposition Members do, but I happen to think that taking an unduly partisan approach does not serve the overall purpose of the matter.

An independent Bar, and an independent and robust solicitors profession, are a critical part of the rule of law. That is what it comes down to, and I do not accept that this is necessarily a welfare state issue, although I understand the point that the hon. Member for Leeds East (Richard Burgon) made. Ultimately, this is about ensuring the rule of law. That is the most important thing, and the system does have to be properly funded.

I say with some regret to Opposition Members that, although I have sympathy with many of the points made by the Bar and the solicitors in their evidence to us, annulling this SI is not the right route to go down. I would prefer a more consensual, evidence-based approach, and a calmer one. I hope that once this debate has passed, we will all be able to get down to that.

9.25 pm

**Mr Jonathan Djanogly** (Huntingdon) (Con): I declare any interests that I may have as a non-practising solicitor. The criminal justice system in England and Wales faces many significant and structural problems, but placing all the blame on the regulations and tacking the Criminal Bar's reaction to them at face value will not solve the underlying problems with which we need to contend. Having said that, my initial reaction to the current SI proposals was that, given the barristers' strike and Opposition party protest in relation to alleged criminal legal aid cuts, I was somewhat surprised to read the impact assessment, which suggests no cuts and an increase spend on legal aid. That aside, the plans are, in themselves, positive and rational. The Minister has given a strong defence of them today, and they shall have my support.

We are tweaking a scheme that was put in place by Labour in 2007. Since then, effective case management has become rightly more of a priority. I can understand the desirability of unbundling the tasks in fee assessment and the key need to address huge increases in the amount of data now available through discovery. The Opposition and the hon. Member for Leeds East (Richard Burgon) are protesting too much. Labour in government repeatedly proposed reform of criminal legal aid and then repeatedly pulled back, instead resorting to fee cuts.

**Alex Chalk** (Cheltenham) (Con): Does my hon. Friend agree that the Labour party does not come to this matter with clean hands? In 2007, at a time of rising budgets for health and education, there was never more money for the Bar, even though it needed it. The Opposition's remarks do not hold up.

**Mr Djanogly:** My hon. Friend is quite right. In fact, many, if not most, of the post-2010 coalition criminal legal aid cuts had been put in place by the losing Labour Administration. Furthermore, during debates on the Legal Aid, Sentencing and Punishment of Offenders Act 2012, I recall the Labour spokesman saying that we should make required cuts to criminal legal aid, rather than to civil legal aid. Having engaged in the blame game, we could all just leave it at that, but that would be to once again avoid the harsh reality that we all now need to face up to, namely that this country's criminal legal aid system is not fit for purpose and needs to be totally restructured.

While consultation with legal practitioners is important, we legislators need to be reminded that no significant reform to the legal professions has ever come about from the practitioners themselves. Someone in government, or indeed in opposition, is going to have to make a move on this. I will admit that the previous Labour Government made some useful justice reforms, much of which I had the honour to oppose from the Front Bench and on which we often worked co-operatively. Why are the Opposition not doing the same on criminal legal aid? Rather than just complain about it, why can

they not offer an alternative? The hon. Member for Leeds East told us what the Criminal Bar Association wants, but he did not say what he wants or what he believes, and I think he should.

The fundamental problem is that the legal market generally, and criminal law in particular, is totally fragmented, under-capitalised, technologically semi-illiterate and structurally redundant. Criminal practice is characterised by large numbers of barely profitable firms that are all too often unable to properly serve clients through lack of manpower, inability to invest in training of staff and trainees, and a lamentable lack of technology. I recall trying to persuade criminal defence solicitors to take prosecution evidence online rather than in paper bundles, but the resistance was ferocious. Why? Because large numbers of solicitors were running their small practices from their homes and could not afford to invest in the required technology. That type of inefficiency also goes to the Bar, with advocates often getting court papers late, which may have worked for the single lever arch file deposited in times gone by, but with not the online data dump that can now be sent. As has been said this evening, young barristers will often effectively work for nothing, which itself is a barrier to diversity and to poorer people entering the profession. I could go on with such examples at length, but hon. Members will get the picture.

The answer to this situation, without any doubt, will involve consolidation of this fractured nineteenth-century legal services marketplace. Although the number of small firms has slowly reduced in recent times, the most practical way to aid the process would be a larger-scale system of contracting for legal aid work. That would involve fewer but larger practices operating over a larger area, resulting in fewer firms receiving a larger slice of the remaining pie on a single-fee basis. In turn, it would create firms that have the money to invest in training and technology, and with the size and depth required properly to cover the contract areas.

Yes, we have more data than ever before, but charging to read it on a per page basis is simply outdated. Most of the extra data is useless guff from, say, social media. The answer is to have firms of lawyers that are able to invest in the technology now available to sort the wheat from the chaff. That will only come from market consolidation, and a vital aspect of that will be to treat barristers and solicitor equally. If teams of barristers wish to compete for legal aid contracts, they should be free to do so, in the same way as sole-practitioner solicitors band together with other solicitors, or indeed with barristers, to bid for contracts.

The Legal Services Act 2007, brought in by the last Labour Government with Conservative support, provides the necessary mechanism—the alternative business structures—for that to happen. Solicitors and barristers could work together, and the alternative business structures could raise capital and employ non-legal executive managers to run an effective business. We would then start to see a sustainable market taking shape.

I have some sympathy with those who complain that the criminal justice system is creaking at the seams, but rather less sympathy with those who say that the answer is more of the same. We need to face up to the need to change the rules of the game and of the marketplace. The tools and answers are certainly out there if we are prepared to take the required steps.

9.31 pm

**John Howell** (Henley) (Con): As a non-lawyer, I will start by looking at the justice system as a whole. In doing so, I see that the courts need to become online courts—I have discussed that with Lord Briggs and have seen how it is developing. I see the Ministry of Justice bringing forward online divorces, which is an interesting proposal. I also see £1 billion being put into court reform and modernisation, which will improve working conditions for those in court and speed up many paper-based activities. Finally, I see modernising reforms in other areas, such as the Crown court digital case system, to encourage electronic evidence.

Those reforms create a simpler, fairer and more modern payment scheme for all advocates. As has been described, it replaces an archaic system, under which barristers billed by pages of evidence, regardless of the level of complexity or the work involved. This is not a cut to barristers' fees. In fact, the Ministry of Justice estimates that around two thirds of advocates would have benefited from the new schemes had they been in place in 2016-17.

The Minister has said that she has listened carefully to the views of respondents, particularly the concerns raised in relation to junior advocates in the solicitor and barrister professions alike, and that the rebalancing she has done has been to everyone's advantage. I do not think this statutory instrument should be revoked, and I am happy to support the Government on this.

9.33 pm

**Alex Chalk** (Cheltenham) (Con): When it comes to the opposition to the changes to the graduated fee scheme, the Government are entitled to feel a little perplexed because the changes were discussed with the leadership of the Bar. Francis Fitzgibbon, QC, then chair of the CBA, said that

“the CBA believes that the new scheme is a great improvement on what has gone before, and we should at least give it a cautious welcome as a step in the right direction.”

Secondly, the aim of the changes, to rebalance public funding so it rewards the junior Bar more fairly, is unassailable. On that point, I will support the Government tonight.

It would be a great mistake to misread the message coming from the Bar, because my clear sense is that its protest is not really about the intricacies of these specific provisions. Instead, it reflects years of pent-up anguish and frustration about the state of the criminal defence profession and, indeed, a profound sense of foreboding for its future.

The Bar is in a fragile state and needs decisive support, but it does not lie in the mouth of the Labour Opposition to make criticisms about on that, because I know full well from having been a practitioner at the time that, at a time of rising budgets across the piece in health and education during the late 1990s and in the first decade of the 21st century, Labour failed time after time to put more money into the Bar. In 2003, Tony Blair spoke of the “gravy train” of legal aid. In 2006, Lord Falconer referred to the legal aid bill as being “unsustainable”, and there were further plans to cut it in 2010. One has to consider those remarks with great care.

I wish to make some brief observations in the time available; I wanted to say a lot more but I shall confine myself to this. When considering the amount we spend

[Alex Chalk]

on justice and legal aid, we should put it in context. Treasury Red Book figures show that total public sector spending for 2018-19 is expected to be £809 billion. The total Ministry of Justice budget is less than £7 billion. To put that in context, more is spent on welfare and pensions in two weeks than is spent on justice, and the amount spent on international aid—about £14 billion—is approximately double the entire justice budget. To put it another way, we spend more on the aid effort in Syria alone than we do on the entire legal aid budget in our country.

There are concerns about where this all heads. There will be difficulties with recruitment and retention, and we cannot have a situation where this is a just a job for posh kids with a private income. There is also a risk of injustice. If people are not available to do the work we require them to do, it will not just be a case of people being convicted when they should not be; there is a danger of people not being convicted if juries take matters into their own hands and decide that they want to deliver their own brand of justice.

I am not suggesting this is easy at all, but I want to make three simple points. First, if the criminal Bar falls over, the cost to the state will increase dramatically. The overheads involved in employing hundreds of barristers in a fully fledged public defender service will be extortionate and unaffordable. Secondly, the culture will change, and people will be far less likely to work after-hours and at the weekend. Thirdly, the sums of money required to secure the criminal Bar are modest. Barristers are not seeking wealth; they are seeking viability.

**Robert Neill:** My hon. Friend is absolutely right on that last point about the motivation of barristers. Does he agree that one of the important qualities that the independent Bar brings, as indeed does an objective solicitor, is precisely that word—objectivity? The objectivity brought by a barrister has been seen in many cases, for example, those where disclosure failures have occurred, and in the willingness to root out what is absolutely necessary, fearlessly, on behalf of a client. That cannot be replicated.

**Alex Chalk:** That objectivity is vital. In the United States, they have dyed-in-the-wool prosecutors. I remember the case of Michael Jackson, with Tom “Mad Dog” Sneddon; all these people do is prosecute. One great value we have in this country is that people prosecute and defend. That level of objectivity is fantastic. It also means that people are incentivised to go the extra mile, because you are only as good as your last brief.

The criminal Bar is precious. This is not about sentiment. This is a flinty-eyed assessment of a real and pressing need. Once this matter is over tonight—I will vote with the Government, because the Opposition’s proposal is, with respect, misconceived—I urge the Government to look again at how the criminal Bar can be supported, as there is a pressing need.

9.38 pm

**Bob Stewart (Beckenham) (Con):** We cannot have those with the ability and will to try to enter the criminal law profession impoverished by debt and a lack of basic resources to live, especially those who

come from perhaps a more humble background. The new scheme seems to distribute some money from middle or senior junior barristers to the more junior barristers, but I gather the effect on senior junior barristers could be a fall in income of as much as 35%, but the impact on the most junior criminal barristers is simply not very much. The truth is that the system does need more money, which cannot be found simply by switching around payments within it. Criminal barristers are self-employed and they must also meet the unavoidable overheads of practising, which normally range from about 25% to 35% of their income. There is no entitlement to pensions, holiday pay, sick pay or, indeed, maternity or paternity pay. Assuming a junior criminal barrister earned a total of, say, £60,000 annually, after they paid overheads and pension contributions and compensated for holidays, he or she would probably present an income of only around £30,000 to Her Majesty’s Revenue and Customs.

A career at the Bar is insecure and financially uncertain: trials can be moved by judges without consultation; witnesses can be taken ill; defendants may accept advice to plead guilty; and charges may be dropped. All can have a significant impact on barristers’ income, without warning. In such an uncertain climate, reasonable fees are necessary. The level of debt with which new criminal law barristers must deal, insufficient fees and increased demands make a social and family life almost impossible. I understand that right now morale is low and dismay universal among junior criminal barrister and, indeed, among some senior junior barristers, too. I very much hope that the Minister can tell me honestly that junior criminal law barristers will have a much better deal than they had in the past.

*Question put.*

*The House proceeded to a Division.*

**Mr Deputy Speaker (Sir Lindsay Hoyle):** I ask the Sergeant at Arms to investigate the delay in the No Lobby.

*The House having divided: Ayes 252, Noes 300.*

**Division No. 151]**

**[9.41 pm**

**AYES**

Abbott, rh Ms Diane	Campbell, rh Mr Alan
Alexander, Heidi	Campbell, Mr Ronnie
Ali, Rushanara	Carden, Dan
Amesbury, Mike	Carmichael, rh Mr Alistair
Antoniazzi, Tonia	Champion, Sarah
Ashworth, Jonathan	Chapman, Jenny
Austin, Ian	Charalambous, Bambos
Bailey, Mr Adrian	Clwyd, rh Ann
Barron, rh Sir Kevin	Coaker, Vernon
Benn, rh Hilary	Coffey, Ann
Berger, Luciana	Cooper, Julie
Betts, Mr Clive	Cooper, Rosie
Blomfield, Paul	Cooper, rh Yvette
Brabin, Tracy	Corbyn, rh Jeremy
Bradshaw, rh Mr Ben	Coyle, Neil
Brake, rh Tom	Crausby, Sir David
Brennan, Kevin	Creasy, Stella
Brown, Lyn	Cruddas, Jon
Brown, rh Mr Nicholas	Cryer, John
Buck, Ms Karen	Cummins, Judith
Burden, Richard	Cunningham, Alex
Burgon, Richard	Cunningham, Mr Jim
Cable, rh Sir Vince	Dakin, Nic
Cadbury, Ruth	Davey, rh Sir Edward

David, Wayne  
 Davies, Geraint  
 De Cordova, Marsha  
 De Piero, Gloria  
 Debonnaire, Thangam  
 Dent Coad, Emma  
 Dhesi, Mr Tanmanjeet Singh  
 Dodds, Anneliese  
 Doughty, Stephen  
 Dowd, Peter  
 Drew, Dr David  
 Dromey, Jack  
 Duffield, Rosie  
 Eagle, Maria  
 Edwards, Jonathan  
 Efford, Clive  
 Elliott, Julie  
 Ellman, Mrs Louise  
 Elmore, Chris  
 Esterson, Bill  
 Evans, Chris  
 Farrelly, Paul  
 Fitzpatrick, Jim  
 Fletcher, Colleen  
 Fovargue, Yvonne  
 Foxcroft, Vicky  
 Frith, James  
 Furniss, Gill  
 Gaffney, Hugh  
 Gapes, Mike  
 Gardiner, Barry  
 George, Ruth  
 Gill, Preet Kaur  
 Giindon, Mary  
 Godsiff, Mr Roger  
 Goodman, Helen  
 Green, Kate  
 Greenwood, Lilian  
 Greenwood, Margaret  
 Griffith, Nia  
 Grogan, John  
 Gwynne, Andrew  
 Haigh, Louise  
 Hamilton, Fabian  
 Hanson, rh David  
 Hardy, Emma  
 Harman, rh Ms Harriet  
 Harris, Carolyn  
 Hayes, Helen  
 Hayman, Sue  
 Healey, rh John  
 Hepburn, Mr Stephen  
 Hermon, Lady  
 Hill, Mike  
 Hillier, Meg  
 Hobhouse, Wera  
 Hodgson, Mrs Sharon  
 Hoey, Kate  
 Hollern, Kate  
 Hopkins, Kelvin  
 Howarth, rh Mr George  
 Huq, Dr Rupa  
 Hussain, Imran  
 Jardine, Christine  
 Jarvis, Dan  
 Johnson, Diana  
 Jones, Darren  
 Jones, Gerald  
 Jones, Graham P.  
 Jones, Helen  
 Jones, Mr Kevan  
 Jones, Sarah

Jones, Susan Elan  
 Kane, Mike  
 Keeley, Barbara  
 Kendall, Liz  
 Khan, Afzal  
 Killen, Ged  
 Kinnock, Stephen  
 Kyle, Peter  
 Laird, Lesley  
 Lake, Ben  
 Lammy, rh Mr David  
 Lavery, Ian  
 Lee, Karen  
 Leslie, Mr Chris  
 Lewell-Buck, Mrs Emma  
 Lewis, Clive  
 Lewis, Mr Ivan  
 Lloyd, Stephen  
 Lloyd, Tony  
 Long Bailey, Rebecca  
 Lucas, Caroline  
 Lucas, Ian C.  
 Lynch, Holly  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Malhotra, Seema  
 Mann, John  
 Marsden, Gordon  
 Martin, Sandy  
 Maskell, Rachael  
 Matheson, Christian  
 McCabe, Steve  
 McDonagh, Siobhain  
 McDonald, Andy  
 McDonnell, rh John  
 McFadden, rh Mr Pat  
 McGinn, Conor  
 McGovern, Alison  
 McInnes, Liz  
 McKinnell, Catherine  
 McMahan, Jim  
 McMorrin, Anna  
 Mearns, Ian  
 Miliband, rh Edward  
 Moon, Mrs Madeleine  
 Moran, Layla  
 Morden, Jessica  
 Morgan, Stephen  
 Morris, Grahame  
 Murray, Ian  
 Nandy, Lisa  
 Norris, Alex  
 O'Mara, Jared  
 Onasanya, Fiona  
 Onn, Melanie  
 Onwurah, Chi  
 Osamor, Kate  
 Owen, Albert  
 Pearce, Teresa  
 Pennycook, Matthew  
 Perkins, Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pidcock, Laura  
 Platt, Jo  
 Pollard, Luke  
 Pound, Stephen  
 Powell, Lucy  
 Qureshi, Yasmin  
 Rashid, Faisal  
 Rayner, Angela

Reed, Mr Steve  
 Rees, Christina  
 Reeves, Ellie  
 Reeves, Rachel  
 Reynolds, Emma  
 Reynolds, Jonathan  
 Rimmer, Ms Marie  
 Rodda, Matt  
 Rowley, Danielle  
 Ruane, Chris  
 Russell-Moyle, Lloyd  
 Ryan, rh Joan  
 Saville Roberts, Liz  
 Shah, Naz  
 Sheerman, Mr Barry  
 Sherriff, Paula  
 Shuker, Mr Gavin  
 Siddiq, Tulip  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, Angela  
 Smith, Cat  
 Smith, Eleanor  
 Smith, Laura  
 Smith, Nick  
 Smith, Owen  
 Smyth, Karin  
 Snell, Gareth  
 Sobel, Alex  
 Spellar, rh John  
 Starmer, rh Keir

Stevens, Jo  
 Stone, Jamie  
 Streeting, Wes  
 Tami, Mark  
 Thomas, Gareth  
 Thomas-Symonds, Nick  
 Thornberry, rh Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turley, Anna  
 Twigg, Derek  
 Twigg, Stephen  
 Twist, Liz  
 Umunna, Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Walker, Thelma  
 Watson, Tom  
 West, Catherine  
 Western, Matt  
 Whitfield, Martin  
 Williams, Hywel  
 Williams, Dr Paul  
 Williamson, Chris  
 Wilson, Phil  
 Woodcock, John  
 Yasin, Mohammad  
 Zeichner, Daniel

#### Tellers for the Ayes:

**Jeff Smith and  
 Stephanie Peacock**

#### NOES

Adams, Nigel  
 Afolami, Bim  
 Afriyie, Adam  
 Aldous, Peter  
 Allan, Lucy  
 Allen, Heidi  
 Amess, Sir David  
 Andrew, Stuart  
 Argar, Edward  
 Atkins, Victoria  
 Bacon, Mr Richard  
 Badenoch, Mrs Kemi  
 Baker, Mr Steve  
 Baldwin, Harriett  
 Barclay, Stephen  
 Baron, Mr John  
 Bebb, Guto  
 Bellingham, Sir Henry  
 Benyon, rh Richard  
 Berry, Jake  
 Blackman, Bob  
 Blunt, Crispin  
 Boles, Nick  
 Bone, Mr Peter  
 Bottomley, Sir Peter  
 Bowie, Andrew  
 Bradley, Ben  
 Bradley, rh Karen  
 Brady, Sir Graham  
 Braverman, Suella  
 Brereton, Jack  
 Bridgen, Andrew  
 Brine, Steve  
 Brokenshire, rh James  
 Bruce, Fiona  
 Buckland, Robert  
 Burghart, Alex

Burns, Conor  
 Burt, rh Alistair  
 Cairns, rh Alun  
 Campbell, Mr Gregory  
 Cartledge, James  
 Cash, Sir William  
 Caulfield, Maria  
 Chalk, Alex  
 Chope, Sir Christopher  
 Churchill, Jo  
 Clark, Colin  
 Clark, rh Greg  
 Clarke, Mr Simon  
 Cleverly, James  
 Clifton-Brown, Sir Geoffrey  
 Collins, Damian  
 Costa, Alberto  
 Courts, Robert  
 Cox, Mr Geoffrey  
 Crabb, rh Stephen  
 Crouch, Tracey  
 Davies, Chris  
 Davies, David T. C.  
 Davies, Glyn  
 Davies, Philip  
 Davis, rh Mr David  
 Dinenage, Caroline  
 Djanogly, Mr Jonathan  
 Docherty, Leo  
 Dods, rh Nigel  
 Donaldson, rh Sir Jeffrey M.  
 Donelan, Michelle  
 Dorries, Ms Nadine  
 Double, Steve  
 Dowden, Oliver  
 Doyle-Price, Jackie  
 Drax, Richard

Duddridge, James  
 Duguid, David  
 Duncan, rh Sir Alan  
 Duncan Smith, rh Mr Iain  
 Dunne, Mr Philip  
 Ellis, Michael  
 Ellwood, rh Mr Tobias  
 Elphicke, Charlie  
 Eustice, George  
 Evennett, rh David  
 Fabricant, Michael  
 Fallon, rh Sir Michael  
 Ford, Vicky  
 Foster, Kevin  
 Fox, rh Dr Liam  
 Francois, rh Mr Mark  
 Frazer, Lucy  
 Freeman, George  
 Freer, Mike  
 Fysh, Mr Marcus  
 Gale, Sir Roger  
 Garnier, Mark  
 Gauke, rh Mr David  
 Ghani, Ms Nusrat  
 Gibb, rh Nick  
 Gillan, rh Dame Cheryl  
 Glen, John  
 Goldsmith, Zac  
 Goodwill, Mr Robert  
 Gove, rh Michael  
 Graham, Luke  
 Graham, Richard  
 Grant, Bill  
 Grant, Mrs Helen  
 Grayling, rh Chris  
 Green, Chris  
 Green, rh Damian  
 Greening, rh Justice  
 Grieve, rh Mr Dominic  
 Griffiths, Andrew  
 Gyimah, Mr Sam  
 Hair, Kirstene  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, Stephen  
 Hancock, rh Matt  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Harrison, Trudy  
 Hart, Simon  
 Hayes, rh Mr John  
 Heald, rh Sir Oliver  
 Heappey, James  
 Heaton-Harris, Chris  
 Heaton-Jones, Peter  
 Henderson, Gordon  
 Hinds, rh Damian  
 Hoare, Simon  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holloway, Adam  
 Howell, John  
 Huddleston, Nigel  
 Hughes, Eddie  
 Hunt, rh Mr Jeremy  
 Hurd, rh Mr Nick  
 Jack, Mr Alister  
 James, Margot  
 Javid, rh Sajid  
 Jayawardena, Mr Ranil  
 Jenkin, Mr Bernard  
 Jenkyns, Andrea  
 Jenrick, Robert  
 Johnson, Dr Caroline  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, rh Mr David  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Keegan, Gillian  
 Kennedy, Seema  
 Kerr, Stephen  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Lamont, John  
 Lancaster, rh Mark  
 Latham, Mrs Pauline  
 Leadsom, rh Andrea  
 Lee, Dr Phillip  
 Lefroy, Jeremy  
 Leigh, Sir Edward  
 Letwin, rh Sir Oliver  
 Lewer, Andrew  
 Lewis, rh Brandon  
 Lewis, rh Dr Julian  
 Liddell-Grainger, Mr Ian  
 Lidington, rh Mr David  
 Little Pengelly, Emma  
 Lopez, Julia  
 Lopresti, Jack  
 Lord, Mr Jonathan  
 Loughton, Tim  
 Mackinlay, Craig  
 Maclean, Rachel  
 Main, Mrs Anne  
 Mak, Alan  
 Malthouse, Kit  
 Mann, Scott  
 Masterton, Paul  
 Maynard, Paul  
 McLoughlin, rh Sir Patrick  
 McVey, rh Ms Esther  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Miller, rh Mrs Maria  
 Milling, Amanda  
 Mills, Nigel  
 Milton, rh Anne  
 Mitchell, rh Mr Andrew  
 Moore, Damien  
 Mordaunt, rh Penny  
 Morgan, rh Nicky  
 Morris, Anne Marie  
 Morris, James  
 Morton, Wendy  
 Mundell, rh David  
 Murray, Mrs Sheryl  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, rh Caroline  
 Norman, Jesse  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Opperman, Guy  
 Parish, Neil  
 Patel, rh Priti

Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Percy, Andrew  
 Perry, rh Claire  
 Philp, Chris  
 Pincher, Christopher  
 Poulter, Dr Dan  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, Dominic  
 Redwood, rh John  
 Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Lee  
 Rudd, rh Amber  
 Rutley, David  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Simpson, rh Mr Keith  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston  
 Soames, rh Sir Nicholas  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob

Stewart, Iain  
 Stewart, Rory  
 Streete, Mr Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomson, Ross  
 Throup, Maggie  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Mrs Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggan, Bill  
 Williamson, rh Gavin  
 Wollaston, Dr Sarah  
 Wood, Mike  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Noes:**  
 Kelly Tolhurst and  
 Mims Davies

*Question accordingly negated.*

## Business without Debate

### DELEGATED LEGISLATION

**Mr Deputy Speaker (Sir Lindsay Hoyle):** With the leave of the House, we shall take motions 8 to 10 together.

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

### LOCAL GOVERNMENT

That the draft West Suffolk (Local Government Changes) Order 2018, which was laid before this House on 19 March, be approved.

