

**Tuesday
15 May 2018**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 15 May 2018

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH OFFICE

The Secretary of State was asked—

Cameroon

1. **Jessica Morden** (Newport East) (Lab): What recent discussions he has had with his Cameroonian counterpart on the level of violence in that country. [905281]

The Minister for Africa (Harriett Baldwin): I visited Cameroon in February and met the Cameroonian Prime Minister, and the Foreign Secretary met him at the Commonwealth meetings in London in April. In all our discussions with Cameroonian Ministers, we have stressed the importance of inclusive dialogue and not resorting to violence.

Jessica Morden: A constituent of mine from Cameroon who sought asylum here has been highlighting the ongoing violence and the brutality committed by that country's Government in Anglophone regions, and the acute refugee crisis that that has caused. I know that the Department has been raising these issues, but what more can Ministers do to help to get a meaningful process going to address the issues and end the violence?

Harriett Baldwin: I am delighted that the hon. Lady has managed to get this important issue on the Order Paper and up for discussion in the House of Commons, because it is a serious situation. There is violence from all sides in Cameroon and we are extremely concerned about the situation. We are encouraging not only the Government there but all Cameroonians to participate in a process of inclusive dialogue. It is an election year and the election must take place without people resorting to violence.

Girls' Education

2. **Giles Watling** (Clacton) (Con): What steps his Department is taking to support the delivery of girls' education throughout the world. [905282]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): If every girl in the world had 12 years of quality education, this world would be

infinitely safer, vastly more prosperous and better, which is why education for girls is at the heart of Government policy.

Giles Watling: I thank the Secretary of State for his answer, but I am concerned that, according to UNESCO estimates, 130 million girls between the ages of 6 and 17 are out of school and 15 million girls of primary school age, half of them in sub-Saharan Africa, will never enter a classroom. Will my right hon. Friend reassure me that tackling this issue will continue to be a top priority for global Britain?

Boris Johnson: My hon. Friend is absolutely right, and the statistics are truly horrifying. There are countries around the world, including in sub-Saharan Africa, where female illiteracy is running at 60%, 70% or sometimes 80%, which is why the UK is in the lead in campaigning at the UN, the G7 and the G20 for focus on this issue. That is also why the Prime Minister announced a further £212 million for girls' education at the recent Commonwealth summit.

Mr Speaker: As he is the father of lots of daughters, I call Mr Barry Sheerman.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Foreign Secretary aware that, in many parts of the developing world, educational institutions and orphanages are not quite what they seem? Children are taken into them and trafficked, instead of getting an education. Will he look into that?

Boris Johnson: I am grateful to the hon. Gentleman for raising that problem, which is of course well known to the Prime Minister, who has campaigned on human trafficking and modern slavery for many years. We certainly co-ordinate with the Home Office to tackle the problem that the hon. Gentleman describes.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Girls who do not receive education are more likely to become victims of human trafficking, early marriage and gender-based violence. Will the Foreign Secretary update the House on what he is doing not only to support girls' education, but in particular to join up the strategies for ending violence against women and girls?

Boris Johnson: We continually work to tackle not just female illiteracy and innumeracy but the associated problems, including gender-based violence, and we work continually on the prevention of sexual violence in conflict. I recently had a meeting with Lord Hague, whom colleagues will remember championed that issue to great effect.

John Cryer (Leyton and Wanstead) (Lab): What discussions has the Foreign Secretary had with the Government of Pakistan about girls' education in that country? What assessment has he made of that Government's track record?

Boris Johnson: I am proud to say that I have had repeated conversations with the Government of Pakistan about the UK contribution to the challenge that they face. As I am sure that the hon. Gentleman knows, 66% of adult women in Pakistan are illiterate. Through the

Department for International Development, the UK is trying to tackle that issue, and I think that 6 million girls in the Punjab have been educated thanks to the UK's generosity.

Commonwealth: Diplomatic Relations

3. **Mr Ranil Jayawardena** (North East Hampshire) (Con): What steps his Department is taking to strengthen UK diplomatic relations with Commonwealth countries. [905283]

22. **Andrea Jenkyns** (Morley and Outwood) (Con): What steps his Department is taking to strengthen bilateral relations with Commonwealth countries. [905302]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): During the recent Heads of Government meeting at the Commonwealth summit, we announced the opening of nine new missions, to great acclaim throughout the Commonwealth. They include six high commissions in Lesotho, Swaziland, the Bahamas, Tonga, Samoa and Vanuatu. As I have told the House before, we are expanding the UK diplomatic network to become the biggest in Europe.

Mr Jayawardena: I welcome the Foreign Secretary's comments. It was great to see so many Heads of Government attending CHOGM last month. Does he agree with Her Majesty that the Commonwealth will continue to offer stability and continuity for future generations under the worthy leadership of His Royal Highness the Prince of Wales?

Boris Johnson: My hon. Friend asks an extremely good question, though he sets a very high bar in asking me in any way to disagree with Her Majesty the Queen, which I will not do because I think that the Prince of Wales will serve admirably as the next head of the Commonwealth.

Andrea Jenkyns: Intra-Commonwealth trade is expected to increase to £1 trillion by 2020, which is up from £560 billion recorded in 2016. However, Commonwealth nations take just 9% of UK exports of goods and services. Does my right hon. Friend agree that, post Brexit, bilateral trade relations with the Commonwealth will be more important than ever and will provide us with an exciting opportunity to sell our goods and services and set up new trade deals with a third of the world's population?

Boris Johnson: My hon. Friend is, of course, entirely right: we have a huge opportunity to build new associations and new trade deals with some of the fastest growing economies in the world comprising, as she knows, 2.4 billion people, but without in any way prejudicing our ability to do unimpeded free trade deals with other countries and to maintain the advantages of free trade with our European friends and partners.

Catherine West (Hornsey and Wood Green) (Lab): Will the Foreign Office review its current position on the plight of the Chagos islanders, who should be granted immediately the right to repatriation in their home in the Indian ocean territories?

Boris Johnson: As the hon. Lady knows, we are currently in dispute with Mauritius about the Chagossian islanders and Diego Garcia. I have personally met the representative of the Chagossian community here in this country, and we are doing our absolute best to deal with its justified complaints and to ensure that we are as humane as we can possibly be.

Jim Shannon (Strangford) (DUP): Bearing in mind the recent return of Zimbabwe to our Commonwealth family, can the Secretary of State tell us what other countries might be about to join the Commonwealth? Is it too much to hope that perhaps the Republic of Ireland might be one of them?

Boris Johnson: In these questions, it is important not to get too far ahead of ourselves. Zimbabwe is a great news story at the moment, but, alas, she has not yet reapplied for membership of the Commonwealth. We await that application to the Commonwealth secretariat. It is certainly something that the UK and other countries would strongly support, as we discovered at the Commonwealth Heads of Government meeting. As the hon. Gentleman knows, there are other countries that are in the pipeline, but they are yet to identify themselves publicly.

Julia Lopez (Hornchurch and Upminster) (Con): Will my right hon. Friend explain how the UK is working with allies such as Australia to bolster Commonwealth ties in the south Pacific as a counter balance to growing Chinese influence in places such as Vanuatu and the Solomon Islands?

Boris Johnson: I am very grateful to my hon. Friend for her question, and it has been raised specifically with me by our friends in the south Pacific that they want to see the UK back there. A head of an island there described to me his sense of grief at seeing a vacant UK seat at a recent meeting—I will not name the country in which the meeting took place. We are filling that seat; we will be back there in all the countries that I have just announced.

Patrick Grady (Glasgow North) (SNP): I do not know whether "Fox and Friends" has broadcast in any Commonwealth countries, but can the Foreign Secretary tell us whether appearing on breakfast TV is now an official part of UK diplomatic foreign policy, or is it reserved only for countries with which we have a special relationship?

Boris Johnson: I cannot comment on whether "Fox and Friends" is broadcast across the Commonwealth, but what I will say is that we should use every possible means at our disposal to reach out to our friends not just in the Commonwealth, but in the former Commonwealth—the United States of America.

Several hon. Members rose—

Mr Speaker: Order. I am sure that colleagues will not wish to be deprived, so I hope that the right hon. Gentleman will place a copy in the Library of the House for their delectation in the long summer evenings that lie ahead. [*Interruption.*] The transcript, man.

Richard Graham (Gloucester) (Con): Will my right hon. Friend join me in congratulating Malaysia on her recent outstanding elections, which have seen the return of the first ever opposition party since independence? It shows that democracy is alive and kicking in Malaysia. Does he agree that there is much more that we can do together, not least through an extended relationship with the Association of Southeast Asian Nations?

Boris Johnson: Not only that; I congratulate my hon. Friend on all the work he does to promote relations between the UK and ASEAN. He works tirelessly on that dossier. Malaysia certainly presents extraordinary opportunities for the UK. A massive friendship and partnership already exists with the country, and we look forward to building relations very fast with the new Government of Mahathir Mohamad.

Helen Goodman (Bishop Auckland) (Lab): We are all delighted that there was a successful Commonwealth Heads of Government meeting this year. Among the valued Commonwealth members are of course the Caribbean countries. We know that Caribbean Foreign Ministers raised the issue of Windrush deportations with the Foreign Office in 2014 and that high commissioners did so in 2016, so will the Foreign Secretary tell us what discussions he and his Ministers had at that time with their counterparts in the Home Office?

Boris Johnson: I must respectfully tell the hon. Lady what I am sure she knows very well: this is a matter for the Home Office. We certainly alerted the Home Office to the issue, but the question of how to manage immigrants in this country is a matter for the Home Office.

Iran Nuclear Deal

4. **Mr John Baron** (Basildon and Billericay) (Con): What recent discussions he has had with his international counterparts on the future of the Iran nuclear deal. [905284]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): As the House will understand, the UK continues to work hard with all our friends and partners—particularly the other European signatories to the joint comprehensive plan of action—to keep that deal alive. We believe that it is of fundamental importance that Iran was not in breach of the JCPOA last week. It is still not in breach of the JCPOA this week. There are advantages to maintaining the essence of that deal, so we will continue to work for that and to protect the interests of UK business in Iran.

Mr Baron: Recent tensions between Israel and Iran underline the importance of the nuclear deal, and we should not forget how close the west and Iran came to conflict over the nuclear issue in 2012. The Government have rightly maintained their full support for the agreement, but exactly how far are they prepared to go, in concert with their allies, to keep this deal alive—including, if necessary, protecting companies that trade with Iran from American sanctions?

Boris Johnson: My hon. Friend brings a great deal of learning to this subject. This issue is difficult because of the extraterritorial effect of US sanctions; when companies

touch the live wire of the American financial network, they find themselves almost immediately sanctioned. I am going to Brussels this afternoon to talk to our European friends about what we can do to work together to protect the interests of UK and other European businesses.

Mike Gapes (Ilford South) (Lab/Co-op): When the Foreign Secretary goes to Brussels, will he explain to our European friends that this country values our defence and security partnership with our European Union partners? Will he also say positive things about whether we will be joining permanent structured co-operation—PESCO—and co-operating with the other European countries in the future?

Boris Johnson: I can direct the hon. Gentleman to no better text than the Prime Minister's Lancaster House speech—fleshed out by her Mansion House speech—in which she made it clear that the UK's commitment to the defence and security of our friends and partners is unconditional and indivisible.

Stephen Crabb (Preseli Pembrokeshire) (Con) *rose*—

Mr Speaker: I wish the right hon. Gentleman a full and speedy recovery.

Stephen Crabb: Thank you, Mr Speaker; that is very kind. The Iranian Government responded to President Trump's announcement last week by showering Israel with rockets using their own forces inside Syria. What does my right hon. Friend think those forces of the Iranian Revolutionary Guard are actually doing inside Syria? If the Iran nuclear deal was not the thing to encourage Iran to become a more responsible member of the international community, what does he think will be?

Boris Johnson: My right hon. Friend is completely right to raise the disgraceful behaviour of the Iranian Revolutionary Guard Corps and the missiles that are fired from Syria at Israel and elsewhere. The JCPOA was not designed to constrain that activity; it was specifically designed to stop Iran acquiring a nuclear weapon and it has succeeded in that effort so far. That is why we propose to keep the core of that deal alive, but to work with our friends and partners to constrain the malign activity that my right hon. Friend describes.

Fabian Hamilton (Leeds North East) (Lab): Last July, at a conference of the Iranian resistance movement in Paris attended by a number of Conservative Members, John Bolton announced that the Iranian regime is

“not going to change...the only solution is to change the regime...And that's why, before 2019, we...will celebrate in Tehran!”

Now that Mr Bolton is President Trump's national security adviser, does the Foreign Secretary believe that regime change is still his objective?

Boris Johnson: I have a very high regard for John Bolton and his intelligence and vision, but I have to say that I do not believe that regime change in Tehran is the objective that we should be seeking. I must be very clear with the hon. Gentleman that I think that we might conceivably achieve regime change at some stage in the near future, but I cannot with any confidence say that

that would be a change for the better, because it seems equally plausible to me to imagine that Qasem Soleimani of the IRGC could put himself in a very good position to take over from Ayatollah Khamenei, for instance.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I suggest to my right hon. Friend that there is a temptation among his allies to point the finger at the United States and heap opprobrium on it when he goes to Brussels. May I urge him to point out to them that, since sanctions were lifted on Iran, it has used the money that it has earned to invest in developing ballistic missiles, to start a proxy war in Yemen and to interfere in Syria? Will he remind them that notwithstanding the fact that it was a narrow deal, there is a real, serious threat from Iran that needs to be dealt with?

Boris Johnson: My right hon. Friend is completely right, and that is indeed what we intend to do. But we also intend to try to address the substantive difficulties in the JCPOA itself—the fact that it expired, the fact that the sunset clauses are not adequate and the fact that in 2025 it is at least theoretically possible for Iran to proceed very rapidly to break out to acquire a nuclear weapon. That is a legitimate concern of President Trump, and we have to deal with it as well.

Bahrain: Death Penalty

5. Jonathan Edwards (Carmarthen East and Dinefwr) (PC): What assessment he has made of the effect of the use of the death penalty in Bahrain on human rights in that country. [905285]

The Minister for the Middle East (Alistair Burt): The United Kingdom opposes the use of the death penalty in all countries, in all circumstances. My right hon. Friend the Foreign Secretary reiterated this in respect of Bahrain in his written statement of 15 January 2017. The Government of Bahrain are fully aware of our position. We continue to have an open and frank dialogue with Bahrain in public and in private covering a range of issues, including human rights.

Jonathan Edwards: Amnesty International, Reprieve and the Bahrain Institute for Rights and Democracy have all raised concerns about the use of the death penalty and the routine torture of political opponents by the regime in Bahrain. What assurance can the Minister give that the British Government's integrated activity fund is not being used to undermine human rights in Bahrain?

Alistair Burt: Our determined efforts to support reform and change in Bahrain are aimed at improving the conditions that I indicated earlier we keep in constant contact with the authorities in Bahrain about. In relation to the death penalty, we welcome the decision by His Majesty the King on 26 April to commute the death sentences handed down in a recent court case.

Ann Clwyd (Cynon Valley) (Lab): Is it true that UK-funded institutions in Bahrain have been responsible for covering up torture allegations regarding death row inmates?

Alistair Burt: No, I do not believe that that can possibly be the case. If the right hon. Lady would write with the specific detail of an allegation, I will look at it, but I do not believe that it is the case.

18. [905298] Alex Norris (Nottingham North) (Lab/Co-op): That specific detail is available in the report by the Bahrain Institute for Rights and Democracy and Reprieve that was referenced earlier. It says that British-funded institutions and trained-by-Britain organisations have indeed covered up this sort of behaviour. Can we have an assurance from the Dispatch Box that that report is being looked at and that a formal response will come to Members?

Alistair Burt: Yes, I will. As I indicated earlier, the purpose of our engagement with Bahrain is to deal sometimes with difficult practices that have been there in the past in order to change them and improve them, but I think a specific allegation of British involvement and cover-up would not be right.

Israel-Palestine Peace Process

7. Matt Western (Warwick and Leamington) (Lab): What recent discussions he has had with his international counterparts on prospects for the peace process in Israel and Palestine. [905287]

11. Mr Jim Cunningham (Coventry South) (Lab): What recent discussions he has had with his international counterparts on prospects for the peace process in Israel and Palestine. [905291]

The Minister for the Middle East (Alistair Burt): At this highly sensitive time in the region, there is an urgent need to restart the peace process between Israel and Palestine. We regularly press both parties to resume direct negotiations towards the two-state solution.

Matt Western: Last week, the Secretary of State suggested that President Trump could be in line for a Nobel peace prize. Does the Minister welcome the move by the US to relocate its embassy to Jerusalem, and does he agree with the White House today that the 52 Palestinians killed and more than 2,200 wounded in yesterday's violence in Gaza were the responsibility of Hamas?