That the draft West Suffolk (Modification of Boundary Change Enactments) Regulations 2018, which were laid before this House on 19 March, be approved.

### COMPETITION

That the draft Enterprise Act 2002 (Share of Supply Test) (Amendment) Order 2018, which was laid before this House on 15 March, be approved.—(*Chris Heaton-Harris*)

*Question agreed to.*

## TRANSPORT COMMITTEE

*Ordered,*

That Martin Vickers be discharged from the Transport Committee and Jack Brereton be added.—(*Bill Wiggin, on behalf of the Selection Committee.*)

## PETITION

### Royal Bank of Scotland closure in Saltcoats

9.59 pm

**Patricia Gibson** (North Ayrshire and Arran) (SNP): I rise to present this petition from the residents of the North Ayrshire and Arran constituency, which attracted 564 signatures, gathered by myself, dedicated Saltcoats Scottish National party activists and our SNP councillors, to express our concern at the proposed closure of the Royal Bank of Scotland branch in Saltcoats.

The petition states:

The Petition of residents of North Ayrshire & Arran,

Declares that proposed closure of the 3 branches of the publicly-owned Royal Bank of Scotland in the areas of Kilbirnie, Kilwinning & Saltcoats will have a detrimental effect on local communities and the local economy.

The petitioners therefore request that the House of Commons urges Her Majesty's Treasury, the Department for Business, Energy and Industrial Strategy and the Royal Bank of Scotland to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of these branches.

And the petitioners remain, etc.

[P002137]

## Homeopathy: Veterinary Medicine

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

10.1 pm

**David Tredinnick** (Bosworth) (Con): This debate is very timely because of the recent changes that the Royal College of Veterinary Surgeons has made to its guidelines, which have angered the public and homeopathic vets alike and triggered two marches to the headquarters of the RCVS and a rally in Parliament Square, at which I had the honour of speaking. I am happy to see the Minister for Agriculture, Fisheries and Food, my hon. Friend the Member for Camborne and Redruth (George Eustice), in his place, not least because my family come from Redruth and were mining engineers—I am attempting to engender a little sympathy from him before I proceed.

The key issue is a new requirement in the guidelines that homeopathy should only be used in conjunction with conventional medicine. The second issue is the highly contentious assertions made by the Royal College of Veterinary Surgeons about a lack of evidence and safety and animal welfare, which are apparently related in this instance. The third issue is a lack of consultation.

The RCVS did not consult at all the people who know the subject—the Faculty of Homeopathy, the British Association of Homeopathic Veterinary Surgeons, the International Association for Veterinary Homeopathy, the European Committee for Homeopathy and the Homeopathy Research Institute. None of those organisations was consulted prior to the issuing of these guidelines. After the second march, the RCVS graciously agreed to meet a delegation, but sadly the delegation wrote to me afterwards saying:

“It became apparent that there was a total lack of understanding of the principles of homeopathy.”

It invited the RCVS to visit a practice, but I am not sure that that offer has been accepted.

I wrote to the RCVS, and it replied to my letter with, I regret to say, three glaring errors. First, it cited the 2010 report of the Science and Technology Committee, which it said

“concluded that the evidence base shows that homeopathy is not efficacious”.

It never did anything of the sort. I attended that Committee, and it was an evidence check. It only found that there was no evidence; it did not make any findings about effectiveness.

Secondly, the RCVS claims:

“we have not sought to remove choice as this remains”.

It does not. Choice has been removed, because before these guidelines came out, homeopaths could practise without using homeopathy and conventional medicine together.

Thirdly, the RCVS made claims about animal welfare issues. This is very important, and I asked a parliamentary question, to which my hon. Friend the Minister graciously replied:

“The Department does not have any evidence that shows that homeopathic vets are a risk to animal welfare by using homeopathy as an alternative treatment to conventional medicine options.”

**Jim Shannon** (Strangford) (DUP): I sought the hon. Gentleman's permission to intervene, and I thank him for letting me do so. Does he not agree that with the rise

[Jim Shannon]

in antibiotic use in animals—it is very pertinent at this time—anything that can prevent the introduction of antibiotics can only be a good thing and must be given full consideration? Perhaps the Minister could tell us in his response what he is doing through his Department to reduce antibiotic use in animals.

**David Tredinnick:** The hon. Gentleman speaks with wisdom and experience. No doubt, he too has looked at the European position, which is completely the opposite of the one taken by the RCVS. There is a European directive on organic products, which states in article 24(2) of Commission regulation (EC) No. 889/2008, that

“Phytotherapeutic”—

that is, herbal—

“and homeopathic products, trace elements...shall be used in preference to chemically-synthesised allopathic veterinary treatment or antibiotics”.

That was because the European Union as a whole was so worried about the abuse of antibiotics, and I started speaking about the use of antibiotics in animals in the 1987 Parliament.

Let me give my hon. Friend the Minister the view of a farmer, who wrote to me, saying

“did you know that farmers often like using homeopathy for cows with mastitis because if they do so, they can sell the milk. If they use antibiotics, the milk must be thrown out.”

Safety is very important, and I hope the Minister will dispose of that point later as some homeopathic vets have simply stopped practising because they perceive themselves to be under a legal threat.

This is at a time when, according to the British Association of Homeopathic Veterinary Surgeons, there is an explosion of interest in homeopathy, largely I would suggest because of the antibiotics problem. It says that

“there is an explosion of interest in CAM”—

complementary and alternative medicine—

“including Homeopathy”, in the agricultural sector where the drive is to reduce and replace dependence on antibiotics in light of Antibiotic Resistance...concerns”.

**Dr David Drew (Stroud) (Lab/Co-op):** Does the hon. Gentleman accept that this threatens biodynamic agriculture, which is a particularly interesting and growing part of the agricultural sector?

**David Tredinnick:** The hon. Gentleman makes his point well. The most successful methods for coping with this antibiotic problem are actually complementary and alternative medicines, of which homeopathy is proving one of the most successful modalities.

The placebo argument—that this is all in the imagination—is often used against homeopathy, but Buttercup and Daisy do not understand double blind placebo-controlled trials. Farmers do understand them, and when I sat on the Science and Technology Committee during the 2010 to 2015 Parliament, Roger Williams, the then Member for Brecon and Radnorshire from the Liberal Democrats, told me, “As a livestock farmer, I of course use carbo veg”—Carbo vegetabilis, which is known colloquially as the corpse reviver—“when I can’t do anything else with an animal that I think is going to die.” It is very often the medicine of last resort both for

animals and, of course, for humans. Farmers will not waste money on something that does not work, as I am sure my hon. Friend the Minister agrees.

As I mentioned at Prime Minister’s questions two weeks ago, the World Health Organisation says that homeopathy is the second largest medical system in the world, with 300,000 doctors treating 200 million patients annually. I suggest to my hon. Friend that that is pretty powerful evidence—they would not otherwise be training and practising—and we should look at that. There are actually 700 vets in 36 countries who are members of the International Association for Veterinary Homeopathy. The German Ministry of Food and Agriculture backs homeopathy. In January 2018, it said that it

“supports the use of homeopathic remedies and the free choice of therapy for veterinarians.”

Why are we getting all these attacks? It actually has nothing to do with healthcare—it is to do with protecting vested interests, and a sense of defensiveness against the perceived threat to conventional practitioners, to drug companies supplying drugs and to currently held scientific beliefs. The scale of the vicious attacks that colleagues have had over the years by those opposed to homeopathy is testament to that. Given the hate mail that has been sent to MPs during past Parliaments, jamming their mail boxes, I believe those people could now face prosecution under new legislation. They ridicule and humiliate anybody who supports this very valuable branch of medicine. They use legal threats to clinical commissioning groups. I am kind of curious about this—I have a feeling that the Royal College of Veterinary Surgeons was itself threatened with legal action by this group. Once there is a writ and something is through the door, of course, the whole legal process starts; that is why I had a letter from a lawyer of theirs.

The antis also claim that there is no scientific evidence that homeopathy works, but of the 189 randomised control trials up to 2014, 41% were positive, finding that homeopathy was effective. The figures for conventional medicine are just about the same, at 44%. There is no difference. There is good statistical evidence that both homeopathy and conventional medicine work.

I also had the honour to serve on the Health Committee in the 2010 to 2015 Parliament; in fact, I chaired it for a while, when we got the long-term care and conditions report out. In 2014, I cross-examined the Secretary of State for Health about his views. He said:

“the system we have is that we allow GPs to decide whatever they think is in the clinical interests of their own patients.”

If my memory serves me well, the Parliamentary Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), who has subsequently signed a motion, was one of those under attack for supporting homeopathy. He said in answer to a question:

“Complementary and alternative medicine treatments can, in principle, feature in a range of services offered by local NHS organisations, including general practitioners.”—[*Official Report*, 14 November 2017; Vol. 631, c. 149.]

**Mr Alistair Carmichael (Orkney and Shetland) (LD):** I should first declare an interest: my wife is a practising veterinary surgeon and a partner in a veterinary practice.

I gently suggest to the hon. Gentleman that he needs to be a little careful about conflating medicine for humans with medicine for animals. As a human, I am

able to make these choices for myself; animals are not in a position to do that for themselves. That is why we have to approach the two disciplines differently.

**David Tredinnick:** The right hon. Gentleman makes his point. They are different: as far as animals are concerned, we cannot run trials; we can only take a view on how the medicine or treatment is working. I put it to the right hon. Gentleman that farmers are not so foolish as to spend a lot of money on something that does not work. They see it working over a long period of time.

I have an informal arrangement with the Minister to give him the full time of a quarter of an hour to respond. In the past, I have noticed that colleagues can run away with themselves, leaving only five minutes for the Minister, who says that they do not have enough time to speak. This Minister will have lots of time to speak.

**Chris Davies (Brecon and Radnorshire) (Con):** My hon. Friend has clearly raised the fact that the Royal College of Veterinary Surgeons very much opposes homeopathy, but we have not mentioned the British Veterinary Association, which was equally opposed. My understanding is, however, that its mood may be mellowing towards homeopathy. Has my hon. Friend's hard work paid off, I wonder?

**David Tredinnick:** One or two things have been “going off”, as they say nowadays, for the last few weeks, including questions and marches.

To sum up, in veterinary medicine there is room for all. Of course there is room for conventional medicine; we cannot produce a calf from a struggling cow unless we use conventional medicine. There is room for conventional and homeopathic medicine: on that much I agree with the Royal College of Veterinary Surgeons. But there is also room for stand-alone homeopathy, as there always has been—there is no need to change the playing field. Nearly two weeks ago, I asked the Prime Minister, during Prime Minister's questions:

“Does she agree that homeopathic vets should be able to make their own minds up about whether to use homeopathy on its own or with other treatments, too?”

My right hon. Friend the Prime Minister replied:

“As regards all the issues he has addressed, it is right that those who are professionally able to make these judgments are left to make them.”—[*Official Report*, 25 April 2018; Vol. 639, c. 877.]

We should mark the Prime Minister's words and agree that properly regulated homeopathic vets should be free to make up their own minds.

10.14 pm

**The Minister for Agriculture, Fisheries and Food (George Eustice):** I congratulate my hon. Friend the Member for Bosworth (David Tredinnick) on securing this important debate. With a name like Tredinnick he could only hail from Redruth, where it is a very common name. Anything that begins with the letters “tre” tends to be from Cornwall.

I recognise that my hon. Friend has been a very long-standing campaigner for alternative medicines in general and homeopathy in particular. I do not have any particular strong convictions one way or the other on this issue, but I recognise that the consensus among

veterinary opinion is one of scepticism. Before addressing the specific issues he raised, I want to start by making a couple of more general points.

As a point of general principle, I do not agree that contrarian viewpoints in science should be deemed or labelled as some form of scientific heresy. Those who, like me, believe in an enlightened approach to evidence should always welcome and engage in debate, and should never tolerate the tactics of bullying, abuse or ridicule. I recognise that my hon. Friend has suffered a lot of this behaviour himself in this sometimes fraught debate. Let me say that I say that I find that unacceptable, irrespective of one's views on the issue. Even those who believe strongly and passionately disagree with homeopathy and disagree with the evidence supporting it should recognise the value in discussing it so that it provides a reference point for their own version of the truth.

Traditionally in science it has been very important to observe, through scientific trials and scientific evidence, to try to discern patterns and then, having discerned and observed patterns, try to build a more precise body of evidence in the form of statistics. I think it is fair to say that in recent decades there has been a tendency in science to neglect those basic skills of observation and instead to just resort to narrow statistics and what can be measured. My hon. Friend, irrespective of different views we might have, raises a valid point about that tendency in modern science, which can mean that we sometimes miss things that are important.

The Royal College of Veterinary Surgeons has a role in maintaining a register of qualified vets. This is, effectively, a system of self-regulation underpinned by statute. It has a royal charter that dates back to 1844. The Veterinary Surgeons Act 1966 established a statutory role for it to recognise qualified vets. Under the 1966 Act, the RCVS has a role in maintaining a register. It also has a role in regulating the conduct of its professional members, supervising the registration of its members and suspending registration where it believes there has been a breach of its code. However, it is not the role of the RCVS to make decisions on veterinary medicines or indeed veterinary treatments. The Veterinary Medicines Directorate is a Government agency that makes evidence-based assessments of veterinary medicines.

Homeopathic products are not formally assessed for their efficacy, but they are assessed for their quality and safety. Their use is therefore lawful. I know that the RCVS statement in November 2017 caused quite a lot of controversy. As my hon. Friend pointed out, there have been protests and much disquiet among some of those vets who practise homeopathy. I should perhaps point out an interest here. In my constituency of Camborne and Redruth I have a fantastic charity called the Cinnamon Trust. It mobilises thousands of volunteers right across the country to visit the homes of the elderly who are no longer able to walk their own dogs and to walk those dogs for them. This fabulous charity means that the volunteers give social contact to those elderly people by taking their dog for a walk and they make sure that elderly people, often suffering from loneliness, can enjoy the companionship of pets with the help of volunteers.

That charity engages a conventional vet who occasionally uses some homeopathic therapies. I am told by veterinary practitioners of homeopathy that they believe they see results for a number of particular conditions. Cushing's disease in horses is mentioned—a condition that afflicts

[George Eustice]

older horses and can lead to lameness—and I am also told that it can be effective when dealing with arthritis in older dogs and in managing some symptoms of certain cancers. Practitioners argue that for certain conditions that principally affect older animals, when conventional medicines have run their course and they have run out of options, homeopathy can help to manage a condition. I am told that homeopathy is at times quite useful when there may be side-effects from using more conventional veterinary medicines, or when there are allergies from their use.

A debate has always been had about the evidence and the quality of the evidence base, but as my hon. Friend pointed out, there are practitioners out there who believe that they see some results in some circumstances, and they can see they do not see those in all circumstances. Certainly, some of the vets that I have spoken to who practise homeopathy are very clear that this complements their approach to conventional medicine. When they believe that conventional veterinary treatments have run their course and can offer nothing further for a particular animal, or are not giving them the results they want, they will sometimes choose, as an alternative, to use complementary approaches and practices.

The RCVS statement, having sparked controversy, has been the subject of some discussion between the Department for Environment, Food and Rural Affairs and the RCVS, which has confirmed it is not at all its intention to ban the use of homeopathy. I understand that its concern is that in some instances, some vets, rather than using homeopathy as a complementary approach alongside conventional medicine, are perhaps refraining from using other, possibly more effective, conventional medicine in preference to homeopathy. In some cases, the RCVS believes that that may be affecting the welfare of the animal. It assures us that that is what it is attempting to address and that it has no intention to ban the use of homeopathy by its members. I hope that I have reassured my hon. Friend that that is the position that the RCVS has set out to us.

Since I have the luxury of time, I want to pick up on the point made by the hon. Member for Strangford (Jim Shannon) about antibiotic use. He is right: this is something that we are keen to reduce, and the O'Neill report set out some detailed approaches for doing that. It is also the case that adopting a different approach to livestock husbandry and using vaccines in a more effective way, rather than antibiotic treatments, is part of the key to getting down our use of antibiotics.

**Mr Carmichael:** I am grateful to the Minister for allowing an intervention. Has any advice that has been given to him on reducing antibiotic use recommended the use of homeopathic remedies?

**George Eustice:** No, I have not had any advice to that effect, but there are other approaches. For instance, one thing that we know can reduce the use of antibiotics in pigs is the gentle acidification of the water. We also know that turning animals out to grass in the spring can reduce the disease load and reduce the need to use antibiotics. Turning animals out to grass is quite difficult to measure, but we know that it is good for animals. On his specific point, no I have not had any such advice, but we are doing a great deal to reduce our use of antibiotics, since it is a very important issue.

In conclusion, we have had an interesting debate. I commend my hon. Friend for raising this issue.

**David Tredinnick:** I am nervous that my hon. Friend is about to sit down, in which case the debate will be over, so, as we have a little time, I want to take this opportunity to thank him for coming. That a Minister of State, not an Under-Secretary, is responding indicates the deep concern in DEFRA about this. Given the exchanges and public interaction, and his own conversations with the RCVS, surely we are all on the same side and what we need is for the RCVS to go away, take cognisance of what has transpired in the last couple of weeks and see if it cannot come up with something that might make everybody happy.

**George Eustice:** As I said, the RCVS has sought to be very clear that it is not banning the use of homeopathy by vets; it is not even its place to do that—were that to happen, it would be for the VMD—but my hon. Friend raises an important point. The RCVS might want, in its council and among its members, to clarify what it actually means, which I understand to be as follows: it is not banning the use of homeopathy, but vets who use it should use it to complement other approaches, possibly where those are not proving effective, and not refrain from using approaches that might be more effective in order to practise homeopathy in isolation. I think that was its point, but I am sure it would be happy to clarify the matter.

*Question put and agreed to.*

10.26 pm

*House adjourned.*

# Westminster Hall

Tuesday 8 May 2018

[JOAN RYAN *in the Chair*]

## Concessionary Bus Passes

9.30 am

**Daniel Zeichner** (Cambridge) (Lab): I beg to move,  
That this House has considered concessionary bus passes.

It is a pleasure to serve when you are in the Chair, Ms Ryan. During my three years in Parliament, it has been noticeable that although most of our fellow citizens use buses, we rarely get to discuss bus issues in the House. I am delighted to see in the Chamber my good and hon. Friend the Member for Nottingham South (Lilian Greenwood), Chair of the Select Committee on Transport, who I am sure will be putting that right in the coming months and years. Today, I shall focus mainly on the concessionary fares scheme and highlight its value and how it could be extended, but I shall also make a few observations about the problems that arise when running such a scheme in parts of the country with unregulated bus systems, and draw out possible solutions.

The national concessionary fares scheme has been a huge success. It has really changed the way older people live their lives, by increasing their freedom and, in many cases, reducing loneliness and isolation. As I think hon. Members will be aware, the bus pass in England provides free bus travel for older and disabled people during off-peak times—from 9.30 am onwards. Ironically, should anyone have chosen to use their concessionary fares pass to get here this morning, they would have been late. I can see that some of my colleagues set out much earlier—not that I am suggesting they would qualify for a bus pass. I am very pleased that so many people have made such an effort to be here at what is quite an early hour for Parliament on its return from recess.

The age of eligibility for the concessionary fares scheme has become slightly flexible. If the eligible age had remained what it was when the scheme was first announced, I might almost have qualified by now, but it seems to be slipping into the distance; I hope one day to catch it up. I think it is now 66. I hope that, in the future, many more people will be able to benefit from the scheme.

The trigger for calling this debate was the 10-year anniversary of the scheme. I congratulate the National Pensioners Convention, which made a big effort to celebrate it, including by sending birthday cards to Downing Street; I joined members to go and hand those in. I have to say that I was hoping there might be slightly more enthusiasm from the Government for celebrating the anniversary. We did have a discussion at Transport questions, and the Minister, I am delighted to say, had removed the threat of ongoing review, but I was hoping for something slightly more celebratory—a bit more Jürgen Klopp, a bit more dancing up and down, celebrating the success of the bus scheme.

**Lilian Greenwood** (Nottingham South) (Lab): I congratulate my hon. Friend on securing the debate. He is a very long-standing supporter of buses. Will he

also congratulate the TUC Midlands pensioners' network? Its members marked the 10th anniversary of the concessionary bus pass by touring the midlands using their passes. My hon. Friend will not be surprised to hear that, when they came to Nottingham and we were talking to residents in Market Square, the overwhelming number of people did not avoid us; they came and spoke to us, and they expressed their great joy and made celebratory remarks about the bus pass for older people and disabled people, because they know what a lifeline it has been for so many people. Does my hon. Friend agree?

**Daniel Zeichner:** I thank my hon. Friend for that intervention. She is very prescient, because the TUC campaign was in the next paragraph of my speech; she has pre-empted it. She is right. Those of us who have done market square campaigning will know that we are not always a magnet for people to come and join us and enthuse, but I find that whenever we speak to older people, they are enthusiastic. I echo my hon. Friend's congratulations to not only the east midlands TUC but Richard Worrall, who, when the scheme was initiated, set off on a tour of the country and was able to demonstrate that, using his bus pass, he could get round the whole country, which was very exciting. I am told that he is going to do that again, and certainly if he comes through Cambridgeshire I shall be very pleased to join him, although I shall be paying the extortionate fares that we suffer in rural Cambridgeshire—should we be lucky enough to find a bus. I say that because the enthusiasm to which I have referred is tempered by the fact that, in far too many areas, the Government seem to be managing decline rather than celebrating new routes. I will say a little about how that might be addressed, but first I would like to go back to the history of this scheme.

As I look around the Chamber, I see that some of us are old enough to remember that in the '80s and '90s pensioner campaigning was central to everything we did. I remember that, as a parliamentary candidate, I was summoned to many vibrant meetings—the pensioners' organisations had a long list of demands at the time. That was because they compared, strangely enough, our situation in the UK with that in many other European countries and found that our European neighbours often enjoyed a whole series of things that pensioners in our country did not. One success of the post-1997 Labour Government was that they addressed pensioner poverty. I am thinking of measures such as free eye tests, the winter fuel payment and so on, and the bus pass was of course a key part of that.

However, there was not a particularly smooth path to that. We started with quite a panoply of schemes. Some places, such as London, had long had better schemes. Some of the urban areas—I have to say that they were almost always Labour-run areas—had been much more generous in the past. However, in the shires, it was much more of a battle. A kind of halfway house was introduced back in the Transport Act 2000, which gave pensioners half-price fares. That led to quite a lot of even more vexed campaigning.

I remember going to a Labour policy forum in 2004 with colleagues from adjoining counties in the rural east of England—I particularly remember the then leader of Norfolk County Council, Celia Cameron, and Bryony

[Daniel Zeichner]

Rudkin from Suffolk. We sat with the then Secretary of State for Transport, Alistair Darling—this was long before he realised he was to become Chancellor of the Exchequer—and explained to him why we thought that a concessionary fares scheme of this type would be not only equitable and fair but hugely popular. I remember the look on Alistair's face: he said, "Do you know how much that would cost?" That was actually quite a good question because, as I shall explain in a minute, the question of costs has never been properly tied down. His point, of course, was that it would be quite a costly commitment. We went away, having established the idea in principle, but with no great hope that it would necessarily be adopted, so it was with huge joy that we greeted the development a year later. I am not suggesting that it was just we who achieved this; it was a wide range of campaigners, but in the 2005 Labour manifesto a full scheme was suggested, and it was finally implemented in 2006.

The issue of funding is important because, right from the beginning, it has proved to be complicated and difficult. When I was a parliamentary candidate, I spent many a happy hour trying to work out, with my local county councillors and district councillors, who was paying for what and how much it was really costing, and, frankly, coming to the conclusion that probably no one was entirely sure.

We are told that, overall, this scheme now costs £1.17 billion per annum. Not surprisingly, the cost has increased since the scheme was introduced. We are told that, in 2013-14, 9.73 million concessionary travel passes were issued across the country; that puts the average cost at £120 per person. When the scheme was first introduced, the Government provided an extra £350 million for 2006-07 through the formula grant system to fund the cost to local authorities as they then saw it. Between 2008 and 2011, the Department for Transport provided a special grant, totalling just over £650 million, to local authorities to pay for the statutory concession.

Since 2011, however, it is the formula grant that funds the bus pass; money is no longer ring-fenced. Of course, it is a familiar sleight of hand by central Government to apparently put money into the local government grant and tell local government that it has to do this. As the years go by, it becomes less and less clear what the money is for. There is a strong suspicion that it is a sleight of hand, and particularly when councils are being so heavily squeezed, it is asking a lot of them.

Therefore, my first question to the Minister is whether she would like to have a word with the Treasury about looking again at providing proper, ring-fenced funding for the scheme to local authorities. It is not entirely clear to me that the current system of local government finance, particularly with the move away from central Government funding and, supposedly, to business rates retention, actually provides a good, sustainable model for supporting a scheme such as this.

**John Spellar** (Warley) (Lab): Surely a proper cost-benefit analysis ought to be part of that assessment. In many rural areas, the benefit is that people in smaller, local towns can access services. Most significantly, the benefit is to the health budget, by keeping so many of our pensioners active and engaged. There are lots of studies

now on the impact of loneliness on older people. This scheme helps to get people out and about, and maintains their health for much longer.

**Daniel Zeichner:** My right hon. Friend is absolutely right. I will come on to the social and environmental benefits in a minute. This partly shows us how complicated it is to assess the long-term benefits.

Returning to the relationship between central Government and local government, local authorities were charged with coming up with a reimbursement system that left the operator no better or worse off, but they are in a difficult place, and I will come on to the reimbursement system in a minute. The Local Government Association estimates the cost to local authorities at around £760 million a year, with a funding shortfall of £200 million. I suspect that that pressure will only get worse.

The operators are not keen on the system at all. I frequently hear complaints. It is difficult to prove what it costs to carry passengers for free, in a way that observes that reimbursement rule. Putting some extra people on half-empty buses does not necessarily cost more. If there are too many extra people, however, extra services are required.

I understand that the prime task of the bus operators—the big five and many smaller operators—is to return a profit to their shareholders. That is right and proper; that is what they do. They will inevitably claim that this costs rather a lot. In the early days—this was my experience in Cambridgeshire—the bus operators did quite well, because the reimbursement cost they extracted from the county council was rather high. Over time that seems to have settled. As has been said in questions to Ministers, the number of appeals has settled down, which suggests that there is a kind of settlement in all this. I think there is a wider question, however, of how and whether the reimbursement system works.

There is a comparison to be made between London, which has a regulated system, and the rest of the country. Thanks to the Bus Services Act 2017, we hope that some of the new mayoral authorities will adopt franchising. I hope my own in Cambridgeshire does. In London, where you have gross cost franchising, it is much simpler for Transport for London to make decisions about the public good. It decides the fares and the frequency, and then it pays the operator to deliver the service. In a way, the operator has much less to worry about, provided it does not drive up usage and extra costs too far. For London, which groups pay and which do not, and how much is made up by the fare box and how much is raised in others ways, are political choices.

In the rest of the country, it is much less clear. It could be suggested that operators have a perverse incentive to put up fares, because if they know that many of their passengers will be concessionary fare holders, they will be reimbursed for that. We will see whether that gets any response from the operators. The choice over discounts and whether young people should qualify for similar fare schemes is essentially market driven; it is not a choice around social need or the social good. There is a huge opportunity, if we shift to franchising, to move to a much clearer and more efficient model. It may reduce operators' profits, but if it provides lower fares and space for social choices for the social good, it is worth them paying that price.

I pay tribute to the work being done by the Transport for Quality of Life team, including Lynn Sloman and Ian Taylor, who have begun to look at European systems where, effectively, transport is provided for free across an urban area—it is predominately urban areas at the moment. That is not a novel or unprecedented idea, because many people take the view that public transport—like health, education, policing, parks and museums—is an essential public service that contributes to the fabric of local life. The organisation's work—often commissioned by my trade union, Unite—shows that this is already happening in 100 towns and cities worldwide, including more than 30 in the United States and 20 in France. Dunkirk, with a population of 200,000, will apparently become fare-free in September. The largest city in the world to have made its public transport free is Tallinn, the capital of Estonia, with a population of 440,000. Free transport was introduced to residents in 2013. It has cost the city €12 million, but it believes that that has been offset by a €14 million increase in municipal revenues, as many more people have moved there, increasing the tax base.

That links to some of the work being done by my colleagues on the Transport Committee about mobility as a service. We are looking at a whole new range of ways of getting around cities. My vision is what I see when I visit an airport. Some airports are like small cities. There are travellers, lifts, shuttle metros and shuttle buses. The noticeable thing is that we do not pay to get on each of them, because it is in the interests of that community to get people where they want to go quickly and efficiently. I argue that is in the interest of all of us, in all our cities and smaller towns, to ensure that people can get around quickly and efficiently.

That is my vision for the future, but to return to the present, extending franchising beyond the mayoralty areas would allow local authorities much more control over services in their areas. It would put them in a much stronger position to maintain stability in funding the national concessionary travel bus scheme. The additional flexibility could also be extended to the community transport sector. That is sometimes a controversial issue, but it is being raised by people in the sector. If we are looking for a flexible mix of transport solutions, particularly in rural areas, I think it should be considered.

My right hon. Friend the Member for Warley (John Spellar) has already raised the social issues involved. Very good work has been done on that by Claire Haigh at Greener Journeys. She demonstrated, in research done a few years ago, that each pound spent on a bus pass generates at least £2.87 in benefits to bus pass users and the wider economy.

**Lilian Greenwood:** Like my hon. Friend, I am very familiar with “Bus2020: The Case for the Bus Pass”, produced by Greener Journeys. I noted that in responding to the Government's decision to confirm the bus pass, Claire Haigh produced an updated figure. Greener Journeys' research has now shown that every pound spent on a bus pass delivers at least £3.79 in wider benefits for society. That updates the case made in 2014, when Greener Journeys first published that research.

**Daniel Zeichner:** That shows why my hon. Friend is Chair of the Transport Committee—I should keep up. That is an even bigger benefit. I know it is always

difficult for Government when such figures are put forward, but in straitened times, understanding the wider cost-benefits is one of the challenges. How many of us have sat on councils where we have talked about trying to pool budgets and make things work more efficiently? It is a challenge, but one worth pursuing.

As we have heard, there are also savings for social services. The social benefit is intangible, but some interesting recent research by Transport Focus has shown that the social benefit of the bus—people talking to one another as opposed to taking separate taxi journeys—has a real value. We must not underestimate these social benefits. The bus absolutely contributes to the wider social good.

**Lilian Greenwood:** My hon. Friend is being generous with his time. Does he agree that the value of the bus is not only in its social benefits, but in the opportunities for the Government to realise some of their other policy goals, such as tackling poor air quality and congestion in our cities? Does he share my concern that the Government's figures on congestion and traffic rises indicate that by 2040 there will be a 55% rise in traffic and an 86% rise in congestion? That is why it is in all our interests for the Government to adequately support bus travel.

**Daniel Zeichner:** Once again, my hon. Friend is absolutely right. The environmental benefits are really important. I was pleased to see the Minister announce at the UK bus summit the retrofitting proposals, which I was happy to see in the Labour party manifesto last year. It is always good to see the Government adopt such things, and I will have some more suggestions for the Minister in a minute. Alongside that proposal are the very good hydrogen buses that are being developed. I suspect that other Members, like me, have been happy to go and see them. All those things add to my point that the bus is one of the important ways forward in improving the quality of life in our cities, towns and villages.

One extremely good way of promoting buses is by looking at the younger generation, who we are reading about this morning.

**John Spellar:** Just before my hon. Friend moves on, I want to make a point that may lead on to the next part of his speech. Does he share my concern about the Resolution Foundation's report today that calls for increased taxes and charges on pensioners? It once again raises the concern that many pensioners have that their use of or access to bus passes will be rationed or restricted. I hope he would say that that certainly should not happen, and perhaps give the Minister an opportunity to make it clear on behalf of the Government that they will definitely not be taking any action to change the availability of bus passes for pensioners.

**Daniel Zeichner:** My right hon. Friend is an experienced and skilled operator, and I am sure the Minister will have heard his challenge, which echoed the challenge I laid down at Transport questions the other day. Older generations may have done better—as I indicated, only 20 years ago pensioner poverty was a very real and terrible thing, and because of policy changes it is only recently that people have been less likely to be poor when they are older—but we have to get the balance

[Daniel Zeichner]

between generations right. We do not do that by punishing another generation; we do that by finding the resources from other places.

Turning to younger people, who now need to benefit, I want to reiterate something about the scheme in general. Claire Walters, the chief executive of Bus Users UK, recently said:

“Far more people rely on bus services than trains in this country. They are as vital to many people’s lives as gas, electricity and water”.

For many young people, particularly those in rural counties such as mine, getting to college or work is a real challenge. We are not talking about home-school transport today, but the Government would do well to consider that at some point, because there are rumblings in the shires, as they may have noticed last Thursday. Part of the challenge for young people is the cost of travel, including home-school transport.

As my right hon. Friend has just mentioned, the Resolution Foundation report showed the immense squeeze on the younger generation. They have experienced the tightest squeeze on household spending we have known since 2000, and they now consume 15% less than older working-age people on items other than housing. As we know all too well, home ownership is now out of sight for many people who are working, particularly in cities like mine. At the other end of the spectrum, those under 25 face significant restrictions on the amount of benefits they can claim.

I was absolutely delighted by the announcement by Front-Bench hon. Friends a few weeks ago that in future Labour would provide free bus travel in some parts of the country to those under 25. That would reduce the barriers to accessing work and education that so many young people face. The proposal could benefit up to 13 million young people, helping them save up to £1,000 a year. My hon. Friends have suggested that money ring-fenced from vehicle excise duty could be used. In addition to my earlier argument about franchising, with much greater control from local authorities there could well be extra headroom within local funds to help fund such an extension of the scheme.

I can anticipate the reaction from the bus operators. My local Stagecoach bus manager, with whom I have had many detailed conversations about bus franchising over the years, is not shy in coming forward to warn me of the perils of such an approach. I say gently to the operators that while their books remain closed and their finances opaque, it is not unreasonable for those of us interested in the wider public good to wonder whether more savings could not be made. We are told it is an unregulated market, but it is a funny kind of free market when public money accounts for more than 40% of bus operator revenues through local authority contracts, the bus service operators grant, reimbursement for trips made under the concessionary passholders scheme and grants. We therefore have a responsibility to ask whether we are making best use of that public money.

There is a lot of public money going into the bus system. Can we make it work better? I welcome the announcement that the concessionary fare scheme is no longer under review, but as I intimated earlier, I would like a slightly warmer endorsement of the underlying principles and a true enthusiasm for universally available

mass public transport systems. Let’s hear it for the bus! Where older people have led the way, let us open the door for young people too. As we do not know when the next general election is coming—it could be a little while yet—will the Minister consider meeting me and the shadow Minister responsible for buses to discuss adopting yet another of Labour’s excellent bus policies? Young people would be as happy with their new bus pass as millions of older citizens have been with theirs over the last decade.

9.55 am

**Patricia Gibson** (North Ayrshire and Arran) (SNP): I am pleased to speak in this debate about concessionary bus passes. As the House will know, the matter is devolved to the Scottish Parliament, and it is a policy to which myself and my party remain absolutely committed. As we have heard, the point of free bus passes for our senior citizens is not only to enable them, but to actively encourage them to go out and about and to socialise. We know that improves their wellbeing and their mental and physical health. It is worth remembering that society encouraging good physical health in senior citizens, even in purely monetary terms, is a sensible and ethical thing to do since the older someone is, the more likely they are to develop problems with their physical health.

It does not help senior citizens or society for our older people to be trapped at home, whether that is for reasons of poverty or a lack of social contact. We want them to live productive lives, travelling about the country, volunteering, spending time with grandchildren and building up social networks. That will keep our communities vibrant and our older people healthier for much longer. Indeed, a fairly recent study by KPMG found that every pound spent on the bus pass generates more than £2.87 of benefits for society and the wider economy. We have heard from the hon. Member for Nottingham South (Lilian Greenwood) that that has been revised upwards to £3.79, which is good news. The same report said that scrapping the passes would cost £1.7 billion due to the likely decline in volunteering and poorer health and wellbeing among older people. The news on free bus passes is very positive.

The scheme enables older and disabled people to have fuller and more efficient access to the key public services they need and to take part in activities that would not be affordable to them without the free bus pass. That freedom to travel has a wide range of social, economic and environmental benefits, including the ability to use local shops and being more able to look after children and care for others. The study says that four out of five of those eligible to take up bus passes do so. The 12 million pass holders altogether took more than 1.2 billion trips across Britain in 2012-13. According to Passenger Focus research, some 95% of passengers believe that older and disabled people should be entitled to a free bus pass.

**Lilian Greenwood:** The Department for Transport’s latest statistics reveal that outside London, concessionary bus journeys have decreased by 14% since 2010-11. In London, they decreased by 4.8% in the same period. Does the hon. Lady not share my concern that the reduction in bus travel generally and the reduction in services, particularly supported services, by local authorities

is leading to fewer people making use of their bus pass, perhaps because there is not a bus on which they can use it?

**Patricia Gibson:** The hon. Lady anticipates an important point I was going to make. My party and I are absolutely committed to free bus passes, because the policy makes ethical and financial sense. We know it would be penny wise and pound foolish for the bus pass to be under threat, and the hon. Lady makes a very good point.

In Scotland, Transport Scotland provides an annual subsidy of about £70 million to the bus industry, the aim of which is to keep fares at affordable levels and to enable bus operators to run services that might not otherwise be commercially viable. However, as a bus user myself, as someone who relies on public transport and having listened to what my constituents tell me—which I see for myself every day—I am concerned about cuts to bus services across North Ayrshire. That has persuaded me that we need to look seriously at bus reregulation—in my constituency the cuts to bus services have been nothing less than savage.

There is limited value in giving someone a free bus pass to encourage them to get out and about and to improve their health and wellbeing, if the bus services are cut to the point at which one cannot go where one would like to go using that bus pass. We need to look at bus reregulation, because the cuts have had a devastating effect in my constituency. I know that I am not alone in that situation.

Politics is always about choices. The principle of the free bus pass is a prize that we need to hang on to. Whatever else happens, it is something that we need to value, not forgetting the benefits it brings to us and to older people in our wider society. Politics is about choices, and we in the Scottish National party will continue to support the principle of free bus passes for pensioners but, like the hon. Member for Nottingham South, I am concerned about the overall cuts to bus services in our communities.

10.1 am

**Jim Shannon (Strangford) (DUP):** It is a pleasure to speak in this debate, Ms Ryan, and I congratulate the hon. Member for Cambridge (Daniel Zeichner) on securing it and on setting the scene for us.

I have a particular interest in this issue because we are one of the regions of the United Kingdom of Great Britain and Northern Ireland that already has a concessionary bus pass in place. I am pleased to put on the record in *Hansard* that my hon. Friend the Member for East Londonderry (Mr Campbell) was the Minister who put that in—and he is now a recipient of the bus pass. It is always good to have such contributions in *Hansard*. I should add that I, too, am entitled to be a recipient of the bus pass, although I have not applied for it or taken it up. I want to make that clear.

**Mr Gregory Campbell (East Londonderry) (DUP):** I thank my hon. Friend for mentioning in passing that I introduced the pass. Does he agree that what we have seen in the 17 years since it was introduced in Northern Ireland is the incredible advantage taken of it by our elderly citizens, to the advantage of their social mobility and of their wider community?

**Jim Shannon:** My hon. Friend and colleague is absolutely right: the advantage of the concessionary bus pass in Northern Ireland is one that we see the benefits of—I see it in my constituency. For those who are on in years, the introduction of the bus pass has provided the fun of the bus journey, which can be across all of Northern Ireland, so they get the chance of going places, and all that without the fuss and the bustle of driving a car through traffic, which makes it relaxing for them. He is right that the bus pass has helped to improve social inclusion.

I want to declare an interest, not just as someone over 60 but because I am entitled to a bus pass—though, as I say, I have not taken it up. I have not availed myself of the pass because bus services outside the main cities are not the most frequent, including in my home village of Greyabbey on the Ards peninsula. My younger brother does use the pass, and so I want to focus the Minister's attention on three issues: disability; vulnerability; and, for some people, social isolation, as my hon. Friend the Member for East Londonderry said.

Some 12 years ago, my younger brother received a serious head injury during a motorbike race. He avails himself of the bus service, which stops literally outside his house. Our Keithy gets such freedom and independence from the bus. I have to mention the particular care given to him by the bus drivers—simply put, Keith is disabled as a result of the motorbike accident, so needs help getting on and off the bus, and the drivers are extremely helpful and give him specific care. That is a personal experience, but I hope this House will benefit from my alluding to it.

The bus pass for my brother means the difference between a life constrained to his four walls and the ability for him to go to the shop or to call into the office to see my staff, as he so often does. The fact of the matter is that Keith received severe brain injuries in the accident, so he also has someone that goes with him. A lot is happening there. I mention Keith because it is for him and others like him that I stand here—so that we do not forget the disabled or the vulnerable, to whom the pass is the difference between freedom and isolation, between community and loneliness and between connection and seclusion, especially in rural communities.

Those on the disability living allowance or, as it is now, the personal independence payment receive the half-fare concessionary option. Those like Keith who have to live off their state benefits because of their disabilities are therefore able to go out twice a week without being concerned about counting the pennies. It is a tremendous scheme. I am not saying that only because my hon. Friend and colleague introduced it, but because it is tremendous. I pay credit to all the hard work that went into the scheme that operates in Northern Ireland. Furthermore, those who have driven all their lives but are declared medically unfit to drive can still access an affordable way to get to work and to travel.

In 2016-17, to give an idea of the take-up in Northern Ireland, 312,593 SmartPasses were held by older people. I am following up on the hon. Member for North Ayrshire and Arran (Patricia Gibson), who listed the advantages for Scotland, as will her Front-Bench colleague, the hon. Member for Kilmarnock and Loudoun (Alan Brown). Comparing the numbers for holders of the 60-plus SmartPass and the Senior SmartPass for those over 65 with the 2016 mid-year population estimate of

[Jim Shannon]

persons aged 60 and over, uptake of the SmartPasses was approximately 79%, which is a tremendous figure. Ninety-five per cent. of the passes were held by people aged 60 or over.