Alistair Burt: In answer to the first question, our position is known: we did not agree with the decision, which is a sovereign decision, of both the United States and Israel to move the embassy. We have no plans to do anything similar. In relation to the second question, there is an urgent question after Question Time, and we will go into the difficult circumstances of the past few weeks. I will be happy to deal with that question then.

Mr Cunningham: May I push the Minister a little? Why has he not called for the United Nations Security Council to be recalled so that it can look at this situation? Does he agree with the Secretary-General that there should be an inquiry into what has been happening over the last six or seven weeks?

Alistair Burt: The House may not yet be aware, but there will be a UN Security Council meeting this afternoon or this evening in relation to this matter. The UK has

already said that it supports an independent investigation into the circumstances of what has been happening, and we will continue to take that position.

Sir Hugo Swire (East Devon) (Con): The simple truth is that the realignment of power in the middle east between Saudi Arabia and the United Arab Emirates and their now closer friendship with Israel in this increasingly Sunni-Shi'a divide has left the Palestinians marginalised, and in danger of being marginalised further. Will my right hon. Friend, following the 100th anniversary of the Balfour declaration, restate categorically the United Kingdom's commitment to the Palestinian people and rule out moving the British embassy to Jerusalem?

Alistair Burt: In answer to the second part of my right hon. Friend's question, as I have indicated, that is the United Kingdom's declared position: we are not moving our embassy. On the wider issues, as we will discuss later, the United Kingdom's commitment remains to a just settlement of this issue which recognises the need to respond to Palestinians' concern at the same time as ensuring the safety and security, and the existence, of the state of Israel. That remains our position.

Paul Masterton (East Renfrewshire) (Con): When the Hamas Prime Minister has said, "We will take down the border and we will tear out their hearts from their bodies," what are this Government doing to build international pressure on Hamas to renounce violence and disarm?

Alistair Burt: The United Kingdom regards Hamas as a terrorist organisation. It is proscribed and we have no dealings with it. It speaks for itself in relation to its threat to the state of Israel, and that should always be remembered in issues where Hamas is involved and is exerting pressure on the population of Gaza to do its bidding.

Stephen Gethins (North East Fife) (SNP): Does the Minister agree with the Foreign Secretary that Trump's Jerusalem embassy move is a "moment of opportunity" for peace?

Alistair Burt: I always agree with my right hon. Friend the Foreign Secretary, because all circumstances in the region, and even the tragedies of yesterday—we will get on to this—have to be used as an opportunity for a springboard to peace, rather than further confrontation. We have made our view clear on the embassy. We did not agree with it, but it is a reality now. It will not be our position, and we will continue to work for peace in the region.

Stephen Gethins: Yesterday was the worst day of violence in Gaza for four years. Will the Minister look at yesterday's violence and agree with me that the embassy move was reckless and irresponsible and stoked tension? Does he also agree, in terms of long-term peace, that there is a need for an impartial and independent investigation?

Alistair Burt: In relation to the second part of the question, I have made it clear that the UK supports an independent investigation into what has happened, and I repeat: the move of the United States embassy yesterday

was not supported by the United Kingdom. We do not see that as being conducive at present to peace in the region, and the timing, of course, was incredibly difficult.

John Howell (Henley) (Con): The Minister has already mentioned the importance of face-to-face negotiations between the Israelis and the Palestinians. Would he please say how important that is for the future of the area?

Alistair Burt: The events of yesterday were the culmination of many things, but one of the things they were the culmination of was the failure of respective leaders over time to grapple with the situation and to realise how urgent and desperate it has become. The situation in Palestine and Gaza and the occupied territories will not simply be managed; it will get worse unless it is grasped and something is done to make it better.

Liz McInnes (Heywood and Middleton) (Lab): At this moment of abject crisis, following yesterday's events in Gaza and west Jerusalem, the Palestinian people are sorely pressed to retain hope and faith in a two-state solution. Will the Foreign Secretary give them some hope and faith today by choosing this moment officially to recognise the state of Palestine, and will he lead a global effort to persuade other countries to do the same?

Alistair Burt: We have said before that we will recognise the state of Palestine at a time when it is most conducive to securing peace in the area, but the hon. Lady is absolutely correct in saying that the absence of hope and the increase of despair in the area is of great concern to all of us and needs to be recognised and dealt with.

Palestinian Refugees and Displacement of Palestinians

8. **Tracy Brabin** (Batley and Spen) (Lab/Co-op): What recent assessment his Department has made of the extent to which the human rights of Palestinian refugees in Lebanon, Syria and Jordan are protected. [905288]

16. **Andy Slaughter** (Hammersmith) (Lab): What assessment he has made of the effect of the long-term displacement of Palestinians on stability in the middle east. [R] [905296]

The Minister for the Middle East (Alistair Burt): We are committed to protecting the human rights of Palestinian refugees. In 2017 and 2018, we provided £50 million to the United Nations Relief and Works Agency to support Palestinian refugees across the middle east. Ultimately, to promote stability across the region, there must be a fair, agreed and realistic solution to the Palestinian refugee question.

Tracy Brabin: This year, the United States more than halved its aid to the United Nations Relief and Works Agency for Palestinian refugees, piling further pressure on people trapped in an already hellish situation. In the light of that, can the Minister tell us what representations he has made to his American counterparts about this decision and whether he intends to bring forward a new funding settlement?

Alistair Burt: I have indeed made representations to US counterparts in relation to this. We have brought forward our own next tranche of support to UNRWA, and we continue to believe that support for UNRWA is vital, particularly in the present circumstances. We will be further reviewing what we can do—not just ourselves, but with other donors as well.

Andy Slaughter: Today, Nakba Day, is the 70th anniversary of the ethnic cleansing of Palestinians from what is now Israel. Israel chooses to mark it by escalating the murder and maiming of civilians in Gaza, including hundreds of children. Can we hear from the Minister and the Foreign Secretary, as we have from the shadow Foreign Secretary, an unqualified condemnation of the actions of the Israeli Government and security forces, and support for international law, including the right of return? Is the Minister prepared to take action, starting with the suspension of arms sales to Israel?

Alistair Burt: That were three questions in one there. I will deal with the centrality of the issue in Gaza later. However, I can tell the hon. Gentleman that our statements make it clear that we deeply regret the extent of the use of live fire yesterday. We understand the reason why Israel would seek to protect its border and its border fence—it knows what would happen if there were a significant breach of it—but we are also concerned about the events that will have led to people being pushed towards the fence. However, it is a complex situation and we will cover it in more detail shortly.

Tom Tugendhat (Tonbridge and Malling) (Con) *rose*—

Mr Speaker: Ah, yes. I think the House must hear the cerebral voice of the Chairman of the Foreign Affairs Committee. I call Mr Tom Tugendhat.

Tom Tugendhat: Thank you, Mr Speaker. I am grateful. As we are talking about the status of refugees in the middle east, does the Minister agree that his excellent work in the region has promoted peace but, more than that, does he also agree that many others could contribute to it? I am particularly thinking of the Iranian Government, who rather than spending their money on missiles and terrorists in Syria and elsewhere, could instead spend some of the Islamic Revolutionary Guard Corps money on the fate of refugees in Lebanon, Syria and indeed the areas of Gaza and the west bank. Those Palestinians are so often linked through political means to the Iranian regime, yet somehow the money seems to go only on weapons, with none of it going on education, schools or hospitals.

Alistair Burt: There are elements of my hon. Friend's question that I cannot comment on, but I can say that in the longer term the engagement of Iran with the region, in a supportive rather than a disruptive manner, towards the causes that he mentioned, is, of course, what we look for. But we are some way away from that yet and we will continue to press the case with Iran in relation to its behaviour.

Russia: Diplomatic Relations

9. **Kevin Hollinrake** (Thirsk and Malton) (Con): What recent assessment he has made of the UK's diplomatic relations with Russia. [905289]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): Russia's use of an illegal nerve agent in Salisbury was met with an unprecedented global diplomatic rebuff, in the sense that 28 countries expelled a total of 153 diplomats. The House will understand, therefore, the balance between the UK and Russia in expulsions of operatives: we lost a handful of people involved in the security side, while they lost about 153 across the world—a massive net loss for Russia and a significant gain for the UK. But we remain committed to a policy of engaging with Russia, while being wary of what it does.

Kevin Hollinrake: Despite the fact that oil and gas exports make up 70% of Russia's international trade, they are not currently covered under the EU sanctions regime due to the high reliance of the EU on Russian gas exports. After our exit from the European Union, would that be a sensible extra measure for us to take that might assist with our diplomatic efforts?

Boris Johnson: We will, of course, consider all possibilities once we exit the European Union and take back control of our sanctions policy.

Dr Rosena Allin-Khan (Tooting) (Lab): At the European championships in 2016, Russian hooligans showed themselves to be organised, well armed and extremely violent. British fans' safety must be our top priority at the World cup. Will the Secretary of State confirm whether the British diplomat responsible for fans' safety at the World cup was expelled by Russia? If so, how can the Government even contemplate relying on Russian reassurances that our fans will be safe?

Boris Johnson: We are not actively trying to dissuade fans preparing to go to Russia for the World cup, as we do not think that would be right. They should look at our "Be on the Ball" website and the risks that we believe may be associated with any particular venues. But it is up to the Russians, and on their honour, to guarantee the safety of not just British fans, but fans from around the world.

21. [905301] **Mr John Whittingdale** (Maldon) (Con): Does my right hon. Friend share the widespread concern about Nord Stream 2, the proposed Russian gas pipeline? Does he agree that there appears to be no economic justification for it? It is instead a political project, designed to increase European dependence on Russian gas and weaken Ukraine. Will he press that point on our allies—particularly Germany and Denmark?

Boris Johnson: I assure my right hon. Friend that we in the UK Government are well aware of the deep controversy surrounding Nord Stream 2. We raise it not just in Ukraine but with other European friends and partners.

Mr Gregory Campbell (East Londonderry) (DUP): Earlier, the Foreign Secretary indicated the diplomatic headcount exchange. How would he describe current diplomatic relations between the United Kingdom and Russia? Are they likely to change in the near future?

Boris Johnson: I can sum up our policy, which I repeat to the House: engage but beware. We will continue, where necessary and possible, to engage with Russia diplomatically and culturally across the field. But relations are currently, of course, difficult.

Richard Benyon (Newbury) (Con): In firmly supporting the Government's robust response to the malign actions of the Putin regime, may I remind my right hon. Friend that in the cold war we had the best civil servants and an enormous infrastructure based on preparation for strategic arms limitation talks? That kind of engagement is as vital today, and I hope that the Government are putting equal resources into it.

Boris Johnson: My right hon. Friend raises an extremely good point. As I think he is indicating, we are increasingly concerned about a Russian breach of the intermediate-range nuclear forces treaty. There will have to be much more international engagement to keep that treaty intact.

Syria

10. **Jeff Smith** (Manchester, Withington) (Lab): What steps he is taking to ensure the investigation and prosecution of any breaches of international humanitarian law in Syria. [905290]

15. **Chris Green** (Bolton West) (Con): What diplomatic steps he is taking with his international counterparts to end the conflict in Syria. [905295]

23. **Victoria Prentis** (Banbury) (Con): What diplomatic steps he is taking with his international counterparts to end the conflict in Syria. [905303]

The Minister for the Middle East (Alistair Burt): We are working closely with the UN, the Syrian opposition and our international partners to encourage a negotiated settlement to the Syrian conflict. We support the non-governmental organisations and UN mechanisms gathering evidence and preparing future prosecutions for the most serious crimes committed in Syria.

Jeff Smith: I thank the Minister for that response. I think we all want the prosecution of the Assad regime and any other parties responsible for using chemical weapons, but does the Minister agree that for indiscriminately bombing civilians, for targeting medical facilities and for using starvation as a weapon of war, the regime already deserves to be prosecuted for war crimes?

Alistair Burt: The short answer is yes. It is a question of gathering the evidence and providing the right forum, but undoubtedly war crimes have been committed. We are working continually with authorities to see what mechanisms can be used to hold people to account. I wish we could be certain of the outcome.

Chris Green: Given the limited impact of the United Nations Security Council to date, does my right hon. Friend agree that when it comes to resolution by consensus its terms must be adhered to?

Alistair Burt: Absolutely, and I am grateful to my hon. Friend. We actually got resolution 2401 through by consensus. It called for a ceasefire and humanitarian access, particularly in relation to eastern Ghouta but it applied all over Syria. The resolution was then not adhered to by some of the parties who had signed up to it. If we are going to make any progress on Syria, UN resolutions have to be adhered to.

Victoria Prentis: Save the Children and the Royal United Services Institute published an excellent report last week on children in conflict, which highlighted in particular the devastating effect of the use of barrel bombs. What discussions has my right hon. Friend had with our allies about a joint approach to civilian protection in civilian areas?

Alistair Burt: My hon. Friend is right to highlight this further aspect of the atrocities perpetrated on the Syrian people. As well as calling out such behaviour and considering international mechanisms for holding people to account, the support for civilians is necessary and, at the recent Brussels conference on Syria and the region, working with donors, we pledged to provide at least £450 million this year and £300 million next year to alleviate that extreme suffering.

Derek Twigg (Halton) (Lab): Although I agree that President Assad should be held accountable, a lot of opposition groups have committed human rights violations and some terrible atrocities. There has to be a very careful and balanced approach. We need to ensure that we focus on those groups, too.

Alistair Burt: The hon. Gentleman is absolutely right. I met the director of the Independent, Impartial and International Mechanism recently, and we have been offering help and technical support through legal services in the United Kingdom. There should be absolutely no distinction between those who have committed such crimes.

Alison McGovern (Wirral South) (Lab): As the Minister and other hon. Members have said, accountability for war crimes in Syria is crucial, but so is prevention. How can we stop the bombing of hospitals?

Alistair Burt: Again, I wish there were a simple answer to such an honest and direct question. Without physically intervening and without a physical no-fly zone, which has been considered but would be immensely difficult to implement, the best thing we can do at present is to draw attention to such attacks on facilities—sometimes with information that has been given in all good faith to authorities to keep these places safe—support the work of the doctors and those involved in humanitarian expertise, and make clear that this is happening. It has no place in warfare. It has no place in the modern world. Hopefully, those responsible will ultimately be held accountable.

Israel: Arms Exports

12. **Richard Burden** (Birmingham, Northfield) (Lab): What steps his Department is taking to monitor the use of arms and arms components exported from the UK to Israel. [905292]

The Minister for the Middle East (Alistair Burt): Export licensing applications for all countries, including Israel, are considered on a case-by-case basis against strict criteria. Human rights and international humanitarian law considerations are important parts of that assessment. We keep the situation in Israel under continual review, as we do with other countries.

Richard Burden: When, in a written question, I asked the Foreign Secretary to investigate the uses to which sniper rifles and other weapons exported under licence from the UK to Israel were being put, I received from the Minister a reply which stated:

“We do not collect data on the use of equipment after sale.”

Does that answer not mean that the Government do not have the first idea whether UK weapons are being used to shoot demonstrators in Gaza? What does it take for the UK to enforce its own arms export criteria and stop arms sales to Israel?

Alistair Burt: I would say two things in answer to the hon. Gentleman’s perfectly proper question. First, before any arms sales are considered, a proper risk assessment is carried out as to what will happen in relation to those weapons, as I indicated. Secondly, since the start of the recent difficulties in Gaza, we have looked at all extant licences in relation to Israel. Our sense at the moment is that we have no information to suggest that UK-supplied equipment has been used against protesters.

Andrew Bridgen (North West Leicestershire) (Con): Can my right hon. Friend confirm that Israel has the right to defend itself from external aggression and terrorism—something that it has unfortunately had to do for most of the last 70 years?

Alistair Burt: That is quite correct: we support Israel’s right to defend itself. As in the cases of all other supplies of UK weapons, strict criteria are imposed on the supply of any weapons for the purpose of defence.

Myanmar: Rakhine and Kachin

13. **Stella Creasy** (Walthamstow) (Lab/Co-op): What recent discussions he has had with his Myanmar counterpart on the treatment of minority communities in Rakhine and Kachin provinces. [905293]

The Minister for Asia and the Pacific (Mark Field): My right hon. Friend the Foreign Secretary raised concerns about the treatment of the Rohingya of Rakhine in a meeting in Naypyidaw with State Counsellor Aung San Suu Kyi on 11 February. I reiterated those messages when I summoned the Burmese ambassador on 6 March. Moreover, I called for the Burmese military to show restraint and protect civilians in Kachin on both 28 April and, most recently, in a public statement on 11 May.

Stella Creasy: Multiple rapes, airstrikes and genocide—the crimes of the Burmese security forces against the Rohingya, as well as against the Kachin and Shan people, are well documented. The UK Government can refer Burma to the International Criminal Court from the UN Security Council. Will the Minister therefore meet the new Justice for Rohingya Minority initiative to discuss its call for universal jurisdiction and accountability for those who commit these atrocities?