Moreover, in 2013 to 2015, almost a fifth—18%—of persons aged 16 and over who were surveyed reported having a mobility difficulty. On average, those with a mobility difficulty made 590 journeys per year, so they not only took up the concessionary passes, but made use of them, which goes back to the point made by my hon. Friend the Member for East Londonderry: it has turned out to be a magnificently utilised scheme by those who gain the advantage and benefit of it. On average, therefore, those with a mobility difficulty made 40% fewer journeys than those without a mobility difficulty, who made 988 journeys per year. In 2016-17, 98% of buses and coaches used as public service vehicles were wheelchair accessible. Transport NI, which runs the bus service in Northern Ireland, including the private bus companies, has taken significant steps to make its buses wheelchair and buggy-friendly, investing a lot of money.

I say this often, not to boast but to make a point: in Northern Ireland we have taken steps to advance things greatly, as others have in other parts of the United Kingdom of Great Britain and Northern Ireland, and the concessionary fares, with the public transport response and investment, is an example. In Northern Ireland, clearly there has been large uptake of the pass by the elderly population and that is for a reason: many are unable to drive any longer, many feel less confident in driving and parking, and many have worked all of their lives but never had the opportunity to travel throughout Northern Ireland and now wish to do so. The concessionary fares also help take people to the Republic of Ireland, so they go outside our own area.

I recently read an article in the *Belfast Telegraph* that highlighted the extent of social isolation and loneliness in Northern Ireland. This goes back to the point made by my hon. Friend the Member for East Londonderry. I wish to quote it in its entirety, because it is important to have it recorded in *Hansard*:

“Northern Ireland is in the grip of a loneliness epidemic, with a quarter of people admitting that they don’t even know their neighbours’ names.

Nearly two-thirds (63%) of people admit to feeling lonely, a report found... The Rotary Club’s State of the Nation survey questioned people aged 16 to 59 on social and community issues.

It found that the highest percentage of people feeling isolated were in the 16 to 29 age group (71.5%), followed by 62.7% of those aged 30 to 44—ending the myth that loneliness only affects the elderly.

Further analysis shows that, while nearly half of people (48.6%) see their families on a weekly basis, a small number (2.9%) never see their relatives... The report found the main causes of anxiety for people in Northern Ireland were mental health (60%), poverty (57%), health problems (54%) and opportunities for young people (51%). Worryingly, 92% of people confessed to feeling bogged down by the stresses and strains of modern life”—

“bogged down” is one of the Ulsterisms we often use; I hope everyone understands what it means—

“while 42% thought it was harder than ever to manage finances, get on the property ladder (40%) or maintain a job for life (40%).”

The concessionary scheme is a way of connecting people. It allows people to make the journey to visit a family member without waiting on someone to collect

them and leave them home. It allows those who may otherwise not be able to attend their local church or community group seniors meeting, or indeed their care for cancer group, to hop on public transport and go. Those two things are very important in my constituency—they mean a lot to my constituents. I see among the people I speak to on the ground that there is massive take-up of the concessionary fee in my constituency.

The SmartPass concession does not benefit only the holder, does not simply help to combat rural or social isolation and is not merely a means to open up the transport network to those who are no longer able to drive, are widowed or have lost their driver through death or divorce, although all those things are worthy enough. I spoke to constituents yesterday on the doorsteps of Greyabbey—like other Members, I try to make contact with people regularly, and yesterday was an opportunity to do that when people were at home—and a number of them said to me, “I’ve lost my driver,” or, “I was friends with a person who lost their partner, and now they’re away.” The concessionary fee and the bus become a big part of those people’s lives. Concessionary and free bus passes connect us all to each other, and we must think long and hard before we alter that and introduce means-testing.

I say this cautiously, but for how much longer will we squeeze our middle classes—people who have worked all their lives? Will it be until they are brought to poverty the minute they retire and stop working? Surely they deserve to retire at some age, and we must attempt to protect this perk. I spoke to the Minister and her Parliamentary Private Secretary, the hon. Member for Bolton West (Chris Green), before the debate to remind them of the things I want them to focus on. The priority should be disabled people, vulnerable people and those who feel socially isolated. I believe that we could do something on the mainland. I know there would be a cost to that, but we cannot ignore the many benefits that would come off the back of it.

10.12 am

**John Grogan** (Keighley) (Lab): It is a great pleasure to follow the hon. Member for Strangford (Jim Shannon), who spoke passionately and movingly about the progressive policies in Northern Ireland. I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner), who certainly did the bus proud in celebrating the 10th anniversary of concessionary bus passes. I am 57 years old, and I hope—if the Lord spares me—to get my own bus pass by the 20th anniversary. There is no greater joy in life than sitting on the front seat at the top of a double-decker bus, as I did this weekend. I must put on the record that, in my unbiased opinion, Keighley bus station is the friendliest in the United Kingdom.

The hon. Member for Strangford rightly said that conversations on buses can be frank. Having conversations we would not normally have is one of the great joys of travelling on buses. I left the House in 2010 and spent a number of years outside it. I used to get the little hopper bus—the 962—from Otley to Ilkley. I was the youngest person on that bus by far. A particular lady who was well into retirement shouted across the bus to me every week, “Have you got a proper job yet, love?” The whole bus was riveted by the progress of my career outside the House.

The question of means-testing comes up from time to time, but the evidence shows that concessionary bus passes are a progressive policy. They are used by the middle class, but they are used most by those who need them most. If I remember the statistics correctly, a 2016 Department for Transport study showed that people with an income of £10,000 or less make twice as many journeys as those who earn more than £20,000, and that non-drivers tend to use their concessionary pass about three times more than drivers. It is a progressive policy. A quarter of people, like the hon. Gentleman, do not use their bus pass, but that is self-selecting. I do not think people waste their bus passes, but those who need them most use them most.

We have heard a lot about loneliness. This policy—one of the Labour Government's most progressive measures—was introduced in 2006 for local public transport in England and extended nationwide in 2008. To be frank, loneliness did not come into the debate very much at that time. However, as other hon. Members have put more powerfully than I can, whatever someone's income and however many friends they have—even if they have nowhere to go—they can get on a bus and get out, do a bit of window shopping, have a few conversations and so on. That is wonderful, and I hope that all parties commit in their next manifestos to leaving the scheme unaltered.

**Lilian Greenwood:** My hon. Friend makes an important point about people making journeys almost for the sake of it, to keep up with friends or just to get out of the house, but around 25% of bus journeys by older people using concessionary bus passes are for medical appointments. Many of those people struggle with inaccessible or irregular bus services, as Age UK stated in its recent "Painful Journeys" report. Does he share my concern that those journeys are becoming increasingly difficult because of the number of bus routes that have been cut?

**John Grogan:** I do. As the number of bus routes is cut, the potential for journeys is cut. I think that is why there has been a slight but significant decline in the use of bus passes.

One of the great things about the scheme in 2008 was that it was universal in England. People over 60 knew that, wherever they went, they could travel on a bus for free. With the rise in the pension age and so on, that is no longer true. There is a patchwork of schemes across the country. As I understand it, London, Scotland, Wales and Northern Ireland have put extra money into the scheme so that people over 60 can travel for free on buses. In the rest of the country, I think that is true only in Merseyside. The scheme, which was national in England, and indeed throughout the United Kingdom, is now broken, in the sense that people over 60 cannot be sure, unless they live in certain areas, that they can travel for free. That is a cause of resentment in areas of England outside London.

I will not divert too far into rail, but in some parts of England bus passes also give people rail concessions. Indeed, a number of years ago there was a revolt by so-called "freedom riders" against Sheffield City Council's plans to abolish the rail concession completely. As in West Yorkshire, concessionary bus pass holders in South Yorkshire now get half fares on the railway, so there is

that anomaly, too. I would like us to return to the idea that people over 60 can travel throughout England as of right, as they can in Scotland, Wales, Northern Ireland, London and Merseyside.

I do not want to detain hon. Members for much longer, but it is worth looking at bus regulation and the Opposition's plans for the under-25s. The politics of bus regulation is fascinating for those of us who were lucky enough to be in the House in 1997. If we are honest, even though the Labour Government were progressive in bringing in the concessionary fare scheme, they resisted bus regulation. We brought in a very complicated scheme of bus partnerships—it was almost impossible to jump through all the hoops—and we consulted on strengthening bus regulation only when we were out of office, because there was a lot of pressure, particularly from urban councils, to introduce it.

The current editor of the *Evening Standard*, George Osborne, then came along and wanted to do deals on devolution. What was the obvious thing he could offer to get Labour councils to sign up? Bus regulation. As my hon. Friend the Member for Cambridge said, it suddenly became fashionable in areas that were going to have Mayors. Then, lo and behold, some Tory shires thought, "We want a bit of this as well; we want to have a little bit more control of our buses," hence we have the Bus Services Act 2017. We will have to see how that develops.

In theory, areas throughout England now have the potential to go for bus franchising. I have always thought that it is a very good idea, for the reasons that my hon. Friend the Member for Cambridge outlined. I understand that we now have a policy on free bus travel for the under-25s, and I look forward to hearing the details. Whatever we decide to do must be properly costed to stand the rigours of a general election campaign, and I am sure that it will be, in time. I would like whatever we offer to be a national offer. Otherwise we shall be doing exactly what was done in the 1990s for the over-60s. There is a patchwork of schemes, depending on whether councils opt for bus regulation. I believe in devolution and in councils' right to determine the best way forward, but in my humble opinion it would overcomplicate things to say that under-25 concessions should be given only in areas that adopt a particular model of bus franchising or ownership.

I want to end on a positive note. My hon. Friend the Member for Cambridge lifted our eyes to the horizon of what is possible, and talked about free public transport as a possibility in some areas. That is not an idea of just the left or green elements of European politics; Chancellor Merkel's Administration are clearly looking, on grounds of air quality rather than anything else, at running some experiments with free public transport in places such as Bonn, in the west of Germany. In future, on environmental as well as social grounds, it will be well worth looking at those ideas—properly costed.

10.21 am

**Alan Brown** (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Ms Ryan. I congratulate the hon. Member for Cambridge (Daniel Zeichner) on securing the debate. We know that someone is passionate about a subject when they take the 9.30 slot after a bank holiday weekend; that is testament to his

[Alan Brown]

keenness. It is a pleasure to follow the hon. Member for Keighley (John Grogan). He made an excellent speech, in which he outlined his own passion for the subject. I was curious to hear about his excitement at sitting in the front seat of a double-decker bus. It took me back to my schooldays, but then the measure of how cool we were was how far back in the bus we could sit. I never quite made it to the very back seat—that tells Members all they need to know. I am also curious to know whether the constituent he mentioned thinks he has a proper job yet. I suspect that most people think working in this House is not a proper job.

A strong theme came through about how successful concessionary bus pass schemes are in social terms, because they give people mobility and stop them being isolated. That brings further benefits, and different cost-benefit ratios were cited, but the higher figure of £3.79, against £1 spent on the bus pass scheme, is clearly a good thing. The discussion of middle-class people using the schemes brought to mind a curious thing that happened in Scottish politics. A Labour-Liberal Democrat coalition in Scotland brought in the concessionary bus pass scheme in 2006, and it has been successful. Now that it is administered by the Scottish National party, however, apparently the universal concessionary element is suddenly a bad thing. We hear comments such as, “Why should a millionaire get a bus pass?” I have not met too many millionaires on the buses I have used, but if a millionaire takes a bus, leaves their gas-guzzler car in the garage and mixes with normal people like you and me, that is clearly a good thing for social cohesion. The universal aspect is important and we need to stick to it. I think most Members today believe that.

I like the fact that the hon. Member for Cambridge highlighted where there is universal free public transport. It is something we should monitor. The example of Tallinn in Estonia shows what a small independent country can do when it puts its mind to something. That welcome example is something to bear in mind for the future.

It would not have been a debate if the hon. Member for Strangford (Jim Shannon) had not spoken, so it was good to see him in his usual place. I must admit that the opening of his speech slightly disappointed me; I like to say how Scotland is first at everything, but he highlighted the fact that Northern Ireland brought in concessionary bus passes 17 years ago, and clearly it was the first part of the UK to do it. It is clearly a good thing, and we have all learned from that and introduced schemes. He gave a good personal example when he talked about his brother’s accident, and how having a bus pass enables him still to get out and about. That aligns in a way with the comments of the hon. Member for Nottingham South (Lilian Greenwood), the Chair of the Transport Committee. She explained that many people use bus passes for medical appointments, and they can thus be a lifeline service. That lifeline must be protected.

The hon. Member for Cambridge suggested that in England there is something of a hotch-potch, with a variety of qualifying ages. For most people it aligns with pension age, which, as we know, is continuing to rise—it is mostly 66 for people in England. In Scotland, Wales and Northern Ireland, we have retained a qualifying age of 60, which is clearly a good thing. We know about

the WASPI—Women Against State Pension Inequality Campaign—women who have lost pension; they have suffered a double whammy, because they cannot retire when they want and they do not get free bus travel. They must wait longer for all their benefits, and that is a real shame. At least in other parts of the UK there is a slight mitigation for those women, because they can still have concessionary bus passes.

I personally consider Labour’s proposed scheme for free bus travel for the under-25s to be a good thing. There was a wee bit of friendly fire in the debate on the question of how well costed it might be, so it would be good to hear the shadow Minister, the hon. Member for Reading East (Matt Rodda), explain the costings. In Scotland we are looking at extending the scheme not universally to the under-25s, but to modern apprentices, to help young people get to work, so we are going somewhat in that direction. We also have free travel for under-25s if they are volunteers. It would be good to hear how a universal scheme for under-25s would operate.

This is the type of Westminster Hall debate where those who speak are mostly in agreement. We all agree that concessionary bus travel is a good thing that should not be eroded. The UK Government need to look at extending it along the lines we have heard about, and that certainly includes removing the link between eligibility age and pension age. There are clear benefits in reducing loneliness and promoting social cohesion, and of course there are cost benefits. To give one more example, in response to what the hon. Member for Strangford said about the middle class, I speak to people who could be called middle class who love using their bus pass in Scotland for travelling and going out and about. I am a big fan of Kilmarnock Football Club and some of those people use their bus passes to go to away matches. People may ask why middle-class people should do that, but it gets them out and about, and used to using buses. There are cost benefits, as we have heard, because they go to other places and spend money, buying meals and so on, which helps the economy more widely.

10.28 am

**Matt Rodda** (Reading East) (Lab): It is a pleasure to see you in the Chair, Ms Ryan. I pay tribute to my hon. Friend the Member for Cambridge (Daniel Zeichner) and congratulate him on securing this important debate, and on his knowledgeable speech. He has been a consistent campaigner on transport issues for many years. I also thank other hon. Members for their many and varied contributions. The debate is indeed timely; as my hon. Friend mentioned, it is 10 years since the then Labour Government’s Concessionary Bus Travel Act 2007 introduced free off-peak travel on local buses, nationally, in April 2008. It is right to mark that milestone.

More journeys are made on buses than on any other form of public transport. Indeed, for many people buses are the only form of public transport available. My hon. Friend the Member for Cambridge correctly says that the research shows the enormous benefits that concessionary bus passes bring to older people. For example, although it also covers modes of transport other than buses, Transport for London’s freedom pass is aptly named: it gives older people the freedom to travel locally, it increases their access to services and activities, and it reduces loneliness. I am sure we all agree that is a good thing.

My hon. Friend is also right, however, that the funding for concessionary bus passes has been contentious. Although there is a statutory duty on local authorities to provide concessionary travel schemes for pensioners and disabled people in England, there is no ring-fenced money. At a time of growing austerity, local authorities have highlighted how funding cuts have forced them to divert money from other services to continue to support the concessionary fares scheme. A recent Local Government Association briefing estimated that there is a £200 million shortfall in the moneys paid by the Ministry of Housing, Communities and Local Government as a non-ring-fenced formula grant. I am afraid that is down to a failure by the Government in devolving the cuts, giving local authorities the responsibility to deliver services while not providing the resources, or the means for them to raise funds, for that delivery. The next Labour Government, however, have committed to enabling councils across the country to provide first-class bus services for all, by extending the powers to reregulate local bus services to all areas that want them.

We have also committed to supporting the creation of municipal bus companies: those publicly run for passengers and not for profit. Municipal companies often provide cheaper services. They have higher usage and, as a result, provide much better value, both to passengers and to local businesses and services. Firms such as Nottingham Transport Group, and Reading Buses in my constituency, are indeed a model for many other areas. We would also introduce regulations to designate and protect routes of critical community value, including those that serve schools, local hospitals and isolated settlements in rural areas.

Labour will always be on the side of pensioners and will work to ensure security and dignity for older people in retirement. In our last manifesto we committed to keeping free bus passes for older people as a universal benefit, which we believe is a right rather than a privilege. However, as has been mentioned, we would go further. We are committed to concessionary travel, and the next Labour Government will extend free bus travel to under-25s across the country, in a move that would benefit up to 13 million younger people. Young people and households with children have less disposable income than working-age adults or households without children. Young people tend to be in lower-paid and more insecure work and they spend a higher proportion of their income on travel. Free buses are therefore an investment in the future of our children and young people, through improving their access to education and work. As with older people, encouraging children and young people to lead more active lives has significant related public health benefits.

The next Labour Government will provide funds for free travel for under-25s for local authorities that introduce bus franchising, as mentioned by my hon. Friend the Member for Keighley (John Grogan), or move to public ownership of local services through municipalising buses. Labour will support and incentivise such local authorities, and local municipal bus services will be run for passengers and not for profit. Research shows that removing the profits that are extracted from the bus sector would achieve savings of £276 million per year for the taxpayer.

On savings for younger people, it has been noted that they would save up to £1,000 a year through free bus travel, which would generate a lifelong habit of using

public transport. We will pay for that by using just one fifth of the revenue from the vehicle excise duty, which is currently ring-fenced for building new roads. We are committed to providing additional funds for new road building to support that policy through our other borrowing from central Government.

I am interested to hear what the Minister has to say about the policy, given her previous remarks that the scheme is undeliverable, despite the Welsh Conservatives proposing a similar policy last autumn, offering free bus travel for all 16 to 24-year-olds in Wales. Perhaps the Minister will explain why a policy of free bus travel is affordable for young people in Wales but not in England.

I agree wholeheartedly with my hon. Friend the Member for Cambridge that the Minister's announcement that the concessionary bus fare scheme is no longer subject to review is welcome. I am glad that he highlighted the immense value in our policy of free bus travel for under-25s, and I urge the Minister to join him in that.

10.34 am

**The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani):** I congratulate the hon. Member for Cambridge (Daniel Zeichner) on securing this debate about concessionary bus passes, and it is a pleasure to serve under your chairmanship, Ms Ryan.

I am a little bit nervous that I am not dancing or doing cartwheels, and the hon. Gentleman wanted a lot of excitement. Nevertheless, he is right that this debate is very timely and I am delighted that we are here this morning to mark the national concessionary bus pass. Instead of my dancing and singing, the good news may be that I announced some legislation only last month to protect the national concessionary travel scheme in its current form. I know that this issue was raised by more than one Member, so the Government have demonstrated our commitment to making sure that we no longer have to review legislation every five years, and this scheme will now be protected. Surely no greater celebration than that is needed.

Buses are essential for many people to get to work, to school, to doctors, to hospitals and to shops. Also, many hon. Members have commented today on how buses help to tackle loneliness and aid cohesion. For many people, particularly those in rural areas such as my constituency, the bus is a lifeline and without it they would not be able to access essential services or go shopping and socialise, with over half of those who rely on buses having no access to cars.

**Lilian Greenwood:** As the Minister represents a rural area, does she share my concern about the fact that the number of bus miles being served is decreasing? In the last year alone, there has been a 13.8% decrease in mileage on local authority-supported services, which she will know are approximately a fifth of all services. What will the Government do to address that decline in supported services?

**Ms Ghani:** Bus services in rural areas are a concern—especially in my constituency of Wealden—when we are dealing with an older population and people who might not have access to cars. However, this issue is complicated; it is not just about making sure that there is more money available. Funding is available through

[Ms Ghani]

the £250 million grant that supports bus services, and the bus service operators grant, with £40 million going directly to local authorities. It is also about making buses accessible and easier to use. I will go on to discuss the other things that we are doing to make buses a far more attractive way to travel, in one's own constituency let alone across the country.

Before that, however, I will just go on to another issue that the hon. Lady raised, which was loneliness. As part of the Prime Minister's commitment to deliver a national strategy on loneliness, a ministerial group has been set up: I sit on that group as the representative of the Department for Transport. I am a passionate campaigner—even if I am not doing the cartwheels that the hon. Member for Cambridge wanted—for explaining and sharing how buses are vital in tackling loneliness and helping cohesion.

The benefits of a reliable and innovative bus service are clear—less congestion, greater productivity, and communities that are connected rather than being kept apart. However, we need more people to benefit from buses. That is why we introduced the Bus Services Act 2017, which provides local authorities with new powers to bring about change and unlock the potential for the bus industry to achieve more for passengers than it does today.

That includes a range of powers to introduce franchising or enhanced partnerships, with guidance on how local authorities and bus operators can work together to improve bus services in their area. These could include multi-operator tickets, improved vehicle standards and better connections between transport modes, employment and housing, all of which will drive an increase in bus usage and performance.

That is also why, as I mentioned earlier, last month I announced a change in legislation to protect the national concessionary travel scheme in its current form, so that it can continue to provide free travel for elderly and disabled passengers for years to come. It has been noted that the scheme has a value of £1 billion for 10 million people, which means 929 million concessionary bus journeys, or, on average, 95 bus journeys being taken per bus pass.

The concession provides much-needed help for some of the most vulnerable people in society, offering them greater freedom, independence and a lifeline to their community. It enables around 10 million older and disabled people to access facilities in their local area, and helps them to keep in touch with family and friends. It also has benefits for the wider economy, which was a point made earlier.

The national concession sets a minimum standard available to any eligible person anywhere in England, but of course it does not come cheap. That is why, given the current economic situation, there are no plans to extend the remit of the basic concession any further. However, local authorities have the powers to enhance the offer with discretionary concessions, according to local need and funding priorities. That may include extending the times when concessions are available to include peak-time travel, offering a companion pass for people who need assistance to travel, and offering concessions on different modes of transport. Some 71% of local authorities offer further concessions for

elderly and disabled passengers. In Cambridgeshire, there are concessions for the elderly and the disabled before 9.30 am and after 11 pm.

Encouraging bus use among the elderly and the disabled is about more than just concessions. We are doing a lot to make buses more accessible. I draw attention to the comments made by the hon. Member for Strangford (Jim Shannon) on dealing with disability in his family and accessibility. On occasion, when I am allowed to leave this place, I am a carer for my parents, who both have very different disability needs. I know full well the occasional difficulties of being unable to understand which buses are running on which routes when dealing with people with different disabilities.

I will say more about accessibility later, but the hon. Gentleman will know that the Equality Act 2010 requires the bus industry to ensure that buses are as accessible as possible for disabled passengers. Recently we also made announcements to make it clear that priority seating should be for people in wheelchairs. Since 2016, all buses have been required to meet minimum standards, with low-floor access. From March this year, all drivers are required to complete disability awareness training. The next step will be to ensure that all buses have audio-visual announcements, so that people with hearing or visual impairments have confidence that the bus they take will work for them. We plan to consult on those proposals this summer.