Mark Field: The hon. Lady will be well aware—she touched on this—of the idea of universal jurisdiction, but that is not in place at present. Of course, I am very happy to meet, along with her, the representatives of the Rohingya community, as I have done before. The UK is a staunch supporter of the ICC and we remain committed

to working with all our international partners to secure justice for what has taken place in Rakhine. It will be a long process. The Burmese Government have told the UN Security Council that they are ready to proceed with the domestic investigation. That will need to be credible, transparent and impartial and will need, in our view, to have an international component.

Mrs Anne Main (St Albans) (Con): As a result of the tens of thousands of rapes in Rakhine province, there are many thousands of pregnant women whose babies may well be abandoned in Bangladesh. Will my right hon. Friend update us on what will happen to those children, should they be born as a result of rape?

Mark Field: I thank my hon. Friend for all the work that she does on this. Like many Members throughout the House, I have been absolutely appalled by the reports of extensive sexual violence in Rakhine, including in graphic and harrowing testimonies on television programmes on both Channel 4 and BBC 2 in the last two evenings. I reassure her and the House that UK aid is already providing comprehensive counselling and psychological support for 10,000 women in trauma and more than 2,000 survivors of sexual violence. Medical aid is also being provided to assist 50,000 safe births.

Neil Gray (Airdrie and Shotts) (SNP): Save the Children estimates that 60% of the 500,000 Rohingya refugees in Bangladesh are children. What action will the Government take at the UN Security Council to avoid a lost generation from that community?

Mark Field: I fully appreciate those grave concerns. As the hon. Gentleman rightly says, the issue of the Rohingya is not one that has emerged only since last August. In many cases, it goes back to the late 1970s. There have been various episodes leading to this, and as he rightly points out, the risk is that it will have an impact on forthcoming generations. We will continue to work with all our international partners, as we are with the EU, to get sanctions to ensure that there is no impunity for those who have brought about these terrible crimes. This is a long-standing issue that will require a patient approach within the international community. Please rest assured that we are very much taking a lead in our role as a permanent member of the UN Security Council.

Henry Smith (Crawley) (Con): Apart from UK humanitarian aid, what review is the Foreign and Commonwealth Office carrying out to ensure that we do not support the military regime in Rangoon in any other ways?

Mark Field: I know that my hon. Friend takes a strong interest in these matters. It is important to recognise that, although we were at the forefront of stopping support for the Burmese military last September, there has been a military dictatorship since 1962, and it is for our diplomats on the ground in Naypyidaw and Rangoon to identify the elements—and there will be elements—in the military with whom we need to maintain open discussions. It has perhaps been rather easy to blame all this on State Counsellor Aung San Suu Kyi, but there are elements within the military with whom we will need to maintain an engagement.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): Further to the question asked by my hon. Friend the Member for Walthamstow (Stella Creasy), two weeks ago the Government proposed a draft UN statement arguing for a credible, transparent investigation into war crimes against the Rohingya and stated that those responsible must be held to account. What is the current status of that proposed statement?

Mark Field: I thank the hon. Gentleman for his question. I know that there has been a great deal of co-operation with the Opposition Front-Bench team. We all recognise that these are terrible issues on which the UK political parties, irrespective of colour, need to work together on behalf of the international community.

We are awaiting the ICC's decision on whether it has jurisdiction over the deportation of the Rohingya from Burma to Bangladesh on the basis that Bangladesh, unlike Burma, is a signatory to the Rome statute. The Security Council could refer Burma to the ICC, but we know that currently there is insufficient support on the Security Council, and a vetoed attempt at referral would, in our view, do little to further—[*Interruption.*] It is wonderful to do this as a duet, Mr Speaker, and I could continue doing so, but I hope you will appreciate that these are very serious matters about which people feel very strongly across the House and the country, so I hope you will indulge me for one more moment. We will ensure as far as possible that we do nothing to enhance the role of the Burmese military, and an early push for a Security Council resolution would, in our view, undermine our position.

Mr Speaker: I am extremely grateful to the Minister of State. I say this principally for the benefit of new Members who might not have heard me say it before: I once asked a predecessor of the Clerk of the House why it was that Foreign Office questions always seemed to take longer than other Question Times, to which, having consulted his scholarly cranium, he replied, “Mr Speaker, I think it is on account of the fact that when Ministers from the Foreign and Commonwealth Office address the House, they feel they are addressing not merely the House, or even the nation, but in fact the world.”

G7 Agreements

14. **Jeremy Lefroy** (Stafford) (Con): What agreements were reached at the 2018 G7 meeting in Canada. [905294]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): The most important conclusion of the G7 Foreign Ministers meeting was that we condemned roundly Russia's disruptive activity and, at the suggestion of the UK, launched a new G7 group to tackle malign state behaviour, building on a Canadian initiative, and to defend democracies from foreign interference.

Jeremy Lefroy: I welcome the statement from the G7 on support for effective measures to promote further verifiable nuclear arms control and disarmament. Will that be on every agenda of G7 Foreign Ministers meetings, and will the UK be taking a lead?

Boris Johnson: As my hon. Friend knows, and as I said in answer to an earlier question, we are increasingly concerned about nuclear proliferation. As the House

can readily see, that issue is now at the absolute top of the global agenda, and he can be sure that the UK will continue to push it at the G7 and elsewhere.

Several hon. Members rose—

Mr Speaker: Order. We come now to topical questions. Needless to say, those who lost out on substantives can well hope to be called in topical questions, so they should not beetle out of the Chamber unless they are exceptionally busy people with many commitments and fuller than average diaries.

Topical Questions

T1. [905305] **Stephen Timms** (East Ham) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): I am deeply saddened by the loss of life in Gaza, where peaceful protests are being exploited by extremists. I urge Israel to show restraint in the use of live fire, and I take this opportunity to repeat the UK's commitment to a two-state solution with Jerusalem as the shared capital.

My other priority is to preserve the gains made through the Iran nuclear deal. I am working closely with my French and German counterparts and will see them in Brussels later today.

Stephen Timms: My constituent Tofla Ndele, a British citizen, was arrested when visiting family members in Congo last September. There has been no explanation for his arrest, and no charges have been levelled against him. I was grateful to the Secretary of State for raising the subject with the Congolese Foreign Minister in March. What progress has been made since then in securing Mr Ndele's release?

Boris Johnson: UK officials have visited Mr Ndele regularly since his detention in September last year, most recently in March. They have lobbied for improvements in the conditions of his detention, and recently secured the first visit from a family member since his arrest. My hon. Friend the Minister for Africa raised the matter with the Congolese Foreign Minister in April.

Several hon. Members rose—

Mr Speaker: Order. From now on, obviously, we need a sentence from each colleague.

T2. [905306] **Rehman Chishti** (Gillingham and Rainham) (Con): I recently held a community engagement event with the Tunisian ambassador to the United Kingdom. Can the Minister confirm that security co-operation between the UK and Tunisia is now excellent, given that TUI and Thomas Cook have resumed flights to Tunisia?

The Minister for the Middle East (Alistair Burt): Yes. Tunisia has worked extremely hard at reviewing and improving its security. We are in constant contact with the Tunisian authorities, and we hope that many British tourists will visit the country this summer and beyond.

Emily Thornberry (Islington South and Finsbury) (Lab): May I begin by thanking the Foreign Secretary for leading our cross-party efforts over the last two weeks to destroy the Prime Minister's "customs partnership" proposal? I trust that he finished off the job earlier this morning. Unfortunately, however, that leaves us with his own crazy Mad Max—I mean max fac—proposal. May I ask him a very simple yes or no question, which has already been asked several times by my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chair of the Home Affairs Committee? Does he believe that cameras are physical infrastructure?

Boris Johnson: I am grateful to the right hon. Lady for raising this matter, because it may provide her with an opportunity to elucidate the Labour party's policy on the customs union for the benefit of the nation. I seem to remember that at the last general election, Labour Members campaigned on a platform to come out of the customs union. Now they say that they want to stay in "a" customs union—a customs partnership. Their policy is absolutely clouded in obscurity. If the right hon. Lady wishes to part those clouds of confusion, this is her moment.

Emily Thornberry: We are quite willing to exchange places with those on the other side of the House. All we would ask of them is that they call a general election.

I do not think that that constituted even an attempt to answer the question that I asked. Like the Prime Minister, the Foreign Secretary seems to be unable and unwilling to state the blindingly obvious. So much for plain-speaking, bluff authenticity.

Let me try another key question about the max fac proposal. Can the Foreign Secretary confirm—*[Interruption.]* He does need to listen, otherwise he will not understand the question and will be unable to answer it. Can he confirm that if the technology on which his proposal relies takes five years to become fully functional, the UK will be obliged to remain part of the customs union, and to be bound by single market rules, until at least 2023?

Boris Johnson: The right hon. Lady had an opportunity to be clear about what Labour wants to do. Conservative Members have been absolutely clear. The Prime Minister has said it time and time again: we are coming out of the single market, we are taking back control of our borders, our laws and our money, and we are coming out of the customs union. In her Mansion House speech, she gave plenty of indications of how we will deal with the problems that the right hon. Lady has described.

T8. [905313] **Peter Heaton-Jones** (North Devon) (Con): Residents of North Devon regularly raise with me their concerns about the continuing illegal international trade in wildlife and wildlife products. Will my right hon. Friend please update the House on how we are tackling that?

Boris Johnson: I can tell the House that this is a subject that arouses the grave concern of the entire British people. The illegal wildlife trade is currently worth about £1.7 billion, and it is of course associated with many other criminal activities. That is why, in

October, we are holding a global summit in London on that very matter, which I think will attract the interest of the world.¹

T3. [905307] **Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): If a British citizen from England or Wales dies abroad there is a further post-mortem when the body returns to the UK, but those from Scotland, such as my late constituent Craig Mallon who died in 2012, are not entitled to another post-mortem and the one conducted by the other country—in this case Spain—seems to be accepted. This year it will be six years since Craig Mallon died—

Mr Speaker: Order. What we need from the hon. Gentleman is a sentence with a question mark at the end. I do not wish to be unkind to the hon. Gentleman, of whom I am very fond, but we are very short of time. Blur it out, man.

Hugh Gaffney: Craig Mallon died six years ago, after just one post-mortem; his mother died recently, broken-hearted. Will the Minister meet me to discuss that case?

The Minister for Africa (Harriett Baldwin): May I draw the hon. Gentleman's attention to a new all-party group that has been set up to investigate deaths abroad in suspicious circumstances?

T9. [905314] **Mary Robinson** (Cheadle) (Con): Last year I visited St Lucia as part of a Commonwealth Parliamentary Association delegation, meeting representatives from St Lucia and Trinidad and Tobago. Britain's vision post Brexit and its implications for the Commonwealth family of nations was a topic of discussion. Can my right hon. Friend give us an assurance that following the successful Commonwealth Heads of Government meeting, we will make every effort to strengthen our economic and diplomatic ties with those island nations?

Boris Johnson: I certainly can, and I can tell my hon. Friend that at the Commonwealth summit I was able, as she may recall, to announce the opening of 10 new UK delegations, many of them in the Caribbean or the Pacific.

T4. [905308] **Chris Law** (Dundee West) (SNP): Yet again we are witnessing appalling violence and loss of Palestinian lives in Gaza: 58 dead and 2,271 injured, over half of them wounded by live ammunition. This must end under international law and human rights must be upheld, so what immediate steps will the Foreign Secretary take to ensure that the horrors seen in Gaza yesterday never happen again?

Alistair Burt: Ever since it became clear that these protests were going to continue and the risk of confrontation was very real, we have been at pains to work with both the Palestinian Authority and the Israeli Government to minimise and reduce the tension. It is a matter of horror and regret to us that yesterday's events happened; we will continue to urge restraint on all responsible and seek the peace agreement that is so urgently needed.

Mr Philip Dunne (Ludlow) (Con): Would my right hon. Friend like to take this opportunity to congratulate the former Prime Minister of Malaysia on his re-election

1. *[Official Report, 16 May 2018, Vol. 641, c. 3MC.]*

after an interval, and pass on the best wishes of the British people to the Malaysian people during this important transition?

The Minister for Asia and the Pacific (Mark Field): I thank my hon. Friend for his thoughts. The recent election in Malaysia was historic: the outcome, while a surprise, represents a genuine victory for democracy and is a testament to the Malaysian people. Our relationship with Malaysia is of course both deep and long-lasting, and I look forward to working closely with the new Prime Minister and his Government on many of our shared interests.

T6. [905311] **Gerald Jones** (Merthyr Tydfil and Rhymney) (Lab): While I greatly welcome the fact that democratic and peaceful elections have been held in Iraq, the results and outcome are far from certain. Will the Foreign Secretary give his assessment of the future stability and security—and future direction—of Iraq?

Alistair Burt: We are pleased that the elections have passed off as peacefully as they have. We look forward to working with the new Government, and the reconstruction and stability situation, which has been encouraged by recent conferences in Kuwait and other places, should help the future of Iraq.

Chris Davies (Brecon and Radnorshire) (Con): Hezbollah's arsenal of rockets supplied by Iran is now estimated at 150,000. Does the Minister share my concern at Iran's malign influence in the region, and what recent discussions has he had with his Israeli counterparts about the threat posed by Hezbollah?

Alistair Burt: We are in regular contact with the state of Israel about threats to it. Hezbollah's increased weaponry is part of that, and the supply of weapons to Hezbollah contravenes UN resolutions. That threat to Israel is very real.

T7. [905312] **Neil Gray** (Airdrie and Shotts) (SNP): Can the Foreign Secretary confirm whether he still believes in, and has to abide by, Cabinet collective responsibility?

Boris Johnson: Of course.

Sir Hugo Swire (East Devon) (Con): After years of kleptomaniac behaviour by the Kirchner husband and wife team in Argentina, President Mauricio Macri is struggling to get the Argentinian economy back on course. Will the Foreign Secretary commit to helping Argentina and President Macri with the International Monetary Fund and other organisations?

Boris Johnson: I am grateful to my right hon. Friend, who knows a great deal about Argentina. I will be going there at the end of the month to pursue the current improvement in relations taking place between our two countries.

Joan Ryan (Enfield North) (Lab): President Erdoğan of Turkey, who is currently visiting this country, has called snap elections for 24 June. Those elections will be held under a state of emergency, severely curtailing the freedoms of expression, assembly and association, and the right to take part in public affairs. They will also

introduce an executive presidency with wide-ranging powers that many see as an attack on democracy. What is the Government's view?

Boris Johnson: I can tell the right hon. Lady that we had a conference with our Turkish friends only the other day and that, although the relationship between the UK and Turkey is very strong, as she knows, we took every opportunity to raise our concerns about human rights and the repression of the media.

Richard Graham (Gloucester) (Con): The stated position of all British Governments for a long time has been support for a two-state solution for Israel and Palestine. Does my right hon. Friend agree that the heightened violence on the Israeli-Gaza border and the casualties coming from it now make that possibility look even more remote?

Alistair Burt: It may be difficult, and it may be remote, but if it is the right answer we should continue to pursue it, and we will.

Several hon. Members rose—

Mr Speaker: A sentence each, short and preferably without subordinate clauses, the first to be delivered through the brilliant brain of the hon. and learned Member for Edinburgh South West (Joanna Cherry).

Joanna Cherry (Edinburgh South West) (SNP): Thank you, Mr Speaker.

When the Prime Minister meets President Erdoğan later today, will she raise with him the Turkish military invasion of Afrin, the numerous civilian deaths and the persecution of the Kurds, who have so often stood side by side with the United Kingdom in resisting ISIS?

Boris Johnson: I can certainly reassure the hon. and learned Lady that the Prime Minister will be raising the very difficult situation in the north of Syria.

Jeremy Lefroy (Stafford) (Con): What assessment have the Government made of the human rights and political situation in Burundi at the moment?

Harriett Baldwin: We are very concerned about the situation in Burundi. There is a referendum there this week and, as my hon. Friend will know, Her Majesty's Government continue to send messages about the need to respect the Arusha peace accords and to respect democracy in Burundi.

Gavin Robinson (Belfast East) (DUP): This Christian Aid week, the charity is campaigning to highlight inflexibility in the approach to internally displaced peoples. Will the Minister, along with officials from his Department and the Department for International Development, agree to meet representatives of Christian Aid to see how best we can address that growing situation?

Alistair Burt: I am very happy to do that. The situation of internally displaced people is very important to the UK, and we are working with others on the possibility of a UN high-level panel later this year. I would be very happy to meet Christian Aid once again.

Mr Speaker: Peter Grant: a sentence.

Peter Grant (Glenrothes) (SNP): What steps are the Government taking to ensure that the Zimbabwean Government understand the importance of proper reparations for UK citizens who have been the victims of serious crimes committed allegedly by associates of the present and previous Governments of Zimbabwe?

Harriett Baldwin: As we call on the Zimbabwean Government to hold free and fair elections this year, we are also making representations to them. I have personally made representations on behalf of the hon. Gentleman's constituent to the Zimbabwean Foreign Minister.

Ian Murray (Edinburgh South) (Lab): The Foreign Office website says that the European single market is key to Europe's and the UK's place in the global economy. Does the Foreign Secretary agree with that?

Boris Johnson: I think that whatever the website used to say about the single market, it will shortly no longer apply to the UK.

Alison Thewliss (Glasgow Central) (SNP): The UNESCO world heritage site of Socotra has reportedly become the latest front in the war in Yemen, with Saudi troops landing there in response to the United Arab Emirates

apparently occupying the island. What is the Minister going to do to protect that unique and special environment and its people?

Alistair Burt: I am grateful to the hon. Lady for her question, but I would advise the House to be a little cautious about some of the reports coming out in relation to Socotra. I spoke just this week to the Foreign Affairs Deputy Minister of the United Arab Emirates, and the circumstances on the allegations being made are not particularly clear at present, but I can reassure the hon. Lady that we will be able to make a further statement about that in due course.

Andy Slaughter (Hammersmith) (Lab): The Bahraini criminal court has today locked up and taken citizenship from 115 people in a mass trial, of whom 53 have been given life sentences. Will the Minister look again at the co-operation between this Government and the Bahraini authorities, which only gives credence to their farcical regime?

Alistair Burt: As was indicated earlier, the relationship with Bahrain recognises the pressures brought about on that Government, but the challenges that they are trying to meet in relation to human rights and other matters will continue to be part of our dialogue. We will continue to raise difficult issues publicly and privately with the Government of Bahrain.

Speaker's Statement

12.39 pm

Mr Speaker: Before I call the shadow Foreign Secretary to put her urgent question, it may be helpful to the House if I respond to the point of order that the hon. Member for Rhondda (Chris Bryant) raised yesterday, in which he suggested that advice had been given by those offering advice on behalf of the House authorities that, in order to comply with the new data protection regime due to come into force on 25 May, personal constituency data gathered prior to the recent general election should be deleted. Despite vigorous inquiry yesterday by the House authorities and the contractor commissioned by the House authorities to support Members and their staff, no trace has been found by those responsible of such advice having been given.

It may be of help if I set out the actual situation as has been advised to me, and therefore as I understand it to be. Under the general data protection regulation and, indeed, existing legislation, there is no prescribed retention period. It is up to each Member to have a policy that either states for how long he or she will keep data, or sets out the criteria that that Member will use in making such decisions. That is clearly set out in the templates provided by the training company commissioned by the House. Members will shortly receive a letter from the Leader of the House. The Chair of the Administration Committee also wrote to Members last week with advice from the Information Commissioner's Office addressing typical cases encountered by Members.

The Commission discussed the programme of GDPR assistance to Members at its meeting yesterday evening, and I can confirm that training and advice will continue to be provided for some time. I understand that the ICO accepts that full compliance on 25 May is unlikely to be achieved by many organisations or individuals, but it will expect the basics to be in place: a demonstrable plan of action and an evident will to implement it.

Our casework supporting constituents is invaluable, but as it involves processing often sensitive personal data, it is particularly important that we engage seriously with the GDPR regime. I am sure that we will all strive to do so.

Gaza Border Violence

12.43 pm

Emily Thornberry (Islington South and Finsbury) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the violence at the Gaza border and its impact on the middle east peace process.

The Minister for the Middle East (Alistair Burt): As I said in the statement I put out from the Foreign and Commonwealth Office yesterday, the violence in Gaza and the west bank has been shocking. The loss of life and the large number of injured Palestinians, including children, are tragic, and it is extremely worrying that the number of those killed continues to rise. Such violence is destructive to peace efforts.

We have been clear that the United Kingdom supports the Palestinians' right to peaceful protest. It is deplorable, but true, that extremist elements have exploited the protests for their own violent purposes. We will not waver from our support for Israel's right to defend its borders, but the large volume of live fire is extremely concerning. We continue to implore Israel to show greater restraint.

The United Kingdom remains committed to a two-state solution, with Jerusalem as a shared capital. All sides now need to show real leadership and courage, promote calm, refrain from inflaming tensions further, and show with renewed urgency that the path to a two-state solution is through negotiation and peace. We agree with the United Nations Secretary-General's envoy that the situation in Gaza is desperate and deteriorating and that the international community must step up efforts.

We call on the special representative of the Secretary-General to bring forward proposals to address the situation in Gaza. These should include easing the restrictions on access and movement, and international support for urgent infrastructure and economic development projects. We also reiterate our support for the Egyptian-led reconciliation process and the return of the Palestinian Authority to full administration of the Gaza strip.

We must look forward to and work urgently towards a resolution of the long-standing issues between Israel and the Palestinian people. Now more than ever, we need a political process that delivers a two-state solution. Every death and every wounding casts a shadow for the future. The human tragedies should be used not as more building blocks for immovable positions, which will inevitably lead to more confrontation, but as a spur for urgent change. Yesterday's tragedies demonstrate why peace is urgently needed.

Emily Thornberry: I am grateful to you, Mr Speaker, for granting this urgent question.

Yesterday's horrific massacre at the Gaza border left at least 58 dead and almost 3,000 injured. Our first thoughts today are with those Palestinians who are mourning their loved ones or waking up with life-changing injuries. What makes yesterday's events all the worse is that they came not as the result of some accidental overreaction to one day's protests but as the culmination of six weeks of an apparently calculated and deliberate policy to kill and maim unarmed protestors who posed

[Emily Thornberry]

no threat to the forces on the Gaza border. Many of them were shot in the back, many of them were shot hundreds of metres from the border and many of them were children.

If we are in any doubt about the lethal intent of the Israeli snipers working on the border, we need only look at the wounds suffered by their victims. American hunting websites regularly debate the merits of 7.6 mm bullets versus 5.5 mm bullets. The latter, they say, are effective when wanting to wound multiple internal organs, while the former are preferred by some because they are “designed to mushroom and fragment, to do maximum internal damage to the animal.” It is alleged that this was the ammunition used in Gaza yesterday against men, women and children.

On the very first day of violence, the UN Secretary-General called for an independent investigation into the incidents, and last night the Kuwaiti Government asked the UN Security Council to agree a statement doing the same, only to be vetoed by the United States. Although I agree with every word of that Kuwaiti statement, it is easy to see why the US vetoed it, because the statement was critical of its Jerusalem embassy move.

Will the Minister of State take the initiative, not just in supporting a new Security Council statement but in helping to draft a new statement making no criticism of any party and no link to any other issue, but simply calling for an urgent, independent investigation into the violence in Gaza to assess whether international law has been broken and to hold those responsible to account—a statement to which no country could reasonably object, not even the United States, unless it is prepared to make the case that there is one rule for the Government of Israel and another rule for everyone else

I believe the investigation must be the start of an effort at the UN and elsewhere to bring urgent and concerted international pressure on the Netanyahu Government to lift the illegal blockade of Gaza and to comply with all the UN resolutions ordering them to remove their illegal settlements and end their illegal occupation of the Palestinian territories.

If yesterday's deaths can act as a catalyst for that action, at least they will not have been in vain. In the interim, especially as the protests resume today, will the Minister of State join me in urging the Israeli forces serving on the Gaza border to show some long-overdue responsibility to their fellow human beings and stop this vicious slaughter?

Alistair Burt: I am grateful to the right hon. Lady for both the question and her response, and I join her in what she says about the victims. We have no side here except with the victims, and all our concerns should be how to prevent there being more victims. She made a series of allegations about the use of live rounds and the like. It is precisely because of such allegations that of course there should be an investigation into this. The UK has been clear in urgently calling for the facts of what happened to be established, including why such a volume of live fire was used; we are supportive of that independent, transparent investigation. Our team at the United Nations is working with others on what we can do on that. Different forms of inquiry are possible

through the UN and we have to find the right formula, but it is important to find out more of the facts and we will work on that.

As I indicated earlier, I spoke just this morning to Nikolay Mladenov, the UN special envoy dealing with the Occupied Palestinian Territories and Gaza, about looking forward in relation to Gaza. As the right hon. Lady rightly indicates, and as we all know, the years of pressure in Gaza, which come from a variety of different sources, not just the blockade—this also involves the governorship and leadership in Gaza—have contributed to the most desperate of situations. I am sure she has been there recently, as I was a few months ago. As I said some months ago, compared with when I was last there, in 2014, the situation in Gaza was more hopeless and more desperate, and the need to address that urgently is clear.

May I say in conclusion to the right hon. Lady that an element was missing in her response? She did not mention any possible complicit Hamas involvement in the events. In all fairness, if we are to look at the circumstances of this, we need to take that into account. It is easy and tempting to take one side or the other, and if any of us have made statements about this in the past 24 hours, we see it is clear that the views out there are completely binary. There is no acceptance by those who support the state of Israel of an understanding of the circumstances of Gaza, and there is no understanding by those who have supported the Palestinian cause of any circumstances that might affect Israel and of what the impact would be should the border be breached and there be attacks on the Israeli side of it. The UK will not get into that. As I have indicated, we are clear that we need a political solution to this. At some stage, we need to hear from the sort of people who in the past understood both sides and were prepared to work together. Their voices were stifled not by their opponents, but by extremists on their own side who killed those working for peace in the past. Unless we hear those voices for peace again, we will not resolve this and we will be back again. I am sure the right hon. Lady will help us, with her colleagues, in taking that view, because we have to think of the victims first and see how we can prevent there being more victims in the future.

Sir Nicholas Soames (Mid Sussex) (Con): Even allowing for Hamas's wicked manipulation of the Palestinians, does my right hon. Friend accept that the response of the Israeli defence force was a wholly unacceptable and excessive use of force, and that it was totally disproportionate? May I also say, to my shame, that I hope our Foreign Office will indulge in a little less limp response to this terrible situation?

Alistair Burt: I am grateful to my right hon. Friend for, again, recognising both sides of this. An independent inquiry has been called for precisely to find out the reasons for the extent of the live fire. On the Israeli border, it is clear that repeated statements by the IDF on its concern about a breach of the fence, the statements it has had from Hamas and others, and previous attacks on the Israeli side of the border indicate what would be likely to happen should there be a breach of the border fence by Hamas operatives. Preventing that and stopping the border being infiltrated is a serious thing. But the extent of the live fire and of the injuries beyond the fence, the number of people involved and the sort of

people who been caught up in this give a sense of why my right hon. Friend raised that question. If we do not also question that, as well as the engagement of those who might have been involved in inflaming the protests, we would not be doing our job correctly, so we will do both.

Stephen Gethins (North East Fife) (SNP): Like other Members, I am absolutely appalled by the killing of demonstrators, including children. This is a long and protracted conflict, which is not helped by the reckless move of the US embassy to Jerusalem. The UN has an important role to play, and I am glad the Minister acknowledged that. Does he agree with yesterday's statement by the UN Committee on the Elimination of Racial Discrimination? It called for the

"immediate end to the disproportionate use of force against Palestinian demonstrators...an impartial and independent investigation"—

that would of course draw evidence from both sides—and ensuring that Palestinians "enjoy full rights" under the human rights convention. What moves has he made to ensure that the US will sign up to that as well?

Alistair Burt: Again, I am not responsible for the actions of the United States in relation to this. We have said what we have said about the embassy; it is not a move we supported. Indeed, my right hon. Friend the Foreign Secretary said yesterday that it was

"playing the wrong card at the wrong time",

so our views on that are clear.

In response to other parts of the hon. Gentleman's question, we think that the need to establish the facts of what has happened means that an independent investigation is necessary. The rights of all, both of Palestinians and of those who might be subject to violence from extremists who have come from Gaza and from those who operate under the rule of Hamas, have to be sacrosanct for everyone. I go back to a position I will speak about again and again in this statement: unless those on both sides understand the needs of the other, we will not get to a solution.

Sir Hugo Swire (East Devon) (Con): My right hon. Friend said that the blockade was only partly to blame for the bad government in Gaza—in that festering hellhole. But he must concede that one reason it is a festering hellhole and a breeding ground for terrorists is that each and every time there has been an attempt to improve the livelihoods of the Gazans, by doing something about their water, about their refuge or about their quality of life, Israel has blockaded it. That is the problem.

Alistair Burt: The restrictions on access to Gaza are clearly part of the pressure placed upon Gaza and people in it. The United Kingdom has made repeated representations to Israel about easing those restrictions, and we will continue to do so, but there are activities perpetrated by those who govern Gaza that add to the pressures there. Recently, there have been difficulties between different Palestinian groups in relation to energy, power and salaries in Gaza. I recently met people from the Office of the Quartet to talk about work that was being done on new power plants and on water purification plants. We will continue to support that work because it is one bright spot and we have to continue with that as we deal with the politics as well.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Yesterday's events were truly horrendous, and it is very important that all the facts surrounding what happened are identified and exposed. Does the Minister have any confidence that this will include the facts about Hamas's involvement, starting from its role in destroying the chances for peace after Israel left Gaza in 2005 and forcibly removed the settlers and soldiers there? Will this include Hamas's postings on Facebook over the past couple of days, which advised the demonstrators to hide guns and knives in their clothing before breaking the barrier into Israel's territory and attacking Israeli civilians across the border?

Alistair Burt: It is important that any investigation is able to uncover all aspects of what might have happened if we are to do proper justice to those who have been caught up in it. The hon. Lady occasionally speaks bravely about matters that some would perhaps like to gloss over and it is right that she raises those, just as it is right for the Government to recognise that although Israel has the right to protect its border, it must make sure that its actions are commensurate with international human rights law. The concerns that she expressed and the incitement to violence that we know is there cannot be glossed over by any of us. If we are to deal with this issue properly and see a resolution in the future, that has to be understood, rather than wished away.

Robert Halfon (Harlow) (Con): All the innocent deaths are a real tragedy for the families and for everyone in the middle east. Will my right hon. Friend accept that Hamas and Islamic Jihad have fired thousands of missiles on to Israeli territory, despite the withdrawal from Gaza; that Hamas has built tunnels to get from Gaza into Israel; and that there have been terrorist attacks on the aid crossing and the pipelines? Is it not the case that Hamas is using some of these civilians as shields to bring terrorists into Israel?

Alistair Burt: I hear from the House that occasionally colleagues say things that are not agreed with by others, but to deal with this issue sensibly, we have to understand both sides. We know that what my right hon. Friend said has significant basis in truth, in terms of what has come out from Hamas to Israel—the statements, the incitement and everything else. The UK's role should be clear: we have to understand the origins of this situation, but above all we have to recognise that those who have been in control of events have not grasped the sense of urgency and that this is not a political matter designed to rally their various bases and keep the confrontation going. It is not a matter that will settle itself and it is not something that will manage itself; it is something that has to be ended. Unless they grasp the urgency created by the tragedy yesterday, there will be another. Our voice will be consistent on the urgency of dealing with the matter. That is the position that I hope we continue to take.

Several hon. Members rose—

Mr Speaker: Order. If colleagues will forgive me, I think I can probably say without fear of contradiction that the Minister of State is almost universally respected in the House and very widely liked. Nobody enjoys hearing the Minister of State more than Mr Speaker. I say very gently, just as a guide, that I am quite keen to

[Mr Speaker]

accommodate all colleagues on this matter. The Minister of State's answers are up to him, but if he can bear that in mind, it would be hugely appreciated.

Hilary Benn (Leeds Central) (Lab): All countries, Israel included, of course, have the right to defend themselves, but there is no justification—none whatsoever—for the IDF shooting at and killing unarmed protestors inside Gaza. Although I agree with the Minister that the fact that there is currently no peace process at all is the greatest tragedy of all, and that we must continue to strive for one with the courageous political leadership that that will involve, will he not agree in return that the very least we can do in these circumstances is to tell the truth about what is going on? Had it happened anywhere else, I think the condemnation would have been unequivocal.

Alistair Burt: It is of course crucial that the truth is both uncovered and spoken about. Any breach of international humanitarian law and any use of live fire in circumstances that would breach it would be wrong. I noticed the right hon. Gentleman's statement yesterday. It is the United Kingdom's job to support an examination of what happened, partly to expose it but partly to remind people of the importance of bringing these circumstances to an end.

Stephen Crabb (Preseli Pembrokeshire) (Con): Even the staunchest friend of Israel would recognise that yesterday's bloodshed was just appalling and deeply, deeply distressing, but when there is such a highly orchestrated and deliberate attempt by the Hamas regime to use legitimate protests as a cover for trying to breach the security zone and bring chaos and bloodshed on to Israeli soil, what role does my right hon. Friend see for the international community in putting pressure on the Hamas leadership to pull back from this really dangerous activity?