**Alan Brown:** I welcome audio-visual announcements. I am one of the MPs who backed the “Talking Buses” campaign by Guide Dogs. Can the Minister give a clearer timescale for when audio-visual information will be mandatory on buses?

**Ms Ghani:** We have had the action accessibility plan, which we will respond to shortly—within the month.<sup>1</sup> We are working with the Royal National Institute of Blind People and the charity Guide Dogs. We meet regularly with them to talk about how we can make the information available on all our buses, and in the most appropriate form. Unfortunately, during a trial some passengers complained that too much information was being given out all the time, and that occasionally the wrong information was given out. We are working on that with all the charities involved with people with visual impairments.

The hon. Member for Reading East (Matt Rodda) has talked about concessions for younger people on several occasions. I draw attention to the comments made by the hon. Member for Keighley (John Grogan) that any concessions or free bus service available for younger people has to be financially robust and stand up to the rigour of examination. The Government recognise that public transport is of particular importance to young people, and that the cost of travel can cause difficulty for those seeking education, training or employment opportunities. That is why a trial extension of discounted rail travel for 26 to 30-year-olds has recently been announced. That industry-led initiative to gather evidence on a full roll-out has seen a 100% take-up. The first phase of the trial saw 10,000 railcards sold across Greater Anglia, including Cambridge.

As I mentioned, local authorities have the powers to offer travel concessions on buses to local residents, and there are many examples of that for groups such as students. As part of the Bus 18 partnership between

1. [Official Report, 10 May 2018, Vol. 640, c. 10MC.]

operators and West Yorkshire combined authority, there are half-price tickets for young people up to the age of 19, and pupils wearing their school uniform will no longer have to show a half-fare bus pass. In Liverpool, the voluntary bus alliance between Merseytravel, Arriva and Stagecoach has seen a flat fare of £1.80 for young people, with growth of 140% in bus travel by young people, as well as overall passenger growth of 16%. In Hertfordshire, young people aged 11 to 18 can pay £15 for a card that entitles them to half-price fares on local services.

There is more to encouraging bus use than cost alone. A recent report by Transport Focus found that young people want better access to information about buses. That is why we introduced powers through the Bus Services Act 2017 to require operators to provide better information on fares, timetables and when the next bus will arrive. In addition, a national scheme such as that in place for older and disabled people would require a change to primary legislation, but there are no plans to do that at present. The hon. Member for Reading East will appreciate that this is a complex area and there are no quick and easy solutions. The Department continues to work with local authorities and bus operators on young people's travel.

I return to the comments made by the hon. Member for Keighley on the robust nature of the budget put forward for free bus travel for the under-25s. Labour originally calculated that policy to cost more than £1 billion, but unfortunately, the numbers were later calculated to be closer to £13 billion. At the moment, that has not reached robust investigation in Westminster Hall.

**Matt Rodda:** I thank the Minister for her support and praise for local discounted schemes. I want to raise the report by University College London, "Social prosperity for the future: A proposal for Universal Basic Services". Although we are not proposing this—perhaps to the disappointment of my hon. Friend the Member for Cambridge—the research by University College London estimates the possible cost of free bus travel for every person in the UK to be £5 billion per year. That suggests that the Minister's estimate of £13 billion is somewhat excessive. Our estimate of £1.3 billion has been costed carefully.

**Ms Ghani:** The hon. Gentleman started at £1.3 billion and then moved on to £5 billion, which possibly could reach £13 billion—I am a little nervous about the true figure. We already have a concessionary programme that costs £1 billion. To announce something as available without it having been costed would do the bus industry no service.

The hon. Member for Kilmarnock and Loudoun (Alan Brown) mentioned apprentices; the Department is considering concession options for apprentices and is completing research on a feasibility study. We will report on that later this year and it will inform the development of the policy. There are no plans to fund such a scheme but we will see what the feasibility study concludes.

Reimbursement by local authorities to bus operators is made on a "no better off, no worse off" basis. The hon. Member for Cambridge noted that reimbursement appeals have been in decline and have reached a new low. In 2006-07, there were 69 appeals, but in 2017-18 there were just 21. That means that operators are fairly

recompensed for the cost of providing concessionary travel in both urban and rural areas. The reimbursement mechanism is now fit for purpose, as shown by the large fall in reimbursement appeals in recent years. EU state aid rules do not allow the Government to provide the concessionary scheme on any other basis—it cannot be used to provide hidden subsidy to operators.

Much has been said about the increase in pension age; the state pension age of men and women is being equalised. The pensionable age for women has risen gradually to reach 65 this year, and the state pension age for both men and women will rise to 66 by 2020. Equalising the age at which free bus travel applies makes the national travel concession scheme more sustainable. Finding efficiencies in this way rather than cutting back on the entitlement offer to older and disabled people is the best way to focus support on those who need it most.

It is right that Government support focuses on the most vulnerable members of society. The Government believe that local authorities are often in the best position to offer concessions that work for the people who live there. All local authorities have powers to introduce concessions in addition to their statutory obligations, including the extension of concessionary travel to those who are yet to reach the qualifying age. For example, in Cambridgeshire, the largest operator offers half-price travel to jobseekers.

I return to the point raised by the hon. Member for Cambridge about securing funding for concessionary travel schemes, which sit across many Departments. He was right to note that the Ministry of Housing, Communities and Local Government is responsible for the concessionary travel budget. The Treasury is jointly responsible for local authority ring-fencing. I work with all those Departments to ensure that we get the best that we can for bus services. We have just agreed a further two-year ring-fence for the local authority element of the bus service operators grant for the next two years.

The hon. Member for Cambridge also mentioned franchising; he will be aware that any local authority can request franchising, but will need to demonstrate delivery capability and a track record of doing so. We will see how that pans out.

I want to quickly talk about air quality and congestion, which was raised by the Chair of the Transport Committee, the hon. Member for Nottingham South (Lilian Greenwood). We have recently made some good announcements on that. The Government are committed to buses being greener, which is why we announced an extra £48 million for ultra low emission buses. That follows £30 million in funding for 300 new buses through a low emission bus scheme and £40 million for retrofitting 2,700 older buses to reduce tail-pipe emissions of nitrogen dioxide through the clean bus technology fund. We are trying to make journeys easier and more accessible, and to ensure that the concessionary bus pass remains in place.

I hope that I have demonstrated that the Government are committed to protecting the national concessionary travel scheme for buses. We are keen to do what we can to improve bus service patronage. Of course, I will meet with the hon. Member for Cambridge if he has good evidence of best practice, especially of initiatives that have taken place in other countries that we can use here,

[Ms Ghani]

and especially if they involve new, innovative technology, to learn as much as we can to ensure that the Department is doing what it can to increase bus patronage.

We are determined to ensure that bus patronage increases as much as it can, and we are focused on delivering concessions to those who need it most, while allowing local authorities and operators the flexibility they need to support their local populations. It was interesting to hear that, as we get older, we migrate from the front of the bus to the back of the bus, and then to the front of the bus again. Hopefully, we can all wait our turn until we get hold of our concessionary bus pass. Some will have to wait a little longer than others, but it will definitely be there, once we reach our old age.

10.51 am

**Daniel Zeichner:** I thank all hon. Members for the positive and constructive tone of the debate. I commend the Minister for her enthusiasm for the national concessionary fares scheme, which I hope will take it out of the political arena in future. For many older people, it has been a cause for concern but, if I understand what she is saying, we no longer need to have any concern about it.

A couple of points came out of the debate, such as universalism and means testing, as raised by the hon. Member for Strangford (Jim Shannon). It is fair to say that that debate ran through the Labour Government years. I think it has shifted in favour of universalism, and I hope it continues to, for all the reasons that hon. Members mentioned, such as bringing society together. There is an old adage that services for the poor produce poor services, but if they are universal services, they will be better services. That case has been particularly well made in terms of transport.

In the wise words of the Chair of the Transport Committee, my hon. Friend the Member for Nottingham South (Lilian Greenwood), the concern is the declining availability of buses in too many areas. Having a bus pass without a bus is no use to anybody. In some of my wider reflections about how we could make better use of the public money that is spent, I was trying to suggest how to reverse what has seemed to many of us to be a sad decline. We all want my hon. Friend the Member for Keighley (John Grogan) to enjoy the view from the front of his bus, but I suspect that if many more young people were on that bus, whether they were sitting at the front or the back, there would be more chance of having it. I commend Labour's policies to the Minister and I suspect, over time, that we may well see progress.

*Question put and agreed to.*

*Resolved,*

That this House has considered concessionary bus passes.

10.53 am

*Sitting suspended.*

## Children Missing from Care Homes

[MR PHILIP HOLLOBONE *in the Chair*]

11 am

**Ann Coffey** (Stockport) (Lab): I beg to move,

That this House has considered children missing from care homes.

It is a great pleasure to serve under your chairmanship, Mr Hollobone. One of the first Adjournment debates I initiated in this House in 1995 was on the subject of children's homes. I am pleased to say that since that time, there have been many improvements in regulation and inspection. In 2012, the all-party parliamentary group for runaway and missing children and adults, which I chair, held an inquiry into the risks faced by children missing from care homes. The inquiry expressed serious concerns about the high numbers of vulnerable children living away from their home town, some at a considerable distance. We heard evidence that children living in distant placements in children's homes were more likely to go missing and therefore at higher risk of physical and sexual abuse, criminality and homelessness. I must make it clear that I of course accept that placing a child in another area can sometimes be in that child's interest. My concern is that children are being placed in children's homes out of their local area because there is no choice in provision.

Ministers responded positively to our report and introduced a number of changes in 2013 to try to reduce the number of out-of-area placements, but despite repeated pledges the latest Department for Education figures show that the numbers in placements subject to children's homes regulations have soared from 2,250 in March 2012 to 3,680 in March 2017—a rise of 64%. They now account for 61% of all children in children's homes.

At the same time, the number of children going missing from children's homes out of their area increased by 110% between 2015 and 2017. That compares with a 68% increase in children going missing from children's homes in their own area. Some 10,700 children went missing from all care placements last year, initiating 60,720 reports, of which 12,200 missing episodes, or one in five, were from placements 20 miles or more from their home address.

On average, children go missing from all care placements six times per year. About 40% of all missing incidents involved a child from a children's home, despite the fact that they only account for 8% of all looked-after children. It is extremely concerning that nationally about 500 children were missing for more than one month in 2017, and 4,770 were missing for between three and seven days. Children who go missing are at risk of coming to harm and falling prey to grooming by paedophiles for sexual exploitation and by organised crime gangs exploiting them to carry and supply illegal drugs in county lines operations.

Figures for my own area of Stockport show that 53% of children reported as missing in April this year were at risk of child sexual exploitation and 65% of children who went missing from Stockport care homes were placed from other authorities. The report of the expert group on the quality of children's homes set up by the Department for Education in 2012 said that, "being placed a long way from family and friends is often a factor in causing children to run away."

Those children are also more likely to be targeted for sexual exploitation, as has been highlighted in cases in Rotherham, Derby, Torbay, Rochdale and Oxfordshire.

The last Labour Government placed a duty on local authorities to secure sufficient accommodation for looked-after children in the local authority area, so far as is “reasonably practicable”. The intention was to ensure local provision for looked-after children, so that they could be placed nearer to home, with access to friends, family and support services. Local authorities are required to publish a local sufficiency plan detailing how they are meeting that duty. However, despite the existence of these plans, the number of children being sent to live away from their home area remains stubbornly high.

One of the main conclusions of our 2012 inquiry into children missing from care was that the unequal geographical distribution of children’s homes meant that large numbers of vulnerable children were placed away from their home area. We found that many placement decisions were made at the last minute, driven by what was available at the time, and in some cases by cost, rather than by the needs of the child. Children told our inquiry that they felt dumped in children’s homes many miles away from home, which increases their propensity to go missing.

One of the expert group’s conclusions was that local authorities must improve the planning, management and monitoring of placements for looked-after children. Introducing the Children and Families Bill in February 2013, the then Children’s Minister, Edward Timpson, called for an end to the out of sight, out of mind culture, which he asserted had led to the high number of children being placed many miles from their home communities.

In January 2014, new statutory guidance on children who run away or go missing from home or care stated:

“Any decision to place a child at distance should be based on an assessment of the child’s needs including their need to be effectively safeguarded. Evidence suggests that distance from home, family and friends is a key factor for looked after children running away.”

An April 2014 Ofsted report, “From a distance: Looked after children living away from their home area”, said these children were more likely to go missing and to submit to the serious risks associated with going missing. The research showed that, in far too many cases, local authorities failed to pay appropriate attention to the quality of care provided, leaving too many children without the support and help that they needed. The most common shortfall was that decisions to place children out of area were driven by a shortage of placements close to home, rather than by individual need.

In 2016, the all-party group produced a report on safeguarding absent children. The inquiry obtained data from local authorities that suggested that—in the areas that responded to information requests—an average of 50% of missing looked-after children were children who went missing from placements outside their home area.

The National Crime Agency’s 2017 report into county lines drug operations said that gangs were deliberately targeting vulnerable children and young people in care. It said:

“Children assessed as vulnerable due to missing episodes do appear to be more regularly linked directly or through association to drug networks operating in the areas they reside.”

I recently surveyed all 45 police forces about the use of vulnerable children by drug gangs with county lines operations. Many forces, including Humberside and Essex, cited evidence of the targeting of vulnerable children in care—especially those living away from their home areas.

**Alex Burghart** (Brentwood and Ongar) (Con): I congratulate the hon. Lady both on the great work she has done in this area over many years and on securing the debate. Does she agree that the one thing that children in care need most is stability? In instances in which children have to be removed from their parents, we should attempt to preserve stability in as many other facets of their life as possible. If we leave them isolated, they can fall prey to exactly the sort of malign influences that she describes.

**Ann Coffey:** I absolutely agree. The hon. Gentleman has put his finger on it: children need stability. They need it when they live in families and also when we take them into our care. We should remember that and plan a care system that responds to that need for stability, taking into account what children say they need as well.

The other aspect I am concerned about, which I highlighted during a previous Adjournment debate on children’s homes in April 2016, is the continuing unequal distribution of children’s homes. Some 54% of all children’s homes are concentrated in just three regions. Nearly a quarter of all care homes, but only 18% of the children’s home population, are in the north-west of England. Conversely, London has only 5% of children’s homes, but 14% of the children’s home population.

The choice of placements for children is constrained by the uneven distribution of children’s homes. Children can be placed only where there are children’s homes. The care market does not seem to be working for children: an increasing number are being placed outside their home area, and consequently an increasing number are going missing and are at risk of harm from those who seek to exploit their vulnerability.

The unequal distribution of children’s homes demonstrates a continuing catastrophic failure of the care market for some children. The system seems to work for the providers, but not for the children. The failure of the care market can be demonstrated vividly by the 2017 north-west placements census. Placements Northwest is a regional children’s service that assists the 22 local authorities in the north-west that make out-of-authority placements. It said in its recent report:

“There remain many young people from the North West placed outside the region, in part because of the 693 beds located here taken up by young people from the rest of the country.”

There has been a significant and unprecedented increase in the number of externally purchased residential placements, which have risen to 836 active placements, up from 646 in 2016. This has resulted in an estimated increase in spend of £45 million between 2016 and 2017, from £95.5 million to £145 million—

“a very significant and unsustainable increase in the spend on residential services driven by increased consumption and increased unit cost of individual placements”.

For the first time, the cost of some homes has hit £5,000 per week per child, which now applies in 9% of placements. Placements Northwest maintains that the increased mismatch between demand and supply is a

[Ann Coffey]

driver in the increased costs. It adds that the costs of residential placements seem inconsistent between providers and purchasing decisions, and that they are often led by available capacity rather than clinical social work decisions about what is best for the young person.

In his independent review of children's residential care in England, which was published in 2016, Sir Martin Narey said:

"Certainly, too much of what I saw and heard was really about buying places in children's homes, not about commissioning them."

That is an important statement, because commissioning is about ensuring that there are places where they are needed, not simply placing children randomly where there happens to be a place.

Edward Timpson, the former Minister for Children and Families, said in his response to the debate on children's homes in 2016 that he shared concerns about uneven distribution of children's homes and that he wanted to see more regional commissioning. He said:

"there are still instances where the supply of places distorts too many decisions."—[*Official Report*, 19 April 2016; Vol. 608, c. 131WH.]

I welcome the setting up of the new residential care leadership board under the chairmanship of Sir Alan Wood. Sir Martin Narey said that it could improve commissioning and obtain better value for money for local authorities, and will look into out-of-borough placements. I hope the Minister will give the House some information about its progress.

We also need a better understanding of the relationship between out-of-borough placements and children going missing. For example, a child could be placed more than 20 miles away from their home but could still be inside their local authority's boundary, whereas a child could be placed five miles away but be in another local authority's area. Is the problem distance, or the fact that it is more difficult to support a child who lives in another council's area? What matters to children? Is the quality of placement a mitigating factor? I do not know the answer, but it is alarming that nobody else seems to, either.

This is a complex area. Each child's needs are unique. Of course, it is not always possible to find the perfect placement, but if the evidence collected over the years is correct that distance and being placed away from home are factors in children's going missing from care homes, it cannot be right that in spite of that evidence, concerns about such placements and an increasing understanding of the risks of harm to children when they go missing, more children are being placed out of their home area than in 2012.

The Department for Education collects data about the number of children's homes, children placed in them, and out-of-borough and distance placements, and it collects a lot of comprehensive data about children going missing from children's homes. The situation is much improved, compared with 2012. However, it would be helpful if the Department could bring that data together in a more accessible form—perhaps in a yearly datapack.

Ofsted also collects data about children missing from children's homes at each full inspection to inform its lines of inquiry for that specific inspection, which include whether the child was living out of borough. Although

that information is not published, it is a potential source for understanding the patterns of children going missing.

It is very difficult for individual local authorities to be commissioners of children's homes because they simply do not have the financial clout. Of course, they can be direct providers, which would give them much more ability to provide the care needed by their looked-after children. Devolution offers Greater Manchester combined authority an opportunity to commission on a regional basis. However, the DFE needs to offer support to regional commissioners to help them to develop a framework for commissioning the provision of children's home places where they work best for children. Perhaps the Minister could tell us more about that work.

The innovative "Achieving Change Together" project in Rochdale and Wigan, which was funded by the Department for Education, demonstrated a successful alternative approach. It invested in social workers and worked with young people on the edge of care to keep them in their communities and families, which is much better than placing them in distant children's homes and secure units. Perhaps that is a way forward—there has to be one.

If we take on responsibility for the care of the most vulnerable children and young people, we have a responsibility to keep them safe. The evidence suggests that that is not happening: an increasing number are being placed in children's homes outside their home area, and an increasing number are going missing from those homes and coming to harm. Children's homes need to meet the needs of children. If locality is an issue for children, local authorities and Government need to respond to that need proactively to ensure that change happens and their needs are met.

11.16 am

**The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi):** I commend the hon. Member for Stockport (Ann Coffey) on securing this important debate. The Government share her commitment to protecting all looked-after children by giving them a stable, loving environment where they can succeed and achieve the outcomes we would all want for our own children. I also commend my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) on his previous work and on his ongoing work, now as a parliamentarian. His is a committed and serious expert voice.

I share the hon. Lady's concerns about placing children far away from home. However, we recognise that, for very specialist provision, a child may sometimes need to be further away from home. In addition, as she rightly points out, sometimes circumstances make it the right decision for a local authority to identify a placement outside of the child's local area, such as when a child is at risk from sexual exploitation, trafficking or gang violence, which she spoke about eloquently.

I fully recognise that placing a child far away from home can break family ties and make it difficult for social workers and other services to provide the support a young person needs. I have first-hand experience of speaking to a child about his personal problems when he was placed too far away from his mother, who is clearly very loving but was unable to provide the safety he needed, which meant he had to run away. It is also in

many ways unsettling for children—the hon. Lady is right that it increases the likelihood of them going missing from care.

The needs of the child must be paramount when we make decisions about the right care placement. As the hon. Lady rightly described, local authorities have a duty to consider the right placements for the child and take into consideration a number of factors, one of which is placement area. However, there must be effective planning and oversight of the decision. The hon. Lady will be aware from earlier discussions that my Department has worked closely with local authorities through the Association of Directors of Children's Services to strengthen legislative safeguards relating to children being placed out of area. Directors of children's services must approve all decisions to place a child in a distant placement. That directive encompasses all placements that are more than 20 miles away from the child's home address. Ofsted will also challenge local authorities where they believe poor decisions on out-of-area placements are being made.

As the hon. Lady rightly points out, far too often local authorities are unable to find the right care placement in the right location to meet a child's needs. Local authorities remain responsible for ensuring a sufficient range of placements for looked-after children and for working with their local providers to make sure that provision meets the needs of the young people living in that area. Sir Martin Narey pointed out in his review of residential care that there is value in local authorities coming together to fulfil those responsibilities so that they can jointly commission and address gaps in provision. That is why we are providing almost £5 million in innovation programme funding to test new commissioning arrangements that bring local authorities and providers together to achieve better outcomes and improve the experiences of looked-after children. The projects being funded are in and around London, where demand for places far outstrips supply.

To deliver the degree of change needed, all those involved in the commissioning and provision of care in children's homes will need to work together. Only by working in partnership will we be able to tackle the trickiest issues and deliver a sustained improvement in the quality of care for the country's most vulnerable children. That is why we are also setting up a residential care leadership board, chaired by Sir Alan Wood, so that sector leaders and practitioners can come and work together to drive improvements in commissioning and address gaps in provision. The board will engage with the wider sector to support the development of new approaches and ensure that best practice is shared and implemented.

For a small number of very vulnerable children, a secure home is the best environment and can address why they go missing from care. We are improving the availability of this provision in partnership with ADCS, the Local Government Association, the Youth Custody Service and the Secure Accommodation Network. That work is also being driven by Sir Alan Wood, the chair of the residential care leadership board. We are considering the best long-term commissioning arrangements for secure homes and looking at options to build local capacity. In the interim, we continue to fund Hampshire County Council's secure welfare co-ordination unit. Through that unit, we have established a central point

of contact and source of support for all local authorities seeking secure placements. We continue to invest in the secure estate with our £40 million capital programme over this spending review period.

We have made it a requirement of all children's homes to have clear procedures in place to prevent children from going missing. The statutory guidance empowers homes to challenge local authorities where they are not providing the input and services a child needs, which include offering an independent return-home interview to a child after a missing episode, which could help to inform care planning and reduce the risk of repeat missing episodes.

In addition to Ofsted's inspection of individual children's homes, Ofsted's local authority inspections always report on the responses of local authorities and their partners to missing incidents, highlighting good practice and identifying specific areas for improvement. Since 2013 the Department has published guidance on protocols regarding how and when Ofsted can share information on the location of children's homes with the police—a positive development, I believe, that is pivotal to ensuring that children in care are robustly protected.

When children go missing they can be vulnerable to threats that include criminal exploitation and sexual abuse, and no child should have their life blighted by that abhorrent crime. That is why the Government's "Tackling child sexual exploitation" report, and the follow-up progress report of February 2017, set out a national response to child sexual exploitation. We have boosted capacity and expertise in local areas that experience high volumes of child sexual exploitation by funding a CSE response unit, and we have introduced a new definition of child sexual exploitation, and practice guidance for professionals. We have also funded projects through the children's social care innovation programme, such as the St Christopher's Fellowship Safe Steps project, which is targeted specifically at children in care who are at risk of sexual exploitation. In addition, the £7.5 million centre of expertise on CSA, which is funded by the Home Office, is introducing evidence of what works to prevent and tackle child sexual abuse and exploitation.

We are working collaboratively to ensure that key partners in health professions and children's social care are trained to identify and refer young people who are involved in criminal exploitation, such as the county lines mentioned by the hon. Lady. We are undertaking a nationwide awareness raising communication activity about the threat of county lines targeted at young and vulnerable people, including advice on how to avoid becoming involved with and exploited by gangs. I sit on the Home Secretary's taskforce that seeks to tackle this scourge.

Again, I thank the hon. Member for Stockport for securing this debate, and I express my immense gratitude for the relentless passion and commitment that she has demonstrated over many years in her capacity as chair of the all-party group for runaway and missing children and adults, and for her wider advocacy for the wellbeing of children in care. Although I recognise the ongoing challenges, I am keen that we do not let them detract from the fact that children's homes do a sterling job of caring for some of the most vulnerable children and young people. Residential care continues to remain a vital part of the children's social care landscape.

[*Nadhim Zahawi*]

The hon. Lady raised important issues, and the steps we are taking will support local authorities in addressing gaps in provision and ensure that the needs of young people are met in the right care placement. Our underpinning principle, as set out in the Children Act 1989, remains that the interests of the child are paramount, and that must be reflected in all decisions about individual children's care.

The hon. Lady mentioned data. Since 2014, local authorities have collected data on every incident of a child going missing, not only those missing for more than 24 hours, which has been a massive improvement. I remind Members, however, that those data continue to be experimental, and in 2018 we will seek to ensure that the data are robust and can be presented in a form that will allow the hon. Lady and her colleagues rightly to challenge us all the time, and to challenge local authorities to do better. I will soon visit Manchester—I hoped that it would be this week, but alas departmental duties mean that I have had slightly to postpone the trip. I want to see the opportunities for Greater Manchester, where 10 local authorities can work together to have a commissioning strategy that works properly for children in that area.

*Question put and agreed to.*

11.28 am

*Sitting suspended.*

11.31 am

*On resuming—*

**Mr Philip Hollobone (in the Chair):** As the Member in charge of the next debate has been caught in traffic and is not here, we are unable to start it. I am afraid I shall have to suspend the sitting, without the debate, until 1 o'clock.

11.32 am

*Sitting suspended.*

## Skills Strategy

1 pm

**Mr Philip Hollobone (in the Chair):** We now come to a debate about progress on the Government's skills strategy, in which we will hear from the former skills Minister and the present one.

**Robert Halfon (Harlow) (Con):** I beg to move,

That this House has considered progress on the Government's skills strategy.

It is a pleasure to serve under your chairmanship, Mr Hollobone. One thing that has remained remarkably consistent as I have spoken to business leaders in my constituency over many years is that, when I ask them what they look for in their future workforce, their answer does not often focus on exam certificates. They want individuals who have a good attitude and are good communicators, excellent problem solvers and strong team players. Yet, barely a day goes by without a story in the news about skills shortages in one sector or another.

It is a drain on our economy and our society that job vacancies cannot be filled because employers are unable to find the right skilled individuals. That is not just a challenge to productivity and prosperity; skills are a social justice issue too—perhaps the central one. When we look at the overwhelming number of senior leaders who were privately educated—I am lucky to be one of them—it is not so much their exam results that got them where they are today, but the connections they were able to make and the networks and team-working skills they developed. If we are serious about social justice, it is our duty to afford those opportunities to all young people.

Since the closure of the UK Commission for Employment and Skills, no single organisation has had responsibility for monitoring skills shortages and sharing information about them, so I was delighted when the Edge Foundation stepped forward to form an analysis group, bringing together key organisations in the area. I pay tribute to the foundation's chair, Lord Baker. The first in a regular series of its bulletin is published today, and it makes for challenging reading—I will happily ensure that copies are available to Members.

The British Chambers of Commerce report says that 60% of services firms and 69% of manufacturing firms experience recruitment difficulties.

**John Howell (Henley) (Con):** Will my right hon. Friend join me in congratulating the Culham Science Centre in my constituency? It has got together an apprenticeship hub that specialises in providing high-tech engineering apprenticeships for local people, and it has transformed how local firms react to those skills.

**Robert Halfon:** My hon. Friend is a champion of skills and apprenticeships, and the Culham laboratory is exactly what we need to build up our skills base and address our skills deficit. I pay tribute to my hon. Friend and to the organisation he mentions.

Shortages of skilled manual labour in manufacturing remain at their highest level since records began. That concern is echoed by the CBI, whose education and skills survey last year showed that the number of businesses

that are not confident about being able to hire enough skilled labour is twice that of those that are confident. Reducing the skills shortages must be a key aim of our skills strategy and a barometer of its success.

**Jim Shannon** (Strangford) (DUP): I congratulate the right hon. Gentleman on bringing the issue to Westminster Hall. Northern Ireland has a very strong education and IT skills system, which has been key in creating jobs and attracting new business. Does he feel that the Government should be encouraged to look to Northern Ireland as an example of how a skills strategy can be brought together? There are good examples there. Let us use what is good in the rest of the United Kingdom of Great Britain and Northern Ireland to benefit us all.

**Robert Halfon:** The hon. Gentleman is a great champion of skills. We can learn a lot from Northern Ireland's incredibly high education standards. I am sure we have a lot to learn from the skills and the IT that he has just mentioned.

I recognise that my right hon. Friend the Minister for Apprenticeships and Skills has her work cut out because, as the skills strategy is implemented, the economy is changing rapidly. Driverless vehicles will automate road haulage and taxi operations. Artificial intelligence will power medical diagnosis, and 3D printing will be used to construct bridges and houses. Our skills strategy needs to not only address the skills shortages in our economy, but create our most resilient and adaptable generation of young people. They will need to be able to turn their hands to new careers and demonstrate the human skills such as creativity that robots cannot master.

CBI research shows that the biggest drivers of success for young people are attitudes and attributes such as resilience, enthusiasm and creativity. Although 86% of businesses rated attitude, and 68% aptitude, as a top attribute, only 34% said the same of formal qualifications. The Department for Education's own employer perspectives survey showed that more than half of employers said that academic qualifications were of little or no value when recruiting, while two thirds said that work experience was significant or critical. Yet in the same survey just 58% of businesses said that 18-year-old school leavers in England were prepared for work. That is a key blocker to social justice and a gap that must be addressed through the skills strategy.

Before they are delivered into the care of the Minister for Apprenticeships and Skills, young people have already received more than a decade of education in school. As I said in the House only a couple of weeks ago, I am convinced that the quality of education, particularly in English and maths, has improved greatly in recent years. Yet despite record overall levels of public money going into schools, the skills shortages in our economy have been growing. Clearly, something has become disconnected in the wiring between our schools and our skills systems.

Four key steps would build on the strength of the knowledge-rich curriculum to ensure that it fosters young people who are also skills-rich and behaviours-rich—the areas that employers say they value most. First, we must remember that since 2015 all young people have been required to participate in some form of education and training up to 18. Yet GCSEs remain just as much the high-stakes tests they were when many young people finished their education at that age. We must fundamentally

reimagine this phase of education as a time for our younger people to prepare themselves for their future life and work. At a time when we can extend the ladder of social justice to young people from all backgrounds, broadening their horizons, building their skills and helping them develop the social capital that will take them far, we have an opportunity for that phase of education to end in a much more holistic and comprehensive assessment—a true baccalaureate. Just as the international baccalaureate does in more than 149 countries, this would act as a genuine and trusted signal to employers and universities of a young person's rounded skills and abilities.

Secondly, we must match the broader phase of education with a broader and more balanced curriculum. I support the need for every young person to be able to access through their schooling a working knowledge of our cultural capital, our history and our literature. However, it is also essential that we develop the next generation of engineers, entrepreneurs and designers. A narrow focus on academic GCSEs is driving out the very subjects that most help us to do that. Entrants in design and technology have fallen by more than two fifths since 2010, alongside reductions in creative subjects such as music and the performing arts—the very skills that will give young people an edge over the robots. There is a real danger that no matter how hard the Minister for Apprenticeships and Skills works to make skills a success post 16, young people who have never experienced anything but an academic diet up to that age will be unable to compete for an apprenticeship or even progress to a T-level.

Thirdly, I often speak about the importance of careers advice, and it is vital, but we must go further and create deep connections between the world of education and the world of work that inspire and motivate young people. I am talking about employers providing externships so that teachers can experience local businesses and provide first-hand advice to their pupils, collaborating on projects that bring the curriculum to life and sharing real-world challenges to help students to develop their problem-solving skills. That kind of profound employer engagement strikes right at the heart of the social justice debate: it gives young people from all backgrounds the kinds of experiences, contacts and networks that have traditionally been the preserve of those attending elite institutions. We should merge the duplicate careers organisations into a national skills service that goes into schools and ensures that students have the opportunity to do skills-based careers.

Fourthly, we must acknowledge that what we measure affects what is delivered in the education system. Therefore, we should start to measure explicitly what really matters—the destinations of young people who attend our schools and colleges. At present, destination measures are seen as no more than a footnote in performance tables. We need to move destination measures front and centre, giving school leaders and teachers the freedom to deliver the outcomes that we want for our young people.

I had the pleasure last month of meeting senior education leaders from Nashville, Tennessee. Ten years ago, Nashville's high schools had very poor rates of graduation, and businesses were clear that they were not receiving the skilled labour that they needed. They set about working intensively with the school board to revolutionise the system. In the first year of their high school experience, young people have the opportunity

[Robert Halfon]

to take part in intensive careers exploration: through careers fairs, mentoring, visits and job research, they broaden their horizons and understand the full range of opportunities available. For the remainder of their time at high school, they join a career academy, which uses a particular sector of the local economy as a lens to make their schoolwork more relevant and engaging. Young people in the law academy learn debating skills by running mock trials, while those in the creative academy are mentored by lighting designers, who help them to understand the relevance of angles, fractions and programming in the real world.

The results are extraordinary. High school graduation has risen by more than 23% in 10 years, adding more than \$100 million to the local economy. Attainment in maths and English has improved by as much as 15% to 20% as young people see the relevance of their work. Leading schools in the UK are already starting to show that similar approaches work just as well here. They range from School 21 in Stratford, where employer engagement is its ninth GCSE, to XP School in Doncaster, whose innovative expeditionary learning Ofsted has judged as outstanding across the board.

The planned programme of skills reforms can be a success only if it goes hand in hand with a schools system that is equally focused on preparing young people for work and adult life. I would encourage the Ministers responsible for skills and for schools to work closely together on that shared aim. I have no doubt that T-levels can provide great opportunities for young people to prepare for a successful career, and I am impatient to see them on the ground, having a tangible impact on young people's lives. I would encourage the skills Minister to learn from some of our most prestigious apprenticeship employers and attach a rocket booster to the programme, but sometimes I wonder whether there is really a need at age 16 for young people to choose between a wholly academic route and a wholly technical route. Might many young people benefit from a more blended opportunity?

An excellent model exists north of the border in Scotland's foundation apprenticeships, which are the same size as a single Scottish higher and can be taken alongside academic qualifications to maximise a young person's options. They carry real currency with universities and support progression to higher education. They also allow a head start of up to nine months on a full modern apprenticeship. That is truly a no-wrong-door approach that helps people to keep their options open.

I want apprenticeships to go from strength to strength. Most people think of apprenticeships as helping young people to achieve full competency in their future career, but the figures show that in the 2016-17 academic year, 260,000 of the 491,000 apprenticeships started were at level 2, and 229,000 were started by individuals aged 25 and above. It is essential that apprenticeships continue to focus first and foremost on preparing young people for skilled jobs, otherwise we will weaken one of the rungs on the ladder of opportunity.

Continuing the expansion of degree apprenticeships—my two favourite words in the English language—will play a pivotal role in that. They hold the unique power to fundamentally address the issue of parity of esteem between academic and vocational education, which has plagued this country for far too long. They give young

people the opportunity to learn and earn at the same time, gaining a full bachelor's or master's degree while putting that learning into practice in a real paid job. Leading employers are already making a dramatic shift from graduate to degree apprenticeship recruitment, which allows them to shape their future workforce. More must follow suit.

I recently came across an example of a remarkable university from Germany, DHBW Stuttgart, which is entirely made up of degree apprentices. I issue a challenge to our higher education institutions, including Oxford University, which will not even open the door to degree apprenticeships, to be the first to declare their intention to work towards becoming the first dedicated provider of degree apprenticeships.

We are at an exciting crossroads for the skills system. Employers are clear that there are significant and growing skills shortages, but they have given us a clear recipe to address them. The foundation for that must be laid in school by a broad and balanced curriculum, intensive employer engagement, and destination measures as a key driver of success. That will create the basis for a holistic system that prepares young people for high-quality T-levels and apprenticeships as part of a blended route that breaks down the artificial divide between academic and technical education to create a real ladder of opportunity for our young people.

1.17 pm

**The Minister for Apprenticeships and Skills (Anne Milton):**

It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my right hon. Friend the Member for Harlow (Robert Halfon) on securing the debate. I am grateful for the opportunity to talk in broader terms. I have a great pile of briefings from my wonderful officials, which I will not refer to at all, because I would be telling him things that he probably already knows. He makes a wider point about why skills matter, and he is absolutely right that we have a significant skills shortage in this country.

I was at the WorldSkills competition in Abu Dhabi last year, and there was also a conference where I met many Ministers from Germany and Singapore—there were a whole host of them there. It is clear that we have a world skills shortage; it is not just in this country, although some countries are perhaps doing slightly better. One of the Ministers I talked to attributed their success in technical education, particularly at levels 4 and 5, largely to embedding maths and English so well in the curriculum. When young people came out of that skills system, it was a given that they had reached a high standard, so they could get on and take the academic or technical route that they wanted.

As my right hon. Friend rightly said, surrounding all that is this country's economic need for a skilled workforce, but it is also about social justice. I did not go to private school and I did not have the networks that my right hon. Friend referred to, which many people have. In fact, I entered politics knowing almost nothing and absolutely nobody. I had to make it up on my own, which was fine for me—I chose politics as a second career—but it is not all right for a young person leaving school at whatever age. It should not be about who someone knows or actually about what they know, or where they live or where they come from; it should be about what skills they have.

My right hon. Friend talked about what employers are looking for. Like him, I have heard that reiterated to me time and again. It is about resilience, attitude, team playing, problem solving and aptitude. Those will not be learned only in the classroom. He also talked about the narrow focus of the curriculum. In some ways, there has been a focus on some of those academic subjects for exactly the reason a Minister from another country pointed out to me: a good foundation in certain key subjects, such as English, maths and digital skills, is important. However, it is also important to widen young people's eyes to the opportunities that are out there.

My right hon. Friend talked about employer experience, which is critical, particularly for children who are not doing particularly well at school, who are bored in lessons and who do not understand the point of it. Contact with employers demonstrates to them why they are learning those things. It gives them a goal and an aim; it makes it all make sense. Without that it is much harder, particularly for people who, for whatever reason—not necessarily to do with how bright they are—find school slightly more challenging.

Experience of the working world also prepares children to go on to the next stage. I am a mother of four children, and all four worked weekend jobs when they could, and certainly during the holidays. That gave them invaluable experience, because the errors they made will have stood them in very good stead when they went to university or into a job after leaving school.

My right hon. Friend is quite right that the glue around that is the provision of careers advice. Ever since I was at school, which was a very long time ago, I do not think we have got that right. The careers strategy that we published last year is a step in exactly the right direction. It is not necessarily particularly tidy, but the way to reach young people these days is not simply an hour-long lesson with a careers teacher; it has to be much more than that. At the end of the previous Parliament, he was responsible for changes to the Bill that meant that providers of technical education and of apprenticeships must be allowed into schools, which opens young people's eyes to other possibilities.

**John Howell:** A difficulty in my constituency is that the sixth-form colleges do apprenticeships and skills training very well but ordinary schools do not; they are still wedded to an academic view of life. Does my right hon. Friend share my view?

**Anne Milton:** Yes. My hon. Friend mentioned an organisation in his constituency and its apprenticeship hub, and I commend that local initiative. I have seen something similar down in Gosport that showed an absolutely groundbreaking attitude. He is right that careers advice in schools has traditionally not always been very good.

**Robert Halfon:** I thank my right hon. Friend for what she said. She mentioned the legislation ensuring that schools have to invite apprenticeship organisations and university technical colleges into schools and further education colleges. What is she doing to enforce that? There are suggestions—and there have been a number of reports—that schools are not actually implementing the legislation.

**Anne Milton:** I am very mindful of that, which is why I have frequent meetings—I think weekly or every other week; certainly once a month—with the careers team in the Department for Education. The need to do this was introduced only in January, so we are in quite early days, but I will watch this, because the proof of the pudding will be in whether it actually happens.

My right hon. Friend rightly pointed out that teachers could do with some of this advice, because a classroom teacher might have left school, gone to university and got their degree, done their teaching qualification in whatever way they wanted, and never experienced the world of work outside the institutional school environment, and that experience is critical. I suggested that to a number of careers professionals the other day. It would be really worthwhile, particularly in the local economy, so that teachers understand the needs of local businesses and can tailor their whole approach to them. A career is what someone does after school, and that should be the thread that runs through everything they do within school. Otherwise, if someone is like I was at school, they will say, “What's the point of all this?” That is absolutely critical.

**Jim Shannon:** I will not hold the Minister back for long. In my intervention on the right hon. Member for Harlow (Robert Halfon), I suggested perhaps looking at the Northern Ireland system, where education and IT skills are coming together. I wonder whether the Minister has had a chance to consider that.

**Anne Milton:** The hon. Gentleman is right; the Government should not be too proud to learn from anywhere that is doing well. We have set off on a course, but it is not restricted and I will pick up on anything that makes this process work.

We have seen good progress, certainly on raising the quality of apprenticeships. We have gone from 3% of apprenticeships on standards up to 36%, which is well beyond what we expected. We are making progress. The opening up of degree apprenticeships is critical, and my right hon. Friend is right that it will help achieve that parity of esteem for apprenticeships. I think we will start to see a huge tide of degree apprenticeships coming forward, because employers will get not only people with the required academic qualifications, but people with the skills. For a young person leaving school, of course, it is a no-brainer; they are getting paid, they are getting a qualification and they will have no student debt. What is not to like about that?

Achieving that parity of esteem is important. My right hon. Friend talked about a holistic education, which is so important. There is a wonderful scheme in my patch—I was with it on Friday—whereby one of the independent schools provides a year's worth of stringed instrument teaching to year 3 pupils. It is funded by the local community foundation. Royal Grammar School Guildford has been really supportive. That increases young people's knowledge of things. They will not necessarily all go on to learn an instrument, but it widens and broadens their experience, so they will think of other things, and that will filter through everything they do.

Work experience is important because, as my right hon. Friend rightly said, we must be careful not to draw a sharp distinction between technical and academic education, with pupils feeling that they have to choose

[Anne Milton]

between one or the other. The two must be interwoven, and degree apprenticeships are a way of doing that, whether at age 18, 19, 20 or whatever point. He talked about that as a ladder of progression, but I sometimes see it as a path, because a lot of the apprentices I have met have maybe done one or two level 2 apprenticeships, trying to find out which way they want to go and which is the best career option for them, while at the same time improving their skills and aptitude, and their ability to understand the knowledges and behaviours needed within the general workplace, rather than in one specific workplace.

I share, with a passion, my right hon. Friend's view that we need to do this for the economy of the country, because employers are desperate for the skills. Employers now have the means to employ apprentices—those paying the levy and, soon, those not paying the levy. The means are there. What matters now is that we make the system work, because for me, as for him, it is a matter of social justice.

*Question put and agreed to.*

## Rohingya: Monsoon Season

[SIOBHAIN McDONAGH *in the Chair*]

1.30 pm

**Jo Stevens** (Cardiff Central) (Lab): I beg to move,

That this House has considered the effect of the monsoon season on the Rohingya.

It is a pleasure to serve under your chairmanship, Ms McDonagh. The desperate situation facing the Rohingya people is one of the greatest humanitarian crises of recent times. It is a deliberate crisis—a man-made crisis—and one now set to be compounded by nature as the monsoon season hits Bangladesh. Nearly 1 million Rohingya refugees who have fled Burma are in camps in Bangladesh. During August last year, nearly 700,000 Rohingya men, women and children fled, following unspeakable violence and systematic abuse, including torture, rape and murder, by the Burmese military.

The monsoons look set to exacerbate an already dire situation. The International Rescue Committee has estimated that 36% of the Rohingya in the camps already do not have access to safe water. Nearly one quarter are suffering from acute malnutrition. Communicable diseases thrive in those conditions; 81% of water samples collected from Rohingya refugee households in December last year held *E. coli*. The World Health Organisation's report on the situation in the camps makes for grim reading. Diphtheria, acute jaundice, respiratory infections and watery diarrhoea stalk the camps. To mitigate those problems, the United Nations High Commissioner for Refugees put out a plea for \$950 million to meet the refugees' immediate needs, but less than 20% of that money has been raised.

I visited the largest of those camps, at Kutupalong, with parliamentary colleagues in November last year. I saw sights, and heard testimony, so shocking that they will remain with me for the rest of my life.

**Mr Philip Hollobone** (Kettering) (Con): I congratulate the hon. Lady on securing this debate and on her speech. I had the privilege of going on that visit with her. It was difficult to get around Kutupalong when the roads were dry and the sun was out; if it is pouring with rain, those roads will be simply impassable and treacherous, especially to the young children in the camps.

**Jo Stevens:** I entirely agree with the hon. Gentleman. It is hard to imagine how anyone will be able to move. When the monsoons hit, not only will shelters collapse, but it will be almost impossible away.

When we were at Kutupalong last November, I met a young, very frail woman, who beckoned me inside her tarpaulin shelter and pointed at a little bundle of dirty rags on the plastic sheeting on the ground. I did not know what she was pointing at, but she slowly lifted the rags and underneath was her days-old baby. She held the baby up with such pride and with tears in her eyes, but I thought, "What a beginning to life for that child." It is a squalid existence, but undoubtedly a safer one than if that young, heavily pregnant woman had been unable to get out of Burma.