Alistair Burt: It is difficult. As we know, Hamas is a proscribed terrorist organisation, but the efforts being made in the Palestinian body to try to seek a reconciliation, which can come only with the Palestinian Authority on Quartet terms, where violence has been renounced, are part of that process. We certainly urge that that process continues and succeeds but, where there is clear evidence of extremism that has caused people's deaths, that must be brought out and condemned.

Several hon. Members *rose*—

Mr Speaker: Similarly to what I said to the Minister, if colleagues could be brief, that would help. There is no obligation to deliver a statement. What is really required is a pithy question, and I think we will get one from Layla Moran.

Layla Moran (Oxford West and Abingdon) (LD): As you know, Mr Speaker, I am the first MP of Palestinian descent. Where it not for the Nakba—we are commemorating 70 years of that today—perhaps I would not be here, so it would be remiss of me not to press the Government. I absolutely agree that Hamas is partly responsible for this situation, and in between Hamas and a very extreme Israeli Prime Minister, we have the blood of children. Does the Minister not agree,

however, that the two sides are not meeting as equals, at whatever peace process table, and that now is the moment to give recognition to the Palestinians, so that we have hope, because that is also what has died this week?

Alistair Burt: I hear what the hon. Lady says and recognise her background and achievement in being here. The recognition of a Palestinian state remains open to the United Kingdom, at a time when it is best designed to serve the cause of peace. That will remain the UK's position.

Sir Desmond Swayne (New Forest West) (Con): Why are those of us who have had the chilling experience of entering and leaving the prison camp that is Gaza never really surprised, no matter how grotesque the violence gets?

Alistair Burt: I do not think we are ever really surprised because the seeds of the conflict are so deep and at times there seems to be little attention given to dealing with them rather than using them in various ways. The inevitable consequence of not dealing effectively with the issues on all sides is what we saw yesterday.

Richard Burden (Birmingham, Northfield) (Lab): The respected Israeli human rights organisation B'Tselem said yesterday that the use of live fire against demonstrators in Gaza

“evinces appalling indifference towards human life on the part of senior Israeli government and military officials.”

If Israeli human rights defenders can see that, is not the White House's response, absolving Israel of all responsibility for the deaths, as reprehensible as it is short-sighted for peace? Is it really too much to expect our Government to speak with the same clarity as Israeli human rights defenders?

Alistair Burt: I respect B'Tselem. As the hon. Gentleman will know, we share the concerns about the use of live fire. This is an issue on which we are not in agreement with the views of the United States of America.

Theresa Villiers (Chipping Barnet) (Con): We can all agree that an effective peace process is vital if we are to avoid tragedies of the kind that occurred yesterday. Will my right hon. Friend acknowledge that Hamas is a serious roadblock to a peace process, and condemn it for that?

Alistair Burt: It is clear from the allegations and evidence that there is likely to have been extremist exploitation of the perfectly proper march. It is for that reason that an independent investigation must cover all aspects. Those who have contributed to extremism and deaths do indeed need condemnation.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Does the Minister not agree that the large-scale use of live fire against people who are unarmed should be strongly condemned, wherever it happens in the world and no matter what organisations might try to influence or organise protests? At a time when sober, serious foreign policy is urgently needed in the middle east and the US's reckless and irresponsible embassy move means that it is not providing it, does the Minister

agree that EU Governments should be working closely together urgently to pressurise the Israeli Government to change tack?

Alistair Burt: I fully understand the hon. Lady's position and have already indicated our concern about the use of live fire, which has to be investigated further. On the US position, we will do all we can. The US will remain a central part of what needs to happen in Israel, but it does need to give a greater sense of understanding of some of the underlying issues than on occasions its statements suggest. We will work with our partners because they should be part of the solution. Yesterday's timing and yesterday's event—that split-screen—will be one of the images of 2018. We must make sure that we use what happened yesterday as a cause for peace, not as a further cause for confrontation.

Crispin Blunt (Reigate) (Con): The situation in Gaza has been desperate and deteriorating for decades. It is 14 years since British citizen Tom Hurndall received the kind of treatment that is now being meted out to hundreds if not thousands of Palestinians on the border, protesting through the rage and despair that they feel after all this time. Given that it is now some years since William Hague said that the two-state solution was in the last-chance saloon, if we simply repeat platitudes about the need for a two-state solution, are we not limiting our ability to think really constructively about how we are to end this tragedy for both the Palestinians and the Israelis?

Alistair Burt: Continuing on from what was said by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and by my hon. Friend, there is room for engagement in this situation and in the imaginative opportunities for the future by more than just the United States. These are not platitudes. The fundamentals remain the same: how do we guarantee the existence and the security of the state of Israel, which is fundamental, and yet provide justice for the Palestinians in relation to all that has happened. That is what needs to be worked on, and we will dedicate our efforts to that.

Joan Ryan (Enfield North) (Lab): The death toll on the Gazan border was truly terrible, and the violence must stop, but Hamas must end its cynical exploitation of the peace process and the Israel defence forces must show restraint and do all they can to minimise civilian casualties. Does the right hon. Gentleman agree with me—I think that he does—that the lack of a peace process is at the heart of this problem and that unless we commit to redoubling our efforts to achieve a two-state solution, which is the only lasting path to peace, we will see further violence?

Alistair Burt: The right hon. Lady is right. We will redouble our efforts, but we cannot want peace more than the people involved. It will need leadership in the region itself to demonstrate the determination to see the answer that we need, but she can be sure that we will do all we can to bend our efforts in that direction.

Mr Mark Harper (Forest of Dean) (Con): May I draw the Minister back to his response to the hon. Member for Liverpool, Riverside (Mrs Ellman) when

he referred to the independent investigation? Does he think that that investigation could look seriously at the role of Hamas, a proscribed terror organisation, in this process and get access to the people that it needs? How does he think that it could come to a reasonable independent conclusion that we all want to see in this House?

Alistair Burt: The short answer to my right hon. Friend is that we do not know. That is important in setting out the terms of an investigation. Again, we can all see the opportunity in this investigation. There will be people calling for it to come up with different answers right from the very beginning, but we can approach it only on the basis of honesty—of wanting to find out what happened and all parts of it. Just because it might be difficult to investigate the circumstances surrounding Hamas is no reason for its involvement not to be included.

Mike Gapes (Ilford South) (Lab/Co-op): At times such as this it is easy to despair and say that there is no solution, but surely what is needed by the Palestinians captured by the Hamas leadership in Gaza, and by the Israelis captured by their dysfunctional political system, is lasting peace, and that can come about only if there is a reactivation of the plan put forward in 2002 by Saudi Arabia and adopted by the Arab League. What are our Government doing to get a regional peace initiative?

Alistair Burt: There is much in what was just said by the long-standing and respected member of the Foreign Affairs Committee. The Arab peace initiative remains a strong base as a possibility for the future. It is determination and urgency that we have to bring to this. I suspect both him and the Committee, led by my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat), may have something to say and a contribution to make in relation to this.

Chris Green (Bolton West) (Con): Hamas has a record of using innocent men, women and children as human shields to cover terrorist activity. Will my right hon. Friend join me in condemning Hamas and calling on it to stop sacrificing the people of Gaza?

Alistair Burt: As I have answered a number of times already, Hamas's part in this has to be opened up. It is clear from statements already intercepted that it was prepared to use any breaches in the fence for its own purposes, and it is clearly one part of this terrible event. The questions illustrate my sense of concern about the binary view of all this. There are many parts to trying to solve and deal with this, and it is the responsibility of the United Kingdom to make that clear, but my hon. Friend was right to raise concerns about Hamas's activity.

Dr Philippa Whitford (Central Ayrshire) (SNP): Having worked in Gaza for almost a year and a half as a surgeon, I am one of the few people in this Chamber who has seen the result of live ammunition and what it does to the human body. Various Members talk about breaching the fence, but most of those injured were nowhere near the fence. More than 200 children and 17 medics were injured. They were not trying to invade Israel. How will the British Government push for an inquiry, and will they understand that, while Hamas

[Dr Philippa Whitford]

may have manipulated people to encourage the scale of the protest, the despair that I see when I visit Gaza is the underlying cause? If we do not get a peace process, that will get worse.

Alistair Burt: We all defer to the hon. Lady's contribution and expertise in terms of her work in Gaza and the efforts that she has made, and there is much in what she says that everyone should acknowledge and take note of. The despair and the hopelessness in Gaza are indeed prime movers in people's concerns and in their wanting to see a change. The United Kingdom recognises that. That is why some of our efforts today at the United Nations will be in support of the UN Secretary General's special envoy as he looks to do things in Gaza and for Gaza to seek to relieve that pressure. It is one part of the equation, and the hon. Lady was right to raise it.

Bob Blackman (Harrow East) (Con): I commend my right hon. Friend for his calm and measured approach. What assessment has he made of the role of President Abbas in this whole terrible incident? He has been giving a substantial number of anti-Semitic statements over the past few weeks. Does he not have a role in de-escalating the position?

Alistair Burt: President Abbas has been a long-time supporter of a two-state solution and a condemner of violence. He apologised for his recent speech in Ramallah in which he made some remarks about the holocaust, and realised that it was not a contribution to the understanding and peace that was necessary. We continue to see President Abbas as a voice for peace in the region and we need to work with him and others, but greater leadership needs to be shown all round, on both sides of the equation, to get the answers that we need.

Ann Clwyd (Cynon Valley) (Lab): Under what criteria do we continue to sell arms to the Israelis?

Alistair Burt: Under the same criteria as we do to everyone else. We recognise that Israel has many threats against it and the sale of arms is covered by the same rigorous criteria as apply to all other arms sales, and that will continue.

Michael Fabricant (Lichfield) (Con): *The New York Times* has published photographs and evidence that some 30,000 to 50,000 people in Gaza have been at the border fence, and that, I believe, is larger than the size of the standing Israeli army, so, sadly, I can understand how these events have happened, tragic as they are. Does my right hon. Friend not agree that taking a unilateral view that it is only Israel to blame merely encourages Hamas to do worse?

Alistair Burt: My hon. Friend is right: to take a binary view on this issue without any regard to any other side is not right. The only way of getting to the truth of it and revealing who has been most responsible is to understand that there is more than one party involved. Even so, just dealing with this incident in itself will not be sufficient, which is why we must remain fixed on the need for a political process, a better future for Gaza and a solution to the politics that have given rise to this.

Mr Pat McFadden (Wolverhampton South East) (Lab): Israel has a right both to exist and to defend itself, and there is little doubt that Hamas has been involved in organising, encouraging and exploiting confrontation in Gaza, but it cannot be right to use live ammunition to kill more than 50 protesters and to injure many others. Does the Minister of State agree that those actions will not only cause dismay to Israel's many friends in this country and around the world, but breed further resentment and hatred in the families of those killed who are grieving today? We should not overestimate the UK's influence in these events, but will the Government at least use their voice to encourage conciliation and dialogue, and to avoid a repeat of the recent appalling events?

Alistair Burt: There is a great deal of sense in what the right hon. Gentleman says. I said in the conclusion of my response to the urgent question that the shadows of yesterday will be long—in the deaths and injuries—as they are every time there is a confrontation in which lives are lost, wherever that may be, in relation to this long-running issue. That is why it is necessary to express concern about the use of live fire and find out more about what happened yesterday. Above all, the situation must be used not simply as an opportunity for one side to blame the other, but as an opportunity to try to end these circumstances forever.

Paul Masterton (East Renfrewshire) (Con): May I commend the Minister on his statement following yesterday's awful events and associate myself with his comments? Will he confirm whether the Government consider the use of mortars, explosive-lined tyres, Molotov cocktails, flaming kites painted with swastikas, meat cleavers and other weapons to constitute a peaceful protest?

Alistair Burt: No. Again, people have seen what they have seen in relation to parts of the protest. Let me be straight about the situation as far as I can see it. It is as wrong to say that everyone who took part in the demonstration is a terrorist as it is to say that everything was perfectly peaceful. We know that the truth lies in between. Of course, those who went to a protest armed and ready for confrontation may have been playing a part in raising the temperature, with some of the results that we saw yesterday. It is so important to examine the circumstances and call to account all those who may have had any responsibility to ensure that these deaths and injuries do not happen again.

Dr Rosena Allin-Khan (Tooting) (Lab): Yesterday's abhorrent massacre was a fire fuelled by a narcissistic American President who is content to watch the world burn. Never have I felt so strongly that he should not be allowed the visit the UK. If the planned trip goes ahead, I for one shall be joining the tens of thousands of people who will line the streets in protest. I implore the Government to cancel his visit.

Alistair Burt: The hon. Lady makes her points very strongly. It is not the view of the United Kingdom that the best way in which to engage with any country, particularly an important power and friend such as the United States, is in the manner that she suggests.

Engagement, explanation and working together are the best ways in which to deal with the concerns that we have and the areas where we differ on policy.

Andrew Percy (Brigg and Goole) (Con): Too many people in this place have already made up their minds about who the guilty party is in this situation, so may I praise the Minister for his balanced view from the Dispatch Box? He is absolutely right that this is not a binary issue, but I urge him to continue—as I think he has done already—to differentiate between protestors and those who have used children as shields, and have gone to the border with the sole intention of breaching it to kill innocent civilians.

Alistair Burt: Yes, I do my best to make that distinction. But some of the allegations have to be fully tested until we find out more about what happened. I stand by my remarks that the best way in which to deal with yesterday's tragedy is to do our best for the victims of killing or wounding and to look forward to a better future for Gaza and the region.

Caroline Lucas (Brighton, Pavilion) (Green): Assault rifles, sniper rifles, components for aircraft ammunition: that is just a small selection of the export licences granted last year by this Government to British firms selling to Israel. I condemn violence on all sides, but given the slaughter in Gaza, the condemnation from across this House and the outrage in the international community, how on earth can this Government continue to allow the arms trade to profit from mass murder by the criminal Israeli Government? There is one practical thing that the Government could do to put pressure on the Israeli Government: end the arms trade.

Alistair Burt: The United Kingdom continues to operate a very strict arms regime in terms of sales. I have already mentioned the legitimate uses of arms by a country that needs to defend itself. Any allegations of breaches are of course part of our consideration on future sales and the like, as the hon. Lady knows well.

Alec Shelbrooke (Elmet and Rothwell) (Con): My right hon. Friend is absolutely right to take this measured tone. As he alluded to, the ratcheting up of the situation over many years has made no small contribution to what happened yesterday. I am sure that we all share the view that the death of any innocent civilian is terrible. What efforts can be made through the UN and the aid agencies to help with infrastructure in Gaza? One reason why the blockade was put in place was that such things were used to build tunnels, and the Israelis probably reacted in the way in which they did yesterday for fear of what would have happened if the border had been breached.

Alistair Burt: My hon. Friend raises an element of the difficulties in the region, by asking how we can ensure that materials used for rebuilding infrastructure in Gaza are not misused. We have strong and strict controls regarding the diversification of materials, and will continue to keep them under review. It is undeniable that more effort is needed in Gaza to relieve some of the population's misery. Those who govern Gaza have a responsibility, but so do the rest of us. We will do our best to live up to that responsibility and find better ways in which to support the people of Gaza.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The scenes of death and injury to civilians in Gaza are simply sickening. The Minister is very familiar with international law, so he knows that the requirements on a state using lethal force are very high with regard to necessity, proportionality and precaution. Does he believe that those principles were adhered to by the IDF in this situation?

Alistair Burt: The short answer is that I do not know. We have made clear our concerns about live fire. Equally, others have made it very clear what the consequences would be if there were a breach of the border, and those in Gaza have said what they might do themselves if they were able to breach the border. The situation is not clearcut, but we are extremely concerned by the extensive use of live fire in circumstances that an inquiry might find were not correct. We have to find out what happened.

James Morris (Halesowen and Rowley Regis) (Con): Although it is absolutely essential for the Israeli forces to use restraint on the Gazan border, does the Minister agree that it is not acceptable for Hamas to use this situation to manipulate political opinion and that the role of the international community should be to identify partners for peace so that we can get the peace process back on track?

Alistair Burt: I hope that I have tried to demonstrate that the United Kingdom takes the path that my hon. Friend would suggest is the appropriate one to deal with the tragedies of yesterday and to look towards a better future.

Jess Phillips (Birmingham, Yardley) (Lab): Israel rightly uses security as a reason to continue the blockade in Gaza. While I was over there recently, I met a mother who had just given birth to triplets, but she was to be removed from the hospital in Jerusalem where she was receiving care because she was a security risk. A woman who has just given birth is not a security risk to be removed from her children; but as soon as somebody removed my babies, I would certainly become one. What are the Government going to do to ensure that people seeking desperate healthcare outside Gaza—in Jerusalem—are able to get it?

Alistair Burt: I have two responses to the hon. Lady. First, the human circumstances that she describes take us back to comments made earlier by colleagues on both sides of the House about the depth of resentment built up over a lengthy period due to the way in which all this has been handled. We have talked about the ability of politics to have divided and separated people and build them into situations where they cannot see one another as anything but an enemy. That is at the root and heart of this issue. Secondly, on the specific aspect of the hon. Lady's question, we do raise with the Israeli authorities the subject of movement for medical help, but it should also be recognised that there are many occasions when that help is given. That is an undisclosed part of the relationship between the two.

Huw Merriman (Bexhill and Battle) (Con): What conversations has the Minister had with his counterparts in the Egyptian Government, who have great influence

[Huw Merriman]

both through having a dialogue with Hamas and through partnering with the Israelis regarding the Gaza military blockade?

Alistair Burt: That is a very good question. Personally, I have not had many conversations with the Egyptian Government recently, but I know that our representatives in Cairo do. My hon. Friend is absolutely right that Cairo has an important role to play. It has played an important role in dealing with terrorism in the Sinai and relationships with Israel, and in opening up to some degree what is happening in Gaza and helping with the reconciliation process. Egypt is a valuable partner in this push for peace and a better future in the region.

Stella Creasy (Walthamstow) (Lab/Co-op): The widespread public distress from Israeli human rights organisations such as B'Tselem reflects the fact that there is deep concern and distress about these horrendous deaths across the spectrum, even given the conduct of Hamas. But the truth is that this is not the first time that such a thing has happened at the Gaza border in recent weeks. The international community knew that the embassy move would be a flashpoint. Like Mr Speaker, I have great faith in the Minister's persuasive powers, so will he tell us what he did before this week to talk to the Israelis about how they managed peaceful protests, which he has recognised the Palestinians have a right to undertake, and what will he do differently as a result of yesterday?

Alistair Burt: Since the protests were planned, I have been in contact with his excellency the ambassador to the state of Israel here and with my counterpart, Deputy Foreign Minister Hotovely, in Israel. We have discussed the background to the protests. On all occasions, I have urged restraint in a likely reaction to those who would challenge the border. In recent times, tactics may have changed in relation to trying to use more tear gas to move people away from the border, but these are matters for the state of Israel. Since these situations were contemplated, we have been in regular contact with the state of Israel about how it would meet the challenges that it was likely to see at the border.

Ross Thomson (Aberdeen South) (Con): We have seen Hamas officials actively encouraging protestors to be martyrs and bussing rioters to the border for them to sling Molotov cocktails and fireballs across it and to tear down fencing. Does the Minister share my concern that Hamas is using civilians as a cover to incite violence, and will he join me in calling on Hamas to abide by the Quartet's principles of non-violence?

Alistair Burt: I think I have used this quote before. In one of Seán O'Casey's plays about Ireland, a young man said to his mother that he was prepared to die for Ireland, and the mother said, "Everybody is prepared to die for their countries—when are people prepared to live for their countries?" The horror whereby people might be prepared to encourage more bloodshed to demonstrate a political point is very real in the area. If there is anything we can do, we have to break into that, as others have done in other areas of conflict.

Wes Streeting (Ilford North) (Lab): Yesterday's needless bloodshed, the demolition of Palestinian homes and the ongoing abuse of Palestinian human rights demonstrate that Hamas has no better friend, or indeed recruiting sergeant, than the current Israeli Government. Given the realignment of US policy exemplified by its embassy move, is it not time for all friends of Israel, including this Government, to say plainly to the Israeli Government that their actions undermine their own peace and security and that, as B'Tselem's executive director argued only yesterday, defending the border is not a licence to kill?

Alistair Burt: The hon. Gentleman makes his own points. I can assure him that we speak regularly and plainly to the Government of the state of Israel, but we also make the point that ultimately a state's security is not just about its weaponry and walls; it is about the relationship with its neighbours and others. If a peace process is to get anywhere, that has to be an essential part of the future as well as weaponry and confrontation.

Rehman Chishti (Gillingham and Rainham) (Con): The loss of innocent life is completely unacceptable. We have talked about the US moving its embassy to Jerusalem, but the other key impediment to peace in the middle east is the expansion of the illegal settlements by the Israeli Government. What is the United Kingdom's position on this matter?

Alistair Burt: I am grateful to my hon. Friend. Our position is very clear and has been restated. We oppose the settlement process, which we regard as one of the obstacles to peace in the area, and challenge what we consider to be illegal demolitions. Again, only an overall agreement will deal with those issues as part of the long-standing difficulties between the Palestinians and the state of Israel.

Naz Shah (Bradford West) (Lab): We are on a very dangerous path when even some respected Palestinian figures are moving away from the idea of a two-state solution towards a struggle for one-state control. Does the Minister not accept that this is exactly why we should be moving swiftly towards recognising the Palestinian state while there is still one to recognise?

Alistair Burt: I understand the hon. Lady's point, which has been made many times before. I recognise the force of it. However, recognition of itself would not change anything on the ground. It remains for the United Kingdom to make a judgment about that, as I indicated earlier, but we will have to pursue other paths as well. Her point about moving away from a two-state solution is a reminder of the danger that if we cannot find a conclusion to this, others will find it for us, and it will not be good.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): The violence at the border in Gaza is deplorable, but the demonstrations were deliberately provocative. While imploring the Israeli Government to show restraint in their actions, does the Minister agree that the Palestinian Authority now need to show calm and courageous leadership to do all they can to help and encourage the people of Gaza to turn away from the evil and manipulative Hamas and back to peace? [Interruption.]

Alistair Burt: My hon. Friend deserves to be heard. The Palestinian Authority have been in regular contact with Hamas. I think that the Palestinian Authority share the despair of many others in relation to the circumstances in Gaza. They have recently made attempts to seek a new political solution in Gaza that will lead to a unified authority that can only be accepted by people outside on the terms of the Quartet. We continue to see members of the Palestinian Authority as those who, if they keep driving for that and driving for peace, will be proper partners in the process.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I recall that in this House on 15 January 2009, the then Member for Manchester, Gorton, Gerald Kaufman, said:

“My grandmother was ill in bed when the Nazis came to her home town of Staszow. A German soldier shot her...in her bed.” He continued:

“My grandmother did not die to provide cover for Israeli soldiers murdering...grandmothers in Gaza.”—[*Official Report*, 15 January 2009; Vol. 486, c. 407.]

That should apply to anybody else—whether 58 or 2,000 more. Will the UK Government borrow from the late Gerald Kaufman’s language, and state that Palestinian lives are as precious as Israeli lives and that those who reportedly cheered yesterday in Israel, “Burn them, shoot them, kill them,” are beyond contempt?

Alistair Burt: All lives are indeed sacred. That anyone, in any circumstances, should cheer the results of actions in which people lose their lives means that they are losing a connection to something very valuable. It is the duty of this House, notwithstanding the anger and upset that we often feel, to try to find a way through. The hon. Gentleman’s concern that all lives should be held in the same regard is absolutely correct.

Richard Drax (South Dorset) (Con): Bearing in mind that the two-state solution is the only one on the table, who does my right hon. Friend reckon should be the honest broker to take this forward?

Alistair Burt: Well, I wish there was more on the table than there currently is. There is an urgent need for that process to be rekindled. We await hearing from the US envoys. I know from personal experience that they have been working extremely hard on this, but they have to come up with something that is realistic and just and that provides the possibility of working on both sides, not something that will be too one-sided.

As for honest brokers, as I indicated earlier, the United States position has probably changed in relation to some of the decisions made recently, but it is very clear that it remains an important partner. During the recent visit of Vice-President Pence to the region, and also new Secretary of State Pompeo, we urged that there should be meetings with the Palestinian authorities, and we will continue to urge that. But others will, I hope, have a role to play when proposals come forward.

Shabana Mahmood (Birmingham, Ladywood) (Lab): The fate of the people of Gaza is to be condemned to live in an open-air prison camp and to be shot dead when they protest and remind the world of their despair. The actions of the Israeli military yesterday are indefensible

on any measure. So may I press the Minister to agree that now really is the time to take the one measure that we have at our disposal to send a message to the Israeli Government: formally and immediately to recognise the state of Palestine? It may not change realities on the ground, but it would send a message. We have so few options; he should take this one, and take it now.

Alistair Burt: I hear what the hon. Lady says, and I have answered the point before. Certainly, looking at what can be done in the circumstances, we are all searching for something new, but that starts from the base of some of the comments made today. We have to find leaders who are prepared to do what Anwar Sadat and Prime Minister Rabin did many years ago—to reach out to others and overcome the extremists on their own side. The United Kingdom has to be clear about support for that process and look at any measure that will assist in it.

Several hon. Members rose—

Mr Speaker: Order. I just gently observe what will be evident to everybody because you can see the Chamber: all remaining would-be contributors are situated on the Opposition Benches. I would like to accommodate colleagues. May I appeal to people who have pre-prepared scripts that they feel the nation must hear to consider possibly—just possibly—reducing or, dare I say it, even abandoning them and just asking the question? It is up to you, colleagues, but if you ask long questions, you do so in the certain knowledge that you are reducing the chances of one of your colleagues, with whom you normally feel great solidarity, having the opportunity to contribute. I am sure that you would not want to do that because it would be uncomradely, and none of you is going to behave in an uncomradely manner.

Joanna Cherry (Edinburgh South West) (SNP): Like me, many of my constituents want to know why the British Government refuse to condemn unequivocally the shooting dead of unarmed civilians. Would the Minister care to enlighten us?

Alistair Burt: I made it very clear in the statement yesterday, as I have today, that we have great concern about the extensive use of live fire. As I said earlier, if there is evidence of a breach of international humanitarian law in the deaths, that should indeed be condemned, but we need to find out more, and that is why we support an independent investigation.

Ms Karen Buck (Westminster North) (Lab): The Minister speaks of balance, but no balance has been expressed by the US Administration, who have rightly condemned Hamas but said nothing about the carnage unleashed on civilians by the vastly superior IDF. The Minister has said that the UK disagrees with the United States Government’s position, but will he undertake to convey to them urgently the fact that their failure to be unequivocal and make absolutely clear that the level of violence was unacceptable will simply delay any political solution to this crisis?

Alistair Burt: Certainly in our conversations with the United States, particularly when we have differences of policy, we indicate why we differ and why we feel in

[*Alistair Burt*]

particular circumstances, whether it is in relation to the Joint Comprehensive Plan of Action or this, that their stated objectives may not be achieved by their policy. That is a part of the discussion that we will continue to have.

Christine Jardine (Edinburgh West) (LD): In this utterly depressing and heartbreaking situation, in the centenary year of the Balfour declaration, will the British Government undertake to ensure that both halves of that statement are fulfilled—that as well as protecting Israel's right to exist, we defend the right of the Palestinian people to have exactly the same rights and international status as Israelis?

Alistair Burt: The Prime Minister and my right hon. Friend the Foreign Secretary made it clear at the time of the commemoration of Balfour that there were indeed two parts to that declaration, and the second remained unfinished business. That is still the view of the United Kingdom Government.

Mr Ivan Lewis (Bury South) (Ind): The Israeli Government have a moral duty to minimise civilian casualties in defence of their borders. The loss of life yesterday was a horrendous tragedy, but to be clear, Hamas members are not freedom fighters; it is a terrorist organisation sponsored by Iran and using civilians as a human shield. Does the Minister agree that a new reality whereby Iran is in Syria, Hezbollah runs Lebanon and Hamas controls Gaza means that Israel faces grave security concerns? Is it not time for the United States and the Arab League countries to show responsible leadership on an equal basis and jointly sponsor a new political dialogue aimed at rebuilding trust and a new peace process between Israelis and Palestinians?

Alistair Burt: The hon. Gentleman understands this situation extremely well, having held my post in the past, and knows the risks in the area. He is right to explain the risks that Israel feels all around it. He is also right to suggest that, unless we get something new into the situation to understand it and bring the confrontation to an end, we will not see progress. Whether it is led by just the United States or others, it is essential that we put something new into the process, otherwise we will be back here again.

Mr Speaker: Colleagues are delightfully incorrigible. A number are now developing a little technique of signalling to me that they intend to be very short, therefore trying to persuade me to call them earlier than some other colleague.

Rushanara Ali (Bethnal Green and Bow) (Lab): Since 30 March, 97 Palestinians have been killed and more than 12,000 injured. I have heard words of concern expressed by the Minister, whom I greatly admire, but I implore him to use the word “condemn” and stop the trend of those in the Foreign Office to be mealy-mouthed when these killings happen. I implore our Government to take a leadership role and condemn the attacks.

Alistair Burt: There is much to condemn all round. We have heard from colleagues on both sides of the House about activities that are rightly to be condemned. As I indicated earlier, deaths that have resulted from

breaches of international humanitarian law, whether perpetrated by the IDF or anyone else, would rightly be condemned.

Fiona Onasanya (Peterborough) (Lab): What is the UK doing at the Security Council to ensure that an independent inquiry happens, and where is the Foreign Secretary?

Alistair Burt: The Foreign Secretary is on his way this afternoon to see the Foreign Minister of Iran about matters we discussed earlier, and he was already committed to work after Foreign Office questions.

As far as the United Nations is concerned, there will be a meeting later on today. We intend that work progresses on some form of independent inquiry, notwithstanding the difficulties that have been put forward, but I think there is widespread recognition around the world that we must get something in place that will enable some of these questions to be answered and act as a springboard to something rather better in the future.

Dan Carden (Liverpool, Walton) (Lab): The Trump peace plan is said to be in its final stages and ready to be published following the disastrous move of the US embassy to Jerusalem. Will the Minister promise that this Government will not slavishly follow the policy of the United States but look to bolster an alternative with the international community?

Alistair Burt: I think we have proved relatively recently that we are not a slavish devotee of US foreign policy. There have been other occasions when we have clearly differed. We will make a judgment on what comes forward in relation to a possible peace proposal along the lines that I have indicated earlier. It has to be workable. It has to have the opportunity of bringing in those who would support it from neighbouring Arab states and others. There clearly has to be an element of justice in it. It has to secure Israel's interests as well. We will make our own judgment on it, but we will work with partners to see that it provides the basis of success. I made the point earlier about urgency—we cannot just kick the can down the road further, because we all see what happens.

Marsha De Cordova (Battersea) (Lab): If there was proof that UK arms exports were being used by the IDF at the Gaza border, would the Minister feel it was right for the UK Government to suspend those export licences?

Alistair Burt: If that was proved, it would be likely to add to the element of risk that is considered when an arms sale is contemplated. It is a category that would have to be taken into account when deciding whether further sales could be given. It is a big “if”, but it is already in our very rigorous arms export criteria to make sure that, if such circumstances come about, that is part of the process of considering whether further sales should be allowed.

Stephen Kinnock (Aberavon) (Lab): We have been issuing stern condemnations of Israeli behaviour for decades, and all the while, the occupation has become more entrenched, illegal settlements have mushroomed

and Palestinians have less land, rights and freedoms than ever before. Surely it is time now to move from empty words to tangible actions, starting by banning the trade from illegally occupied territories. The trade and products of businesses in the illegal territories should be banned from the European Union, and the British Government should take the lead on making that happen.

Alistair Burt: I am grateful to the hon. Gentleman, but that is not a view that the United Kingdom takes. We are not part of the boycott, divestment and sanctions process. We believe in giving consumers the choice, and that is not a road down which we are going to go.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The South African Government have recalled their ambassador to Israel. The Irish Government have summoned the Israeli ambassador to Dublin. Are the British Government considering either diplomatic route?

Alistair Burt: I am not aware of a formal calling in, but we are in regular contact with both the Government of the state of Israel and the ambassador here, and that will remain the case.

Lisa Nandy (Wigan) (Lab): The Government's failure to condemn the actions of the Israeli Government and the reckless, inflammatory behaviour of the Trump Administration shames this country, but even more shameful is the equivocation about arms sales to Israel. Last year, this Government approved £216 million-worth of arms export licences to Israel, and they do no checks on how those weapons are used. Given the scenes that we have witnessed in recent days of children being gunned down, how on earth can the Minister stand before the House and continue to justify those arms sales to Israel?

Alistair Burt: If the hon. Lady wants to make a link between the two, she will need to prove her allegations. We have no evidence to suggest that there is any link. On the checks, before an arms sale is considered, it has to go through the criteria, which consider the possibility of the risk of use in conflict. That work is done and that will continue to be done. That is the way in which we consider whether there is a degree of risk. If she wants to make an allegation that British weapons are particularly used, she may do so and of course that will be considered. We have no evidence to suggest that that is the case.

Tommy Sheppard (Edinburgh East) (SNP): The Minister said earlier that he did not know whether British-supplied arms were used in the massacre yesterday because it is not the policy of his Government to inquire about what happens to them after they are sold and the checks take place before sale. Will he now make it his policy to find out whether arms supplied in this country were used for the mass slaughter of unarmed protesters in the violence yesterday?