**Jim Shannon** (Strangford) (DUP): I congratulate the hon. Lady on securing this debate. I apologise that I cannot stay for the whole debate, but there are a number

of things that need to be considered. There are 102,000 people at risk of being directly affected by landslides. Of those in flood and landslide-prone areas, 54% are children and 33% have vulnerable people under their control. Some 46% of water pumps are at risk from flooding and landslides, as are 38% of women-friendly services, and 36% of people are without access to clean and safe water. Only 1% of the 3,500 in need of legal and counselling services for sexual violence and trafficking have been reached. If we wanted seven good reasons why the Government should respond, which encapsulate the debate, those would be the reasons. Does the hon. Lady agree?

**Jo Stevens:** I could not have put it better myself. What was most shocking about Kutupalong was the number of children there. I have never seen anything like it, and I hope never to again.

It is now nearly nine months since the August 2017 slaughter and rape by the Burmese military. One shocking statistic is that an estimated 60,000 Rohingya women are pregnant in Kutupalong and other refugee camps along the southern Bangladeshi border. Many of those women are victims of brutal sexual violence, used by Burmese soldiers as a weapon of genocide. Pramila Patten, the UN envoy on sexual violence, has described it as “a calculated tool of terror aimed at the extermination and removal of the Rohingya as a group”.

Aid agencies are preparing for a surge of births and abandoned babies at the camps, and it is reported that Bangladeshi social services have already taken in many refugee children whose parents have been murdered, have got lost or disappeared among the hundreds of thousands of people in the camps, or are unable to care for and support their children, having lost everything they owned in the flight from Burma. There is deep concern that many more children will be abandoned in the coming weeks by mothers who are victims of rape and cannot bear to keep their babies.

**Mrs Anne Main (St Albans) (Con):** Does the hon. Lady share my concern that in the memorandum of understanding there was a discussion about the status of those children, who will potentially be taken in by the Bangladeshi Government and not given any recognition of their vulnerability?

**Jo Stevens:** The hon. Lady is right. Not only do the Rohingya have no citizenship from where they came; they are now in a sort of no man’s land in Bangladesh, and children are obviously particularly vulnerable.

A new generation of victims of this terrible and evolving crisis is about to develop, and these desperate people now face a further tragedy as the monsoon season hits and threatens to wipe out even more lives. We know that Bangladesh can be hit by some of the most severe monsoons in the world, with 80% of Bangladesh’s annual rainfall occurring between May and September. Severe cyclones have killed thousands of people there within living memory, and those victims were not living in flimsy shelters in refugee camps.

In Kutupalong, we saw the shelters that people were living in, some of which consisted of just a piece of tarpaulin tied to a tree or wall and pegged to the dry, dirty ground. Others consisted of a few bamboo sticks and a bit of plastic sheeting on steep hillsides. They were crammed next to each other, with little space for

people to live. In Cox’s Bazar, more than 102,000 people are in areas at risk of being directly affected by flooding and landslides in the event of heavy rain.

**John Howell (Henley) (Con):** I think the point the hon. Lady is making is that the biggest risk is the type of land on which people have been settled. Will she join me in calling for the British Government to work with the Bangladeshi Government to try to find risk-free land where these people can settle?

**Jo Stevens:** I entirely agree that it is about the topography, but it is also about the flimsiness of the available shelters—and not everyone has a shelter. The Bangladeshi Government have done wonders, given the limitations they have.

As the hon. Member for Strangford (Jim Shannon) mentioned in his intervention, 33% of the 102,000 people in Cox’s Bazar are classed as vulnerable—including single mothers, children, the elderly and the ill—and at particular risk of being killed in a natural disaster. However, the risks are not confined to the initial effects. For example, the rains will adversely affect mobility around the camps, which is already very restricted, turning steep dirt pathways into mud and making roads impassable. That could severely restrict access to more than half a million people, worsening the malnutrition rate. More than 91% of people are reliant on food supplies. The Office of the United Nations High Commissioner for Human Rights has made it clear that the shelter packs that I saw being handed out in Kutupalong in November by hard-working UNICEF aid workers will not survive monsoon rains. That will inevitably lead to harm and displacement as shelters collapse.

**Jim Shannon:** It has been reported that half of the refugee population do not have access to sanitation facilities. Some 13% do not have access to latrines. The latrines are not gender-segregated or fully functional. Does the hon. Lady share my concern, and that of many in this House, that disease and contamination will be critical at this time of year, during the monsoons?

**Jo Stevens:** I would use a terrible analogy, which is that it is a perfect storm. Conditions are terrible, and communicable diseases will be rife where there is a lack of sanitation. That is why the situation is so bleak. There is an urgent need for international action.

Shelters will collapse. At best, that will lead to overcrowding, but the obvious outcome is far, far worse. The latest round of oral cholera vaccinations will bring the number of locally vaccinated people up to 1 million. That is welcome, but a population of 1.3 million people are affected, so 300,000 are left unvaccinated, which is a desperate situation. We know that unsanitary conditions and malnutrition make people more vulnerable to all kinds of diseases. The World Health Organisation has been clear that the risk of disease, more than the initial flooding itself, could lead to a massive loss of life. The UN estimates that up to 200,000 people could perish.

Some preparations have been made for the monsoon season. I have seen the details of the upgraded shelter kits that are being made available to vulnerable families in the camps, but they consist of tarpaulin, rope, bamboo, wire and sandbags—no real protection against winds, severe rain and flooding. I am afraid that hundreds of thousands of refugees are effectively sitting targets for the monsoon, and that could be catastrophic.

[Jo Stevens]

What can be done? A crisis does not stop because the headlines have moved on elsewhere. I obviously welcome this weekend's announcement of the additional financial support from the Government. That additional £70 million is good news, as it will help to fund some sanitation, healthcare and vaccination programmes for the most vulnerable refugees. The British public have shown remarkable generosity, raising nearly £26 million for the Disasters Emergency Committee appeal. In my constituency, the British-Bangladeshi community has raised more than £30,000 through the Cardiff Bangladesh Association, spearheaded by my Labour colleague, Councillor Ali Ahmed.

We need to recognise, however, that trying to protect a million people living in squalor on open hillsides is not a long-term solution. Will the Minister tell us what conversations he has had with other Governments about encouraging more international financial support to meet the overall funding shortfall? Access to the camps for the UN and other aid agencies is being held up by red tape. I have repeated conversations with aid agencies about that long-standing problem. I have also discussed it with the Bangladeshi high commissioner, and it does not seem to be getting any better.

We must work with the Government of Bangladesh to see an increase in the speedy registration of international organisations to work and deliver services in the camps. That will allow technical experts to support the incredible Bangladeshi response so far. Without that expertise, almost half a million people will continue to be unable to access services such as health, food, support and education. Will the Minister ask the Bangladeshi Government to streamline the FD-7 approval system by ensuring that applications are processed within the stated 48-hour window, to provide extended windows of at least six months for programme delivery, and to allow for appropriate visas for international emergency personnel?

The Rohingya have an inalienable right to return to Burma, and that right must be protected. It is vital that steps are taken to address the conditions that have forced and continue to force people to flee. The findings of the Annan commission on Rakhine state provide a nationally and internationally endorsed framework designed to address the marginalisation of the Rohingya—although I wanted it to go much further and recommend immediate and full citizenship for the Rohingya. It is vital that the UK, in partnership with regional actors and partners, such as the Association of Southeast Asian Nations, supports the progressive implementation of those findings by the Burmese Government, but progress on ensuring Rohingya citizenship must be an essential condition for return.

In the longer term, the international community must work with the Government of Bangladesh to define, agree and finance a response to the crisis that supports refugees' self-reliance, as well as contributing to improved conditions for host communities and Bangladesh's own development objectives.

**Richard Burden** (Birmingham, Northfield) (Lab): The picture that my hon. Friend is painting accords absolutely with what the Select Committee on International Development saw when we visited Cox's Bazar in March. However, I want to take her back to the monsoon and the action that needs to be taken now. She has already

made the point that strengthening the shelters and shacks will simply not be enough to protect them against the monsoon. This goes back to the point made by the hon. Member for Henley (John Howell), but Bangladesh has said that it has been looking for other land to which Rohingya in the camps can be moved in an emergency. Does my hon. Friend have any information on whether progress has been made on that? If she cannot answer, perhaps the Minister will say something about that when he sums up.

**Jo Stevens:** I do have some information. An island has been identified as a potential space for refugees to move to. I am concerned about it because, as I understand it, the island is like a floodplain, so people would not be in a better position were they to be moved there. I hope that the Minister can give us more information about that, if he has been discussing it with the Bangladeshi Government.

Agreements have been reached with other refugee-hosting nations, including Jordan, Lebanon and Ethiopia, which provides an indication of what can be achieved with the right package of support, combined with strong partnerships. In my view, strong partnerships and political leadership on the rights of the Rohingya, and action against Burma for its gross violations of international law, must go hand in hand. I want our Government to take a lead.

In January, I wrote to the Minister for Asia and the Pacific, the right hon. Member for Cities of London and Westminster (Mark Field), at the Foreign Office to ask the Government to support a referral to the International Criminal Court. In February, I was one of 100 parliamentarians who wrote to the Foreign Secretary in exactly the same terms. What was the response of the Burmese Government? It was to ban individual members of the International Development Committee from visiting Burma. The Minister will say that a UN Security Council resolution on a referral might be vetoed by Russia and China, but that is exactly why we in the UK must start to support a referral, building global support—from the European Union, the Organisation of Islamic Co-operation and other countries—to overcome such opposition. Our Government can hardly ask other countries to support a referral when they do not even call for one themselves.

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): My hon. Friend is making a very important point. Will she consider suggesting, first, that the Minister also look at freezing the assets of the Burmese Government and of people who are connected to that Government? Secondly, because the ICC covers citizens of signed-up countries, the Government should be clear that any UK citizens, or those with joint citizenship, could be referred to the ICC if or when any incidents occur.

**Jo Stevens:** I thank my hon. Friend for making that point. The Government should take every possible measure to show the horror we feel about what I believe to be a genocide in Burma. We should be taking the political lead, and everything that can be done should be done. As Edmund Burke, a former Member of Parliament, said, the only thing necessary for the triumph of evil is for good people to do nothing. This humanitarian and human rights disaster is about to be compounded by a natural disaster, which was entirely avoidable. It cannot

be allowed to happen again. Burma cannot be allowed to operate with impunity and to set an international precedent for the unpunished genocide of a minority population.

1.49 pm

**Mrs Anne Main** (St Albans) (Con): It is a delight to serve under your chairmanship, Ms McDonagh.

This is an enormously important debate. We have heard the statistics about the amount of rainfall, so I shall not rehearse them, save that the north-eastern part of Bangladesh receives the greatest average precipitation of some 4,000 mm per year. By the end of the monsoon season, as the Minister knows because he has been there so often, a third of the country is under water. As other right hon. and hon. Members have seen, and as I saw when flying down from Dhaka to Cox's Bazar in September, the landscape is vast and watery, barely above sea level. Many areas of Bangladesh are treacherous and cut off in the monsoon season, which was absolutely visible. There are already huge pressures on the population as a whole—not just the Rohingya—as a result of global warming and the rains. When those rains come, communities can be accessed only by boat, houses are damaged, crops and livestock are lost and, importantly, the rice harvest is often lost, which impacts the population's future.

In the pre-monsoon and monsoon seasons, there are access constraints on the mud roads to which the hon. Member for Cardiff Central (Jo Stevens) referred. They become impassable, footpaths become slippery, and earthen stairs and slopes become dangerous and may collapse. Members who have been to the camps will know that they are like something from Mars or the moon, and will have seen the deforestation that has gone on to create mounds of earth. Where hills and mountains were covered in greenery, there are now barren, muddy landscapes with little to hold the soil together. Shelters and facilities will be flooded and damaged, prompting displacement and overcrowding in even more of the camp.

This issue is not new—as the Minister knows, it goes back 20 years—but Rohingya camps have never existed on such a scale, and never before have so many people been confined in such a small, cramped and inhospitable place, so there is no direct experience to indicate how that number of people will survive the monsoon. They have withstood monsoons in the past, but not in such numbers.

When I visited in September, I saw vast deforestation. An elephant rampaged through the camp, killed someone and was shot. People thought that was terrible, but to be fair to the elephants, every single bit of their habitat is gone. As far as the eye could see, the landscape was totally barren and vulnerable to landslips and shelter collapse. We were there for several days, and we actually witnessed 100 small, pitiful homes of the sort the hon. Lady described that had been washed away overnight. I felt utterly guilty to be listening to the heavy rain in my hotel in Cox's Bazar. As we have all seen, many of the Rohingya in camps do not have shelters at all—some simply shelter under plastic bags and other small pieces of plastic, which they hold over their heads. It is pitiful. After several nights of heavy rain, the gullies that people had been easily fording turned into death traps, and we saw an individual who had drowned while trying to access food for his family being pulled out of a flooded gully.

I am appalled that, to resolve the overcrowding that no doubt exists in the camps, 100,000 individuals from that very camp may be relocated to Bhasan Char island, which the hon. Lady mentioned. That island—a misnomer if ever there was one—is basically a large mudflat. It is a shifting bank of sand that did not even exist 20 years ago. It is not an island but an accumulation of sediment formed by the Meghna river. It changes shape radically. If anyone has not looked at it, it is possible to go online and see its changing contours. Sometimes it is totally submerged under floodwater. It is not a suitable place to create a haven for the Rohingya.

I wrote to the Secretary of State and pointed out that the topography of the island makes it extremely vulnerable to flooding and cyclones, and that it regularly disappears underwater. I also mentioned the increasing concerns about the adequacy of resources such as food, water and additional facilities, and about humanitarian access to the island. I wrote that I am worried that the planned settlement—the media are trying to look at what is going on on Bhasan Char island, but it is being planned in quite a secretive manner—would, in effect, act as a prison camp. It would allow the refugees to be resettled, but I am concerned that the island would not be a safe haven for the Rohingya.

The Minister has stated that the Government have “concerns that the island may not provide safe accommodation for Rohingya refugees and we have shared these concerns with the Government of Bangladesh.”

Given that building is going on apace, and that plans are going on apace to relocate 100,000 people to Bhasan Char island, I want to know what progress if any has been made with stopping that relocation. A huge amount of building is going on. The designs for the island show that there will be cyclone shelters, which look amazingly like prison blocks. They are absolutely tiny. The Rohingya who are there are already traumatised. I question what the value of those cyclone shelters will be, if they are imprisoned on a featureless mudflat in the bay of Bengal, cut off from the current aid groups that are in the camps on the mainland.

The flooding of contaminated water has already been referred to. Camp sanitation is bleak—I know because I have used it. I am not surprised that there are outbreaks of E. coli and other faecal matter diseases, given the overflowing latrines. We do not know what facilities will be on Bhasan Char island. I would like to know if the Minister plans to visit Bhasan Char island to reassure us.

The UK has just generously pledged £70 million more. That is £129 million pledged on behalf of the British taxpayer. Many of my constituents are fundraising for the Rohingya. I do not think many of them are aware that there is a potential Alcatraz—as I refer to it—in the bay of Bengal. I would like to know whether the British Government plan to visit given the amount of development that has already happened there.

**Lloyd Russell-Moyle:** When the International Development Committee visited, we were told that NGOs had identified significant amounts of other land that would be safe for the Rohingya to be put into. Does the hon. Lady agree that the British Government need to use all their powers to get the Bangladeshis to release the land that the aid agencies have identified, and focus less on putting them on to an island?

**Mrs Main:** I accept the hon. Gentleman's point. We cannot dictate, however, to other countries that have opened their arms and done a very big job in taking nearly 1 million people. Far be it for me to tell the Bangladeshi Government which bits of land they should give away. That would not be appropriate. I do have concerns, however, about the pieces of land that have been identified. To be fair—hon. Members have been there and seen them—other areas are barely above sea level, but the island is particularly vulnerable. With the cyclone coming on, a cyclone shelter just does not cut it.

I would like the Minister to have plenty of time to answer these questions, so I will not carry on much longer. The hon. Lady mentioned the pregnant women in the camp. I am concerned that women and children will be located on this island, many of whom are pregnant as a result of rape by the Burmese militia. We should call that out. I am absolutely appalled that we do not have any formal international recognition of the atrocities that the Burmese army are committing in order to call them out for what they are, which I believe is genocide and war crimes that should be held accountable.

I thank the hon. Member for Cardiff Central for bringing this debate and allowing me to speak in it. The British Government have been enormously generous. The Bangladeshi Government have opened their arms, but they have an election coming up and the Rohingya are not a vote-winning issue, as there are already pressures on the Government to sort out the problem with disease in the camp and some of the unfortunate practices that are being associated with the camp, which the local population are not happy with. My main point is that Bhasan Char island is not an acceptable place to send people who are already traumatised. Following the response I have had from the Government on sharing my concerns, I would like to know that the Minister has asked for a visit.

1.58 pm

**Chris Law** (Dundee West) (SNP): It is a pleasure to serve under your chairmanship, Ms McDonagh. I thank the hon. Member for Cardiff Central (Jo Stevens) for bringing this important and timely debate. I also thank the many hon. Members who have been to see first-hand Cox's Bazar and to hear the accounts of the Rohingya refugees who are there at the moment.

Today, nearly 1 million Rohingya refugees have fled across the border from Myanmar into Bangladesh. Most of them arrived in the last year. These people have arrived with virtually nothing and have fled unspeakable levels of violence after decades of persecution accelerated rapidly over the last nine months. After fleeing horrific and barbaric violence, Rohingya refugees now face potentially life-threatening monsoon rains and cyclones this summer. As we have heard, the situation has the potential to spiral out of control and the need for collective action is more critical than ever before. Cox's Bazar is already one of the most frequently flooded regions of one of the most flood-prone countries on Earth. To put that in perspective, monsoon and cyclone season brings more than 2.5 metres of rainfall in three months alone—more than four and a half times the average annual rainfall of my Dundee constituency, a region not unaccustomed to rainfall.

Pre-monsoon rains have already started in Cox's Bazar, and the storms have damaged shelters. UNICEF has reported that many children have been sitting on top of

their family shelters in an attempt to keep the plastic rooftops from blowing away. The Bangladesh Government and aid groups estimate that as many as 200,000 refugees are at direct risk due to landslides or floods and require urgent evacuation, but they have nowhere else to go. Basic services, including clean water, sanitation and healthcare, remain inadequate, and the spread of disease will be worsened by flooding and stagnant water. In addition, one third of health facilities and nutrition centres, and more than 200 educational facilities, could be lost, putting at risk the lives of the 60,000 pregnant women and their babies—many of whom are born of systematic rape which, as we have heard today, is used as a weapon of war. To make it worse, it is highly likely that aid provision will be disrupted because the roads into the camps are made of clay and may become impassable after heavy rain.

When I visited Cox's Bazar only two months ago with the International Development Committee, including some hon. Members who have spoken, I saw for myself the condition in which the Rohingya refugees are living. Nothing could have prepared us for the enormity of this humanitarian emergency. We saw, for example, that refugees are making a living in makeshift, flimsy shelters, built only of bamboo and tarpaulins, which are precariously positioned on land or carved into sandy, deforested hillsides, and are easily swept away when the monsoon season arrives. Let us be clear: the conditions were already dangerous before the monsoon season began. Now there is—dare I say it?—the perfect storm for a catastrophe. The heads of NGOs I had a chance to speak to were deeply fearful and could not emphasise strongly enough that our inaction would result in needless destruction, disease and death.

As our Committee's report outlined last month, more funding and resources must be made available immediately to save lives and improve living conditions during the monsoon season. I therefore join others in welcoming yesterday's news that the UK has pledged an additional £70 million of humanitarian support for the crisis. Alongside providing more funding, the UK Government must urgently step up their efforts with other donor nations and international agencies, and encourage and work with the Bangladesh Government. There is an immediate need for NGO staff to be allowed into the camps. Without technical expertise and the ability to deliver basic programmes, almost half a million people will continue to be unable to access essential services. Although I acknowledge Bangladesh's generosity in taking in the Rohingya refugees, the UK Government must put more pressure on it to allow aid agencies to operate more freely.

There is no time left. This has been neglected until the eleventh hour, and there is nowhere to turn and no other options. We cannot hide from this deadly issue, so it falls on us to do all we can to help. Urgent action is needed now so that we, as elected Members of Parliament, are not forced to stand up in this House in the months to come and admit we could have done more for the Rohingya and the Bangladeshi communities that host them. On a humanitarian and human rights front, the UK Government should be operating on the principle that everything that can be done should be done. I look forward to hearing how the £70 million will be spent, for what purpose it will be used and, most importantly, how soon it will be made available.

2.3 pm

**Preet Kaur Gill** (Birmingham, Edgbaston) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Ms McDonagh. I congratulate my hon. Friend the Member for Cardiff Central (Jo Stevens) on securing this important debate. Her testimony about her recent visit to Cox's Bazar was deeply harrowing and real. Other hon. Members also made excellent contributions. We have heard from the hon. Member for Strangford (Jim Shannon), my hon. Friends the Members for Brighton, Kemptown (Lloyd Russell-Moyle) and for Birmingham, Northfield (Richard Burden), and the hon. Members for Kettering (Mr Hollobone) and for St Albans (Mrs Main), who raised concerns about the relocation of the Rohingya. The hon. Member for Dundee West (Chris Law) echoed the concerns raised by the Members who spoke before him.

The plight of the Rohingya people is clearly one of the greatest human tragedies of this century. Forced by violence to flee their homes, more than 1 million refugees have sought haven in Bangladesh—the majority in Cox's Bazar. That speed of displacement has not been witnessed since the Rwandan refugee crisis in 1994. More than half a million Rohingya arrived in Bangladesh within a month.

Cox's Bazar is one of the most flood-prone areas of Bangladesh and has an average of 2.5 metres of rainfall during June, July and August. To put that in perspective, in Britain, where we are far from blessed with glorious sunshine, we receive less than 1 metre of rain in the entire year. Time is clearly of the essence. The pre-monsoon rains have already begun, and the situation is critical. On 26 April, a storm damaged shelters and affected several families in the camps. Last week a mudslide was reported in camp 4 in Cox's Bazar, and there were reports of at least one fatality. The scale of the potential humanitarian disaster is truly horrifying, and more than 100,000 people, more than half of whom are children, are at risk of being directly affected by landslides and floods. That is only a conservative estimate, because that figure could double, should the rains be particularly heavy.

It is not just that there is a direct threat to life from the rains and mudslides. We have heard today that sanitation conditions are expected to deteriorate significantly, leading to reduced access to safe drinking water. As of December, water samples collected from households showed that 81% were already contaminated with *E. coli*, and the situation will only get worse in the coming months. It is highly likely that there will be increases in water-borne diseases such as diarrhoea and hepatitis and in diphtheria, malaria and dengue fever. According to the International Rescue Committee, 36% of people are already living without access to clean, safe water—a figure compounded by the fact that 46% of the functioning water pumps in the area are at risk from flooding or landslides. Can the Minister confirm whether the UK emergency medical team is in position to respond, much as it did between late December and early February, to an upsurge in disease in the camps?

The window of opportunity for moving refugees to more secure locations is rapidly closing. As of 23 April only 12,400 refugees had been relocated to safer sites. I recognise that the United Kingdom is playing a leading role in the humanitarian response, and I welcome its overall humanitarian work—especially the announcement yesterday of an additional £70 million towards preparing

for the monsoon. Will the Minister provide assurances that that leading role includes encouraging others to increase their contributions to the effort, and will he outline what steps are being taken to achieve that?

I welcome the Department for International Development's direct humanitarian work, but it is clear that the issues of humanitarian access, safe, voluntary, dignified returns, and dealing with the long-term persecution faced by the Rohingya in Myanmar can be addressed only with a political solution. For that purpose I urge the Government to keep their eye on the ball and to step up the political will and the focus that they are devoting to finding such solutions.

**Mrs Main:** Does the hon. Lady share my concern at the lack—particularly when the memorandum of understanding between Bangladesh and Burma was being agreed—of a voice for the Rohingya at the table? There is no identified leader and no person who can speak out for what the community would like to happen in the negotiations.

**Preet Kaur Gill:** I absolutely agree, and I will come on to that point.

The Government of Bangladesh have rightly been praised for their initial response, but as we move into a dangerous new phase of the crisis it is imperative to address operational barriers that hinder the work of aid agencies. International donors have granted \$14 million of funding, which cannot be utilised at present because of restrictions on which organisations can deliver aid programmes in Cox's Bazar. That has led to the utterly perverse situation of badly needed aid money being returned to donors.

In response to a written question that I tabled on 13 April, the Minister recognised:

“International non-governmental organisations face ongoing challenges with securing and renewing visas and permits”.

He stated:

“UK Ministers and officials continue to liaise with their Government of Bangladesh counterparts on this issue.”

With that in mind, will the Minister provide an update on discussions between the UK and Bangladesh Governments on the process of issuing FD-7 visas so that international aid organisations can implement humanitarian projects, and will he confirm that the UK Government are pressing for the duration of the authorisation to be increased?

Owing to further administrative procedures, up to 90% of aid staff currently have to use short-term tourist or business visas to enter the country. Will the Minister assure me that his Department is doing all it can to ensure that the Government of Bangladesh agree FD-6 agreements with agencies, so that their staff are able to apply for the appropriate visas necessary to plan and implement their work?

Secondly, at the recent Commonwealth Heads of Government meeting, a roundtable on the Rohingya crisis was co-hosted by the UK and Canada, with the Foreign Ministers of Australia, New Zealand and Bangladesh in attendance. That meeting represented a chance to discuss the crisis at the top level of Government. Will the Minister say whether preparations for the monsoon season were specifically discussed at that meeting?

[Preet Kaur Gill]

Thirdly, although the immediate priority must of course be the impending monsoon, the only permanent solution to the crisis is for the security situation in Rakhine state to be such that the Rohingya are able to return safely and voluntarily to their home. Although in January an agreement was reached between the Governments of Bangladesh and Myanmar to repatriate 156,000 Rohingya over the next few years, in reality neither the security situation nor the stipulations placed on returning Rohingya, such as identity documents, are conducive to such a move.

I met the Myanmar ambassador to raise my concerns about the ongoing treatment of the Rohingya, but I do not believe that blaming the failure of Rohingya repatriations on administrative errors by the Bangladeshi authorities indicates a serious desire on the part of the Myanmar Government to solve this crisis. The UK Government must maintain pressure on the Myanmar authorities to engage seriously with the issues faced by the Rohingya, not least those of security and citizenship. What are the Government doing to ensure that the Myanmar Government and General Min Aung Hlaing are properly brought to account for the atrocities they have committed? Does the Minister agree that the Myanmar Government cannot be trusted to protect the Rohingya until they truly feel the heat of international pressure and accountability for what has happened?

I welcome the UK continuing to fund humanitarian work in Cox's Bazar as monsoon season approaches, but I hope that that terrible threat will act as a spur to renew the UK's political will and to solve some of the longer term political problems. Only then will we finally see an end to the suffering of the Rohingya people.

2.11 pm

**The Minister for the Middle East (Alistair Burt):** It is a pleasure to serve under your chairmanship, Ms McDonagh. I thank the hon. Member for Cardiff Central (Jo Stevens) for securing this debate and all colleagues for taking part.

I will begin with some general remarks, and then turn to the substance of the debate. As we know, this is an immensely complex issue, but the moment that people moved in August last year, it was perfectly obvious that the monsoon season would come round again. Colleagues can therefore be reassured that preparation for this event has been long in the planning, although there is only so much that can be done on the piece of land that colleagues have, in many cases, seen and described accurately. With such flimsy conditions underneath, only so much can be done to prepare and strengthen shelters. At the same time, handling the crises of people who are already there, and the multifaceted difficulties that they bring, has been exceptional.

Colleagues are right to question the responsibility of the host Government, but we must be sensible about this. Bangladesh has taken on an enormous responsibility. It is supported by the rest of the world community, but there are limits to telling a sovereign Government who they should admit to their country, who must work there, under what terms, and everything they can do. We must understand the limitations that we are working with, but equally we must accept that from the moment so many people moved last August, people have been

aware of what was going to happen, and have been making appropriate preparations as best they can. That sets the background to this debate.

**Jo Stevens:** I absolutely accept the Minister's point about aid and outside agencies and countries directing the Bangladesh Government, but does he agree that, if millions of pounds of funding is being given to help, the Government have leverage to sort out these difficulties? There are practical difficulties of aid workers not being able to get into the camps to help.

**Alistair Burt:** We entirely agree. We constantly raise these issues directly with the Bangladesh Government, and have letters from agencies that have been helped and supported thanking us for the work we have done in company with others. There is no point in aid being available if it cannot be distributed, but the Bangladeshi Government have issues with who comes in and why. These are big camps, and there is a lot of scope for things to go wrong. They must have the responsibility themselves, but easing administrative difficulties is a key part of what supportive Governments do on behalf of the various agencies.

**Chris Law:** We are in the second week of May and the monsoon starts in a month. I accept the Minister's point that we have known that the monsoon was coming since August last year, but just eight weeks ago when I and colleagues from the International Development Committee were there on the ground we heard from NGOs that nothing is getting done—or that what is getting done is far too late. Given that we had all that information and we know that there are monsoons in the region year on year, why are we only now at this critical stage putting funding towards monsoon relief, and with little or no plan for what we will spend it on?

**Alistair Burt:** That takes me comfortably to the second part of what I want to say. Let me answer that, because it is a perfectly fair challenge. I pay tribute to the Government of Bangladesh and the communities in Cox's Bazar for the extraordinary generosity they have shown in welcoming hundreds of thousands of Rohingya fleeing despicable persecution in Burma—persecution that amounts at the very least to ethnic cleansing, and possibly more. More than 680,000 have fled since the latest violence in August 2017, and they join about 300,000 fleeing waves of violence in previous years, bringing the total Rohingya population in Bangladesh to almost 1 million.

One camp alone in the Kutupalong area of Cox's Bazar, which my hon. Friend the Member for St Albans (Mrs Main) referred to, contains almost 600,000 people, giving it the dubious distinction of being the world's largest refugee camp. Conditions in such camps are almost unimaginably hard, as colleagues who have visited have made clear. As my right hon. Friend the International Development Secretary saw when she visited Bangladesh last November, many are makeshift, built piecemeal and without proper planning or foundations. Those fragile structures are extremely vulnerable to the heavy rains of the current monsoon season, which could soon be compounded by high winds and storm surges if a cyclone hits the area. The Bangladeshi Government have an excellent track record in saving lives in extreme weather events, and we call on them to use their expertise to help support those currently at risk.

As far as preparedness is concerned, UN agencies, the Red Cross and NGOs, with support from the UK, are working tirelessly on measures to improve conditions in the camps and prepare for extreme weather. The UK has led the way in terms of the scale and speed of our response to the crisis, pledging £59 million in humanitarian response. As colleagues mentioned—I am grateful to them for welcoming this—my right hon. Friend the International Development Secretary announced yesterday a further £70 million of UK support for the crisis, which will help to protect vulnerable people during this volatile rainy season, improving structures and infrastructure such as roads and latrines, and help to clear newly allocated land. It will also provide urgently needed humanitarian support such as food, medicines, shelter and psycho-social support to many hundreds of thousands of Rohingya and the communities so generously hosting them.

Let me spell out a few more details. That support is expected to try to help 200,000 people with much-needed materials to strengthen their shelters and 300,000 people with food assistance and clean water. The aim is also to provide emergency nutrition for 30,000 pregnant and breastfeeding women, plus 120,000 children younger than five. Another aim is to get access to midwifery care for 50,000 women, including many who may give birth during the rainy season, and to provide access to bathing cubicles for nearly 53,000 women and girls. It is hoped that another 50,000 people will be helped in getting access to healthcare services.

**Jeremy Lefroy (Stafford) (Con):** I thank the hon. Member for Cardiff Central (Jo Stevens) for bringing forward the debate. I have written to the Minister about the potential for a serious malaria epidemic in the area. As he well knows, there is the issue of drug-resistant malaria coming up from Burma, which may impact on the area. What preparation is being made to prevent a devastating outbreak, which could transmit drug-resistant malaria further afield through Bangladesh and into India and beyond?

**Alistair Burt:** On receipt of my hon. Friend's letter, I took advice from the agencies on the ground about their concerns. Their concerns were not quite as acute as his information, but they were aware of the risk and were taking precautions against them.

The hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) mentioned the emergency medical team. It is not permanently out there but it is always on stand-by to respond, just as it responded to the cholera and diphtheria epidemic around Christmas time. Many people saw that work. That emergency medical team remains on standby. I am conscious of what my hon. Friend the Member for Stafford (Jeremy Lefroy) said about malaria—we keep an anxious check on that.

**Mrs Main:** Unfortunately, many people die in the camps. Funeral arrangements in the camps are very difficult. Families who I spoke to said that burying the dead and having decent funerary rites was a real issue. Will the Minister say whether there is any progress on that?

**Alistair Burt:** I try always to be honest with the House when I do not know something. I do not have any information on that. My hon. Friend knows full well that the quality of the ground makes washing,

digging foundations and shelter difficult enough. Latrines are far too close to services, so burying people must be even more dreadful than it would ordinarily be. I will find out the answer to her question and supply information.

UK aid already ensures that more than 250,000 people will continue to have access to safe drinking water during the rainy season. The latrines issue is vital: more than 7,000 latrines have been constructed and strategically placed throughout the camps, and more than 6,700 new latrines will be decommissioned or re-sited. There is an understanding of the importance of that. UK-supported cholera, measles and diphtheria vaccination campaigns have been carried out in readiness. They will provide protection against some of the most common diseases in the camps, which are expected to be more widespread during the rainy season. Preparation for that is being done. More than 391,000 children under the age of seven have been vaccinated to date. Healthcare workers are being trained to prevent, identify and treat common illnesses expected during the rainy season and to manage higher case loads.

Some 450,000 people have benefited from support to make their shelters more resilient to rain and heavy winds. Site improvements such as drainage, protecting pathways and stabilising steps and bridges to enable access are already being undertaken. Everyone with knowledge of the camp knows that there is limit to what can be done, not only with the flimsy shelters but the foundations on which they are built. We are advised that the best protection possible is trying to be devised and put in place.

We are funding efforts to relocate or accommodate up to 30,000 of the most vulnerable refugees. We welcome the fact that the Government of Bangladesh have made an additional 800 acres of land available close to the existing camps, and we are supporting the work of the UN to make this land suitable for the safe relocation of refugees.

My hon. Friend the Member for St Albans mentioned Bhashan Char island. I will be happy to go and see that when I get the opportunity. She made clear that we have had our own reservations about that particular piece of land. We have made clear to the Government of Bangladesh that any relocation of refugees must be safe, voluntary, dignified, and in accordance with international humanitarian standards, principles and laws. We have shared with the Government of Bangladesh our concerns that the island may not provide safe accommodation for Rohingya refugees. We have requested that the UN be given the opportunity to conduct a technical assessment of plans for the island. We have had no involvement in developing plans for the proposed relocation—we are very conscious of the pressures on land in the whole area, but that is the role that we intend to take in relation to Bhashan Char island. The sheer scale and availability of alternative lands makes things so much more difficult.

The hon. Member for Cardiff Central spoke of sexual violence and pregnancy. Accountability for crime is very important, and the assessment of what happened to people is vital, but supporting them now is equally important. We believe we have led the way in supporting a range of organisations, providing specialised help to survivors of sexual violence in Bangladesh. That includes 30 child-friendly spaces to support children with protective services and psycho-social and psychological support

[Alistair Burt]

and 19 women's centres that will offer a safe space and activities to women. Case management is being provided for just over 2,000 survivors of sexual and gender-based violence. Thirteen sexual and reproductive health clinics will provide access to sexual and reproductive health services, including antenatal care. More than 53,500 women will be provided with midwifery care. Medical services counselling and psychological support will be provided to Rohingya refugees who have either witnessed or are survivors of sexual violence. With DFID support, UNFPA and partners have developed guidelines on how to support women and girls who have been raped and are pregnant, which includes the training of caseworkers and those who will support them through pregnancy and beyond.

This is a desperately serious issue and Members are right that the births that will take place in the next few months will be among the most difficult that could be witnessed, but we have done all that we can, alongside various other agencies, to try to prepare for these circumstances.

**Jo Stevens:** I welcome all of that. It is very welcome, but it is small in comparison with the size of the problem. The Minister has not addressed the question of Burma's impunity for those crimes and for the murder and torture of other Rohingya. I hope he will address that point and tell us what the Government are doing to seek a referral.

**Alistair Burt:** Let me turn to the issue of Burma—the hon. Lady was right to anticipate this point. We do not and should not forget that it was the actions of the Burmese military that drove Rohingya from their homes, leading to the current extremely precarious situation in which they find themselves. Although it is of course vital and right that we provide immediate, life-saving humanitarian support to Rohingya in Bangladesh, we continue to call upon the Burmese authorities to create the conditions for them to be able to return home safely, voluntarily and with dignity, under a process overseen by the UN. In particular, Burma should fully implement the recommendations of the Rakhine Advisory Commission, beginning with full, unfettered access for agencies to northern Rakhine.

The hon. Member for Cardiff Central and the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) mentioned the referral and access to justice. Other countries know the UK's commitment to justice. It was the UK that secured a UN presidential statement in November calling for accountability for what happened in Rakhine. The UK was instrumental in getting a recent UN Security Council visit and the Security Council is now considering Burma's statement made during last week's visit that it was ready to conduct an investigation. We will press for that first. We also await with interest the decision of the International Criminal Court as to whether it has jurisdiction regarding forced deportation into Bangladesh, which it has just announced it is examining. Calling on the Security Council to refer Burma to the ICC will remain an option.

The UK has sought to lead the way in a variety of different ways—in responding with aid; in using the UN to call for the presidential statement and getting other states involved; in securing sanctions against named individuals who have been responsible; and in continuing the work and efforts in preparation for the monsoon season. As I said at the beginning, this is a very complex issue and we will discuss it again, but the United Kingdom, with other agencies, is doing as much as it can to do what we can. We will not desist from that and recognise that there will be much more to do in the future.

2.28 pm

**Jo Stevens:** I thank the Minister for his remarks and everyone who has participated in the debate. It is most important that we do not forget the children, women and men in those camps. I welcome what the Government have done so far. I hope they continue to put international pressure on Burma and build a coalition against it so that we can see justice for the 1 million people who have suffered this terrible atrocity.

*Question put and agreed to.*

*Resolved,*

That this House has considered the effect of the monsoon season on the Rohingya.

2.29 pm

*Sitting adjourned.*

# Written Statements

Tuesday 8 May 2018

## TREASURY

### ECOFIN: 27-28 April 2018

**The Chancellor of the Exchequer (Mr Philip Hammond):**

An informal meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Sofia on 27-28 April 2018. The Council discussed the following:

*Working lunch—Deepening of the economic and monetary union*

Based on a presidency issues note, the Council exchanged views on the ECOFIN Council roadmap of June 2016 on completing the banking union. This was followed by an update from the Eurogroup president on reform of the European stability mechanism.

*Working Session I*

The Council were then joined by Central Bank Governors for the first working session.

*a) Convergence in the EU—Inside and outside the euro area*

Following a presentation from the Centre for European Policy Studies, the Council discussed the possibilities to increase convergence in the EU among both euro area and non-euro area member states.

*b) Further reducing fragmentation within the capital markets union*

Following a presentation from Bruegel on deepening of the capital markets union, the Council discussed measures to further reduce capital markets fragmentation.

*c) Miscellaneous*

The Council were then debriefed on the outcomes of the G20 Finance Ministers and Central Bank Governors meeting on 19-20 April.

*Working Session II—Improving revenue collection and fighting tax fraud in the single market*

The Council exchanged views on ways to improve administrative co-operation and the exchange of tax information between member states in order to improve revenue collection and fight tax fraud in the single market.

*Working Session III—Corporate taxation and tax challenges of the digital economy*

Following the recent publication of Commission proposals regarding fair taxation of the digital economy, the Council exchanged views on the approach to corporate taxation in the single market and the tax challenges arising from digitalisation of the economy.

[HCWS667]

## DIGITAL, CULTURE, MEDIA AND SPORT

### Data Protection Bill (English Votes for English Laws)

**The Minister for Digital and the Creative Industries (Margot James):** I am today placing in the Library of the House the Department's analysis on the application of Standing Order 83L in respect of the Government amendments tabled for Commons Report stage for the Data Protection Bill [HL].

[HCWS668]

## EDUCATION

### Teaching Career Consultation

**The Minister for School Standards (Nick Gibb):** On Friday 4 May 2018, the Government published their response to the recent consultation on "Strengthening Qualified Teacher Status and Improving Career Progression for Teachers".

This consultation closed on 8 March, and had over 2,000 written responses. The majority of responses agreed with the case to strengthen support that teachers receive in the early stages of their career. This is in addition to finding more effective ways of enabling teachers to access high quality continuing professional development throughout their careers.

The Government response sets out how we will take this work forward, including:

- Increasing the length of the induction period for teachers from one year to two years;

- Developing an early career framework of support and mentoring, which will create a better and more consistent induction experience for all new teachers;

- Exploring the creation of new qualifications for experienced classroom teachers, alongside work to consider how we can make the existing continuing professional development market easier to navigate for schools and teachers; and,

- Piloting a sabbatical fund for experienced teachers.

As this work is developed further, we will work with teachers, school leaders, and education experts. We will also ensure that improving continuing professional development for teachers aligns closely with wider work on the recruitment and retention of teachers.

The response is available on [www.gov.uk](http://www.gov.uk) and I will place a copy in the Libraries of both Houses.

[HCWS669]



# Petition

*Tuesday 8 May 2018*

## OBSERVATIONS

### HEALTH AND SOCIAL CARE

#### **Save Our Shire Hill Hospital**

Declares opposition to the closure of the Shire Hill Hospital in Glossop as it is the only credible option.

The petitioners therefore request that the House of Commons urges the Government to rule the consultation invalid and enable Shire Hill Hospital to continue their excellent rehabilitation service.

And the petitioners remain, etc.—[Presented by Ruth George, *Official Report*, 25 October 2017; Vol. 630, c. 358.]

[P002068]

*Observations from the Minister for Care (Caroline Dinéage):*

This is a matter for the local NHS. It is important that local reconfiguration decisions are made locally, where the care needs of the local population are best understood.



# ORAL ANSWERS

Tuesday 8 May 2018

	<i>Col. No.</i>		<i>Col. No.</i>
<b>HEALTH AND SOCIAL CARE</b> .....	519	<b>HEALTH AND SOCIAL CARE—continued</b>	
Access to Social Care .....	519	Obesity .....	532
Alcohol: Minimum Unit Pricing .....	531	Perinatal Mental Health .....	526
Folic Acid: Children and Pregnant Women .....	536	Rural and Urban Communities: Health and Care Needs .....	527
GP Services: Capacity and Availability .....	530	Social Media: Children's Mental Health .....	535
National Diabetes Audit: Mental Health .....	522	Stroke Patients: Health Outcomes .....	533
NHS Bursaries .....	523	Supporting People with Mental Health Problems ..	521
NHS Dentistry .....	534	Topical Questions .....	537
NHS Dentistry: Funding Distribution .....	529		

# WRITTEN STATEMENTS

Tuesday 8 May 2018

	<i>Col. No.</i>		<i>Col. No.</i>
<b>DIGITAL, CULTURE, MEDIA AND SPORT</b> .....	16WS	<b>TREASURY</b> .....	15WS
Data Protection Bill (English Votes for English Laws) .....	16WS	ECOFIN: 27-28 April 2018 .....	15WS
<b>EDUCATION</b> .....	16WS		
Teaching Career Consultation .....	16WS		

# PETITION

Tuesday 8 May 2018

	<i>Col. No.</i>
<b>HEALTH AND SOCIAL CARE</b> .....	5P
Save Our Shire Hill Hospital .....	5P

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**not later than  
Tuesday 15 May 2018**

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CONTENTS

Tuesday 8 May 2018

**Oral Answers to Questions [Col. 519] [see index inside back page]**

*Secretary of State for Health and Social Care*

**Learning Disabilities Mortality Review [Col. 545]**

*Answer to urgent question—(Caroline Dinéage)*

**G4S: Immigration Removal Centres [Col. 555]**

*Answer to urgent question—(Victoria Atkins)*

**Protection of Pollinators [Col. 565]**

*Motion for leave to bring in Bill—(Ben Bradley)—agreed to  
Bill presented, and read the First time*

**Secure Tenancies (Victims of Domestic Abuse) Bill [Col. 569]**

*Not amended, considered; read the Third time and passed*

**Nuclear Safeguards Bill [Col. 600]**

*Programme motion (No. 2)—(Kelly Tolhurst)—agreed to  
Lords amendments considered*

**Criminal Legal Aid [Col. 627]**

*Motion—(Richard Burgon)—on a Division, negatived*

**Petition [Col. 651]**

**Homeopathy: Veterinary Medicine [Col. 652]**

*Debate on motion for Adjournment*

**Westminster Hall**

**Concessionary Bus Passes [Col. 205WH]**

**Children Missing from Care Homes [Col. 228WH]**

**Skills Strategy [Col. 236WH]**

**Rohingya: Monsoon Season [Col. 244WH]**

*General Debates*

**Written Statements [Col. 15WS]**

**Petition [Col. 5P]**

*Observations*

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

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