Alistair Burt: What I said earlier is that we have no evidence to suggest that they were. I also said that all the extant arms sales licences in relation to Israel that are in process would be checked from the start of the protests in order to cover that issue. Of course, should

any evidence come forward, we would be extremely concerned. We do not have a policy of checking all the end uses because it is not possible to verify, but consideration of where arms might be used is a part of the criteria in supplying them in the first place. Those are the checks that are made, but of course I am extremely concerned. Should there be any serious allegation and any evidence, of course that would be important to our criteria and to the Commons Committee that looks into that.

Angela Smith (Penistone and Stocksbridge) (Lab): The Minister is taking a calm and measured approach in his conversations with the Israeli Government, which is right, but the situation on the border is urgent, so may I ask him whether he is prepared to convey, in the strongest possible terms, a sense of the duty that the Israeli Government hold to tell their soldiers to show restraint, particularly in relation to the use of live ammunition?

Alistair Burt: I appreciate the hon. Lady's question. In our contact with Israel up to now, we have been very clear in relation to that. The IDF has itself said what it considers to be its rules of engagement and it is a matter for the IDF, but we have persistently—right from the beginning of the risk of the sort of confrontations we saw yesterday—used the term “to use restraint”. We mean it and we know what we mean, and we engage very closely with the Israeli Government in relation to what they have been doing.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): There has been much talk today of the terrorism on the Gazan side of the border fence, but if you kill 58 and injure 2,000 unarmed civilians, including children, is that not an act of terrorism and, if it is, should we not proscribe the IDF as a terrorist organisation?

Alistair Burt: I think the hon. Gentleman is probably taking himself into extremely dangerous and serious waters. It is because of allegations like that that we need an independent inquiry to find out what has happened, but I do not share the view of the hon. Gentleman.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Due in no small part to the myopic and reckless policies of President Trump in moving the US embassy to Jerusalem, it is appalling and very saddening to see the slaughter of unarmed civilian protesters in Gaza. Whether it is protesters being shot in the back or children shot while standing hundreds of metres from the border fence, the Israeli authorities are clearly killing and maiming those who pose no threat to them. If this was Iran, the Government would utterly condemn it, so will the Minister condemn the Israeli authorities today?

Alistair Burt: I repeat the comments that I made earlier: we are extremely concerned about the use of live fire and the implications behind that, and about the deaths and injuries caused. That is why the United Kingdom supports an independent investigative inquiry into what has happened.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I add my voice to the condemnation of the use of lethal force by the IDF against predominantly unarmed

[Debbie Abrahams]

civilians. I do share concerns about the role of Hamas in this. I have huge regard for the Minister, but he has been very hazy on the details of what he is specifically doing and what the Government are specifically doing to restart the peace process. He mentioned leadership, which is absolutely key, and there is too little of it, so will he in the next two weeks come back to this House with a statement on what he is specifically going to do?

Alistair Burt: I will do my best to help the hon. Lady now. The situation is that, by and large, the work of the envoys appointed by the United States President holds the keys to the middle east peace process, and all parties involved are waiting for those to come forward. Those envoys have been engaged with Governments in the region and with various parties. It is really urgent that they come forward. Until they do, none of us has a clear sight as to what those are. They have held them very close, but they have also made it clear that, when they are ready to announce something, others will be engaged. The test then will be what exactly it is, but as I said in answer to the question from the hon. Member for Liverpool, Walton (Dan Carden), if it is not workable, it will have to be and we will make our views clear. However, that is where we are at the moment. Should there be anything else, honestly, I will come to the House very quickly, as would the Foreign Secretary.

Sarah Champion (Rotherham) (Lab): Fifty-eight Palestinians were murdered yesterday, six of them children, one of whom was eight months old. Does the Minister really believe that the Israeli response was proportionate to the threat or, coming in this historic week, should we see it as a deliberate attempt to undermine the peace process?

Alistair Burt: I do not believe that this is a deliberate attempt to undermine the peace process. The Israeli authorities did not start these protests, the marches or anything like that. It is clear from the reaction around the world to the events of yesterday that Israel has a lot of questions to answer in relation to what happened. I cannot therefore see any sensible connection between the two, but it is absolutely true, as I have said, that this is an area of deep concern for all of us.

Chris Williamson (Derby North) (Lab): Following the massacre of unarmed Palestinians by Netanyahu's apartheid regime, is it not time to support the boycott, disinvestment and sanctions campaign until such time as Israel complies with its obligations under international law? If that is a step too far, will the Minister at least press for a review of the arms export licence criteria, because they are clearly not satisfactory if they allow us to continue selling arms to Israel, given the appalling events that we witnessed yesterday?

Alistair Burt: I do not agree with the first point, for the reasons I gave earlier. On the second point, our arms sales criteria are very strict. They are constantly under review both by the House and by the Government. If there is anything that gives cause for concern in relation to any arms sales to Israel, that will be covered.

Christian Matheson (City of Chester) (Lab): The Israeli Government seem to get away with a level of disproportionate violence that is not tolerated elsewhere and they continue to ignore multiple United Nations resolutions, so can the Minister tell us specifically what he can say to the Israeli Government to persuade them to play by the international rules that the rest of us seek to apply?

Alistair Burt: Israel makes it very clear that it does seek to abide by international rules-based decisions, but there are areas where we continue to have concerns, whether in relation to settlements or anything else. All I can do is make it very clear to the House and to the hon. Gentleman that we repeat these concerns—we are very direct—and, again, there will be no resolution to this if each side digs in and claims that it is already doing everything it can. There are fundamentals relating to the security of the state of Israel that it will never compromise, but we think that ensuring a better relationship with its neighbours and taking some of the actions urged on it by others is a better way to look to its future defence than the direction it sometimes takes.

Toby Perkins (Chesterfield) (Lab): It is grotesque that the Americans are planning to block the independent investigation, but do we not already know that many of the people killed and injured yesterday posed no threat to the Israeli regime? Does the Minister not recognise that, by failing to come to the Dispatch Box and unequivocally condemn the murder of Palestinian citizens that we saw yesterday, he is actually strengthening in the minds of the IDF the idea that we will support the Israelis, even when we see this appalling slaughter?

Alistair Burt: No, I do not agree with the hon. Gentleman because I have made it clear that, should there be any investigation and should it be uncovered that any of the deaths or woundings were caused by breaches of international humanitarian law, the United Kingdom will stand four-square for the upholding of international humanitarian law and condemn those who work outside it. However, it is for the very reasons of concern that we have expressed our view about the use of live fire and called for the independent inquiry that we believe is necessary in order to find out precisely what happened. We of course share the concerns about the deaths and woundings that we have seen on film and video.

Neil Gray (Airdrie and Shotts) (SNP): Is not the killing of unarmed child protesters enough for the Minister and the Government finally to work with others not just to see the end of the blockade of Gaza and stop the illegal occupation of Palestinian land, but to suspend arms sales to Israel and recognise the state of Palestine?

Alistair Burt: As I have said in response to each of those questions before, the circumstances that we saw yesterday were the culmination of many different things. But of course the death of any child in such circumstances must be investigated to find out how a child might be in such a situation. Each and every death and wounding has to be the subject of inquiry and investigation if we are to find out some of the facts behind it, but again, we must move on to a better resolution to these circumstances.

Louise Haigh (Sheffield, Heeley) (Lab): Does the Minister recognise that recent events have coincided with the clamping down on and shrinking of the space for criticism of Israel and its human rights record? Will he condemn the deportation of Human Rights Watch workers from Israel?

Alistair Burt: The word “condemn” is easy to use; the issue is about trying to get some practicalities out of the situation. Israel’s immigration policy is a matter for itself as ours is for us, but we have already drawn attention to the fact that Israel’s use of it in some circumstances—in respect of human rights defenders and those with different political views—does not make for the opening up of political space. Some time ago, I gave a clear answer to a question about whether the United Kingdom would be dissuaded from talking to B’Tselem, Peace Now and one or two other such organisations. The answer is absolutely not.

Afzal Khan (Manchester, Gorton) (Lab): We cannot talk about a peaceful solution while unarmed protesters are killed in search of it. The situation is untenable and intolerable. Does the Minister agree that we need a radical rethink in our approach to the conflict, and that we could start by recognising Palestine as a state, so that both Israel and Palestine are on the same level?

Alistair Burt: I agree with the hon. Gentleman that whatever has been considered until now is not achieving the end objective. We hope for more from the peace process; if that does not come, we will have to think of more radical, in the hon. Gentleman’s word, suggestions. The same basics of protection and security for the existence of the state of Israel, together with justice for a Palestinian state, have to remain the bulwarks of what the international community can take forward, but must ultimately be agreed by the parties themselves.

Mr Speaker: I express the confident hope that the hon. Member for Birmingham, Erdington (Jack Dromey), a legendary campaigner, will not require more than 20 words.

Jack Dromey (Birmingham, Erdington) (Lab): The Palestinians have a right to nationhood and Israel has a right to security, but does the Minister not recognise the wise words of the right hon. Member for Mid Sussex (Sir Nicholas Soames)? Now is not the time for a “limp response” from our Government but the time to be unequivocal: there can be no justification for a thousand people being shot and no justification for the intransigence of the President of the United States of America and the Prime Minister of Israel, who are a fundamental obstacle on the road to peace.

Mr Speaker: I think the words were grouped.

Alistair Burt: The circumstances of yesterday’s killing and wounding of protesters were shocking and tragic, and that is why we need an investigation into all those circumstances. Beyond that, we have to find ways to bring these confrontations to an end. That will take a long political process in which the United Kingdom must be engaged. That is why it must be very clear that it needs to keep up its contact with both sides to make sure that we do not fall behind the binary lines being set

up by many to prevent contact from one to the other. We need to make sure that we can keep channels of communication open between those who ultimately have to make decisions.

Ian Murray (Edinburgh South) (Lab): Consecutive Foreign Secretaries have stated that the building of illegal settlements is narrowing the window of opportunity for a two-state solution. What are the UK Government doing at the United Nations to make sure that the UN resolutions are abided by?

Alistair Burt: As the hon. Gentleman knows, we support resolutions in the terms that he mentions, and we support those such as the Norwegian Refugee Council who provide legal support to those who will take to the Israeli Supreme Court actions against such illegal demolitions. We provide support in a practical way—we support the UN resolutions as well as continuing to make it clear that the settlement process is one of the obstacles to peace in the area.

Peter Grant (Glenrothes) (SNP): How does it help the cause of moderate voices in Gaza and elsewhere in Palestine when they look to one of the supposedly great diplomatic powers on earth—the United Kingdom—and see a complete refusal to recognise the evil done to people yesterday? How will that help them to persuade the Palestinian people that one day they will be able to trust the United Kingdom as an impartial ally to build a peace process?

Alistair Burt: Nothing that I have said today should give those people any such thought. The suggestion of evil has come from many quarters in respect of those who have put protesters in the way of harm or those who might have breached international humanitarian law. Our condemnation is perfectly clear.

As I said earlier, we are determined to recognise that these tragedies must not find yet another cause—another date to be remembered and another thing to take people out on marches for in the future. There will be all of that—as I said earlier, the shadow of any these deaths or injuries will be long—but the situation has to be used as an opportunity to go for something peaceful and find a way through the confrontations rather than anything else.

Chris Elmore (Ogmore) (Lab): There is a deepening crisis in Gaza when it comes to medical support and equipment—including, following yesterday’s horrific attacks at the border, for amputees, including children—as well as in reconstruction and rehabilitation. What can the Minister practically do to offer more support to the people of Gaza and ensure that they get real medical support and the rehabilitation that they need?

Alistair Burt: In my role as DFID Minister, I should say that we have already been in touch with those concerned about medical supplies in Gaza. We work through the United Nations Relief and Works Agency and other UN agencies. Clearly the effects of the past few weeks will have increased the pressures and concerns. I am looking urgently at whether there is even more that we can do, although we have responded to some concerns already.

Alex Cunningham (Stockton North) (Lab): Given the ongoing oppression of the Palestinian people in Gaza and the illegal occupation of the west bank, how confident is the Minister that Israel will ever allow any of the kind of investment and development he said is needed in Palestine—in Gaza, in particular?

Alistair Burt: I have some confidence in that. As I said some time ago, I recently had a meeting with the economic development adviser to the Quartet, looking at infrastructure development in Gaza, in which Israel will take a part. As we know, Israel remains concerned about the governance of Gaza, but ultimately anyone in Israel has to know that the people of Gaza cannot keep on as deprived and hopeless as they are, lacking some of the basic facilities of life. To go there, smell the sea and recognise what is happening with sanitation is dreadful. The United Kingdom will keep up its efforts to work with others and ensure that Israel recognises that it has a part to play, notwithstanding its security concerns in relation to Gaza, which are real.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Minister gives sincere answers at the Dispatch Box, but the reality is that demolitions and settlement expansion continue, as well as the illegal blockade of Gaza. Now there has been this unprecedented violence against unarmed protesters. As others have said, actions speak louder than words. Can the Minister explain to my concerned constituents why he does not support their call for an arms embargo on Israel?

Alistair Burt: That is simply because Israel does face defensive threats, and a complete arms embargo would not be the right response or called for. The hon. Gentleman could go through the arms export criteria with his concerned constituents and see how the House and the Government handle them, how they are challengeable in the courts and why that remains the basis for any decision made on arms exports, which are constantly reviewed.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Our Government back a two-state solution, but recognise only one of the states. Given yesterday's shocking events, surely they could send a powerful signal, make good on the overwhelming vote in this House in 2014 and, along with 137 other nations, recognise Palestine. If the time is not right now, will it ever be?

Alistair Burt: I recognise the force of the hon. Lady's question, as I did earlier. We have no definitive set rule on this matter. It remains open to the United Kingdom to make such a decision when we consider it is most conducive.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): Israel has a right to exist and a right to defend its borders, but it has to use that right with responsibility and there is no doubt that it well and truly overstepped the mark. Was the Prime Minister given a pre-warning before the US decided to relocate its embassy to Jerusalem? If so, what was her response? If not, what does that say about our relationship with America?

Alistair Burt: I do not know the answer to the hon. Gentleman's question. If I remember rightly, if there was advance notice it was pretty short, simply because it is a sovereign decision for the United States and Israel.

On the relationship, this is always a very difficult point: if the relationship is such that our views are always in line with the United States, people claim that we are a poodle of the United States. Where our views clearly differ, we are accused of losing the special relationship. The truth is that if we disagree, we disagree openly and clearly. We did not agree with this decision on the embassy, for some of the reasons we have seen and experienced.

We still feel great concern about the symbolism of the move. It means one thing in Israel and to Israelis, and something completely different to others. We were alert to that and to the sensitivity of others, and we will continue to press those in the United States. Notwithstanding its rightful support for the state of Israel, the US sometimes does things that it thinks are in support of the state of Israel when they actually might make its life rather more difficult.

Andy Slaughter (Hammersmith) (Lab): Not a single Palestinian needed to be killed or maimed in the current protest. That they were was the result of the choice of munitions and tactics deployed by the Israelis. I appreciate that the Minister wants to see all sides of the issue in the longer term, but does the current crisis not demand a more robust response from the Foreign Office, which might just save some lives in the short term?

Alistair Burt: In terms of saving lives in the short term, we have continued today, as a result of yesterday's events, to maintain our contacts with both the Israeli Government and the Palestinian authorities through our consulate in Jerusalem and through the embassy in Tel Aviv. We do not need to draw attention to the events of yesterday to say that the pleas for restraint we have made over many weeks have clearly not had the desired effect on those who might have been in a position to exercise it. It has not happened. We will continue to make them, but the evidence of the dreadful circumstances yesterday should make everyone who played a part in it pause and realise what they have done, and bring the conflict and violence to an end so that we can get a chance to get other things moving forward.

Imran Hussain (Bradford East) (Lab): The reality is that even as we stand here today, the blood of innocent men, women and children continues to spill on the streets of Gaza. I join other hon. Members in condemning the attacks on civilians in the strongest possible terms. Will the Minister inform the House what steps he has taken, along with the international community, to put an immediate stop to this unlawful massacre? Why will he not accept the call from Members that now is the time to recognise the state of Palestine?

Alistair Burt: I think the power and emotion with which the hon. Gentleman speaks is shared by an awful lot of people throughout the Arab world and in many other places. The sadness is that that voice has been heard before and heard way too often. It is the Government's job to try to make those who are responsible for the circumstances that give rise to such upset and anger realise that there may be steps they can take to make sure those circumstances do not occur again. That is what we are doing. The answer to the hon. Gentleman's second question is that at present we do not agree with him that the time is right, but should the time come we will.

Paula Sherriff (Dewsbury) (Lab): Does the Minister, for whom I have the greatest respect, share my outrage and sorrow that the Israeli Defence Minister, the man in charge of the Israeli snipers killing Palestinians, has declared that there are no innocents in Gaza?

Alistair Burt: I am grateful for the hon. Lady's comments, which I appreciate very much. The statement she quotes is not one with which I agree. I think there have been other statements from Israeli Ministers that everyone in Gaza is a terrorist or that there is no such thing as a peaceful march. The truth is that a lot of people were taking part in the march for perfectly proper reasons: to express their concern about the despair and the hopelessness that we talked about earlier. Equally, it is true to say that there were those who knew that they could exploit it and did so. But the blanket condemnation of everyone in these circumstances does not help a proper understanding of those circumstances, and the hon. Lady is right to draw attention to such comments.

Julie Cooper (Burnley) (Lab): In the festering hellhole that is Gaza, everyday life is extremely difficult. The World Health Organisation has long raised concerns about access to adequate medical care on a routine basis for Palestinians living in Gaza. What assurances can the Minister give to the 3,000 victims injured yesterday that they will be supported with proper medical care?

Alistair Burt: As I indicated earlier, we take such concerns extremely seriously, and they are one of the issues we raise. If we want a normalisation of relations, and if we want to decrease the sense of bitterness and upset, ordinary humanitarian considerations have to be a prime concern. We will continue to raise these issues and work very closely with UNRWA and the WHO. We recognise that there are particular pressures at the moment, but joint and combined work between Israel and those in Gaza might help to break down some barriers. We will do all that we can to support it.

Liam Byrne (Birmingham, Hodge Hill) (Lab): The Minister says that recognising the state of Palestine will not change the facts on the ground, but he must accept that the facts on the ground are changing now because hope is bleeding to death. He says he is waiting for the right moment. If he goes ahead with the appalling President Trump's ill-advised visit to this country, that is the moment at which we should say to the President and to the world: we recognise the state of Palestine.

Alistair Burt: I will hear many suggestions for when the right time to recognise the state of Palestine might be, and there are many reasons why that might be connected with other things. All I can do is assure the right hon. Gentleman that the decision to make a declaration will remain ours, independent and based on the best consideration we can give it. Tempting though

particular offers may be, we have to make our own decision on that at the right time.

Catherine West (Hornsey and Wood Green) (Lab): What fresh impetus can be given to the resettlement of the tens of thousands of Palestinian refugees across the middle east region who are now grandparents? That terrible situation can fuel a lot of resentment, anger and fear.

Alistair Burt: Again, the hon. Lady raises a factor that does not always get the attention it needs: those who are confined in camps around the region, hosted by states that have been supportive over time and supported by the excellent work of UNRWA. We continue to support that work, but she is right. The right of return has been a key part of the discussions between the various parties who will ultimately make the agreement in relation to the peace process. It will remain a key part of the issue, but the parties themselves must come to a solution. We support those who are in these difficult circumstances, and the sooner their position is regularised the better.

Mr Gavin Shuker (Luton South) (Lab/Co-op): I have written to Ambassador Johnson to condemn, in the strongest terms, the provocative action by the Trump Administration in moving its embassy, which led to the depressingly predictable bloodshed on the border. Is the Minister really saying that he has not done the same?

Alistair Burt: I would not put it in the same terms as the hon. Gentleman. Just because the United Kingdom seeks to be measured in its responses, we should not make the mistake of thinking that they do not come without emotion, determination and a real concern for affecting change.

I think I have said before at the Dispatch Box that I have done this for too long. We have all been here. We have had debates for years about the future of the area. We cannot go on with this, because each time it gets worse and more difficult. We must not use tragedies to find yet more reasons to build up support for the particular position of one side or the other. Over 30 years in the House I have seen the binary nature of this dispute get worse. The people who used to reach out to each other are no longer able to. The organs that used to be able to put forward a moderate position in Israel and on the other side find it more difficult to do so. That has only given those who want to build more barriers the freedom to do so. We have to challenge all that.

In dealing with the United States, a valued partner in the region but one that does not always get it right, we are very clear and very direct. We hope that the events of the past few days will lead people to realise that this situation cannot be managed and cannot simply drift. It will not go away of its own accord. We all have a greater determination to bring it to its end. Members' comments will be valuable in that.

Point of Order

2.20 pm

Sir Mike Penning (Hemel Hempstead) (Con): On a point of order, Madam Deputy Speaker. I wonder whether there is any way for the House and the country to mark the death of Captain Robert Nairac, George Cross, who was murdered on this day 41 years ago. He was my captain in the first battalion of the Grenadier Guards, and I think it is appropriate—especially at the moment, when there is so much concern about our veterans being dragged before the courts in Northern Ireland—that we mark the lives of our brave soldiers, especially Captain Robert Nairac.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): Further to that point of order, Madam Deputy Speaker. I served with Robert Nairac and it is worth reminding everybody in the House that this brave man's body has never yet been found and no one has ever owned up to where the body was left. His family have never had the ability to grieve or to bring an end to their grieving for a man who served his country so bravely.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the right hon. Gentleman for their points of order. They have succeeded in bringing the House's attention to the concerns that they have raised about the death of their comrade.

The ten-minute rule motion is not moved.

DATA PROTECTION BILL [LORDS] (PROGRAMME) (NO. 3)

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

That the following provisions shall apply to the Data Protection Bill [Lords] for the purpose of supplementing the Orders of 5 March 2018 (Data Protection Bill [Lords] (Programme)) and 9 May 2018 (Data Protection Bill [Lords] (Programme) (No. 2)):

Consideration of Lords Message

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

(2) Proceedings on that Message shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

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.—(*David Rutley*).

Question agreed to.

Data Protection Bill [Lords]

Consideration of Lords message

After Clause 141

DATA PROTECTION BREACHES BY NATIONAL NEWS PUBLISHERS

2.22 pm

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): I beg to move,

That this House disagrees to Lords Amendment No. 62B proposed instead of the words left out of the Bill by Commons Amendment No. 62 but proposes amendments (za) to (a) to Clause (Review of processing of personal data for the purposes of journalism) inserted by Commons Amendment No. 109 and amendments (c) to (f) to the Bill in lieu of the Lords Amendment.

The House should be aware that some printed editions of today's Order Paper do not include all the amendments that I am about to refer to.

We had a thorough and illuminating debate on the Data Protection Bill in this House just a few days ago, when we heard a range of perspectives from all sides on press regulation. This House plainly and clearly voted against the proposed Opposition amendments, and I thank all Members for their contributions and their constructive engagement.

Since that comprehensive debate, an amendment has been sent back by the other place for us to consider. The amendment would require the Government to establish a statutory inquiry into data protection breaches by national news publishers. It is essentially similar to new clause 18, which was proposed and defeated in this House last week. During the course of the Bill, we have repeatedly acted to take into account amendments made in the other place and to directly address concerns expressed by Members of this House. We have gone out of our way to offer concessions at every stage to make sure that the system of press regulation is both free and fair. On Report last week, we gave the Information Commissioner the powers that she needs so that those who flout the law are held to account for their actions. We introduced a data protection code of practice for the press; guidance on how to seek redress, which fits with the Independent Press Standards Organisation's new system of binding low-cost arbitration; and a review by the Information Commissioner's Office of how the new system is working.

I listened to the entire debate in the other place yesterday, and I understand some of the concerns raised there, both from those who essentially want to reopen the Leveson inquiry and those with deep concerns about the impact of that on the sustainability of the free press. Today, I am proposing further amendments to try to strike this vital balance and ensure that in future we have a press that is both free and fair. I hope that hon. Members will agree that this action can bring matters to a close.

I am proposing five further amendments to strengthen the system. First, we will strengthen the ICO's review. Amendments (a) and (f) give the commissioner stronger powers to compel evidence to ensure that the review that she will undertake is both robust and comprehensive.

Secondly, we will widen the ICO's review. Amendment (za) broadens the remit to include looking at good practice in the processing of personal data for the purposes of journalism. Thirdly, we will make the review permanent. Amendment (zd) will ensure that unlike the inquiry proposed in their lordships amendment, the ICO-led review will not be a one-off, but part of the media landscape, with a review every five years thereafter.

Fourthly, we are determined that there can be no backsliding on the media's commitment to low-cost arbitration, which we welcomed the introduction of a few weeks ago. Amendment (c) will ensure that a report on the use and effectiveness of that arbitration is laid in Parliament at least every three years and that a copy is supplied to the devolved Administrations so that they can take action in areas of devolved competence. Fifthly, amendments (d) and (e) bring all these matters automatically into force without the need for a commencement order in order to show good faith. I think that this significant set of amendments is a better approach than amendment 62B—proposed by the other place—which is unnecessary for a number of reasons.

Ian C. Lucas (Wrexham) (Lab): Can the Secretary of State confirm that amendment (c) will allow him to judge the effectiveness, personally, of the alternative dispute resolution procedures? Is he not giving himself the power to mark the press and their regulatory bodies?

Matt Hancock: No. The purpose of amendment (c) is to make sure that a report is laid on the effectiveness of that arbitration. With this set of amendments we propose that this House can continue to debate and scrutinise the effectiveness of the self-regulation of the press without requiring statutory regulation, which we seek to avoid.

Richard Drax (South Dorset) (Con): Just to follow up on the question about the Secretary of State being able to examine the paperwork of the press, what happens if the Secretary of State of whatever party is not happy with what he sees?

Matt Hancock: That will be up to the Government of the day. We are trying to ensure that the welcome moves by IPSO in the last few weeks can be debated by this House and sustained. I think that the low-cost arbitration that it has brought in is good for the press and good for ordinary people who want redress from the press. I want to see it continue, and this report will consider whether it does.

Ian C. Lucas: The right hon. Gentleman has just said that it would be up to the Government of the day. The whole purpose of the Leveson process was to stop politicians having direct control of the press. To my astonishment, he seems to be proposing exactly that.

Matt Hancock: No. I do not want to see amendment 62B from the other place in the Bill precisely because I do not want to see statutory regulation of the press; I welcome the self-regulation of the press, because we want the press to be free.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): There is a slightly wider constitutional issue, which I hope the Secretary of State will get on to

a minute. We passed the Bill in the House and sent it to the other place, having chucked out the new clauses, and the single argument that was made by the noble Baroness was that we do not have enough of a majority, which is why the other place was justified in returning the Bill to the House. Does my right hon. Friend not think that that is a rather absurd argument to make?

Matt Hancock: I think it is very important that the elected House, having considered the question and in supporting a manifesto commitment of the party in government, should have its say. That is absolutely right. It is a very important constitutional argument, but I am also making an argument of substance. The approach that we are proposing is the right one—that we do not have statutory regulation of the process, but that we in this House can debate a report on what is happening in the press and the self-regulation of it. I think that is the best way to take this question forward.

John Redwood (Wokingham) (Con): I fully support what the Secretary of State is trying to do. Does he see a rather worrying undemocratic tendency in the other place—it does not like the result of referendums, the EU withdrawal Bill, which was a manifesto Bill, or this manifesto Bill, and now it wants to regulate the press because the press point out the errors of its ways?

2.30 pm

Matt Hancock: I support the Salisbury convention: if something is in the party of government's manifesto and this House passes it, the other place should be very careful about sending it back. Indeed, the Salisbury convention says it should not. I hope that the vote of the House today is respected, because we will then have considered this question twice. We have made concessions, taking on board legitimate concerns, but ultimately the House will have decided its view, having considered the question twice, so I think my right hon. Friend asks an important question.

Mrs Anne Main (St Albans) (Con): Can the Minister confirm that the noble Baroness is factually wrong and that the House does have enough of a majority? It was passed in this House and it is not the business of the unelected Members of that House to tell the elected Members of this House whether they have done a good enough job.

Matt Hancock: I have a lot of sympathy with what my hon. Friend says. The best course of action now, given where we are, is to vote for the Government's position and make the point incredibly clear.

Mr Kenneth Clarke (Rushcliffe) (Con): I will not venture into this attempt to rewrite the British constitution to stop the House of Lords giving the Commons the right to consider things a further time; we will save that for another day. On the important matter of regulation, does the Secretary of State agree that the key point is that institutions such as a free press need independent regulation, as other great institutions in the country do? It might be set up by statute, but it needs to be independent. That it is set up by statute does not mean it will be run by Ministers in a politically biased fashion. That argument could be used to dismiss many other respected regulatory bodies in all kinds of areas across the country.

Matt Hancock: I welcome the fact that we have self-regulation of the press and that IPSO has been set up. Unlike when the Leveson inquiry took place, we now have an effective self-regulator that has introduced low-cost arbitration. The crucial thing about this self-regulator is that it has now committed itself to having compulsory low-cost arbitration, which it has not had until now.

Ms Nadine Dorries (Mid Bedfordshire) (Con): Nobody in this or the other House should ever fail to stand up and question the press. We know what has happened in the past, and people should always question the press, but there is a line, and it is that line to which the Government are adhering today. I have full respect for the hon. Member for West Bromwich East (Tom Watson) and his campaign, as he knows, but there is a line, and that line should not be crossed. I hope that the Secretary of State will always challenge the press, but are we not right to hold that line, which Members of the other place they have not done?

Matt Hancock: I agree comprehensively with my hon. Friend, who set it out incredibly well.

I want to take a look at the precise details of amendment 62B, because it is unnecessary. First, it promises to look into the reporting restrictions around arrests, but this work is already under way. Indeed, I have committed to working with hon. Members to get the details right. Secondly, it promises to look into the impact of social media, but we are already undertaking this with the Cairncross review, which has started to take evidence right around the country. Thirdly, it promises to look into Northern Ireland, but this has already been provided for with the review outlined in new clause 23 last week.

In addition to replicating a lot of what is already going on, the amendment goes over ground already covered by the Leveson inquiry, the three substantial police investigations and the two Select Committee investigations. There has been no shortage of inquiry. I am focused instead on getting the system right for the future. The amendment is unnecessary at a time when we should be coming together to face the challenges of the future.

I fully understand the strength of feeling on the issue of press standards. I supported the original Leveson inquiry, and I have met victims of press intrusion, including some in this House, and, worse still, have heard about the impact on Members and their families. I am fully aware of the distress caused and of how lives have been affected by false allegations, how hacking was used to access the most intimate messages and how personal information was obtained through blagging and deception, but much has changed since the inquiry. While our press are not perfect, the culture that allowed phone hacking to become the norm has gone, and, with the newly strengthened IPSO, this country now has the most robust system of redress for press intrusion that it has ever had.

Ian C. Lucas: In his intervention, the right hon. and learned Member for Rushcliffe (Mr Clarke) just talked about the importance of an independent regulator. Is it not the case, however, that IPSO is not independent? It was set up by the press and its terms of reference are

those of the press; it is not an independent regulator. It is about time the Government accepted that. Does the Secretary of State agree?

Matt Hancock: No, I do not. Our proposal, which does not involve statutory regulation, is the best solution to this challenge and will ensure the separation of press and state, which is at the heart of our freedoms. It would be wrong to cross that line.

Mr Duncan Smith: This is a fundamental point. The big difference between this and the way we regulate agencies and others out there is that the latter do not in turn regulate and watch over this place. The press must be free from the idea of statute specifying how they are to be regulated. I completely agree with the Secretary of State that it is better that the press set up the process and we watch over it.

Matt Hancock: Furthermore, IPSO has now been granted powers to require front-page corrections—we saw it recently flex its muscles and use this power. When two years ago Sir Joseph Pilling concluded that IPSO largely complied with Sir Brian's recommendations, the one major omission was compulsory arbitration. IPSO has now introduced compulsory low-cost arbitration, which the major national newspapers have signed up to, so that claims can be made for as little as £50. With the five further concessions today, we are clear that this will be the start of a tougher regime, not the conclusion.

We now have the basis of a stronger and fairer system in which everyone has accessible recourse to justice when things go wrong but in which the press are free to challenge those in power and bring them to account.

Andy Slaughter (Hammersmith) (Lab): IPSO and its so-called compulsory arbitration are wholly inadequate. The only independent redress is through the courts, but that is much weakened because, under the Legal Aid, Sentencing and Punishment of Offenders Act 2012, no win, no fee arrangements are no longer available, so the public actually have no clear independent remedy.

Matt Hancock: The hon. Gentleman has clearly not been following the debate. IPSO's introduction of low-cost arbitration and the guidance on how to access it will ensure a stronger system of self-regulation.

All sides in this debate agree that our press must be free to report without fear or favour, to uncover wrongdoing and to hold the powerful to account. It is now a more difficult time than ever to produce high-quality journalism that does hold power to account. It was journalists who helped to bring Stephen Lawrence's killers to justice; it was journalists who uncovered appalling child abuse, such as in Rotherham, and gave a voice to its victims; and it was journalists who reported on horrific allegations of sexual abuse in football, which led to many more victims coming forward.

As my right hon. Friend the Member for Maldon (Mr Whittingdale) put it last week, newspapers are under threat from online media platforms that do not employ a single journalist.

Christine Jardine (Edinburgh West) (LD): We all recognise and applaud the examples the Secretary of State has given, but they do not excuse the bad behaviour

by other sections of the press. Our concern is not with journalists who behave ethically and well at all times; it is with those journalists who do not, so could he address that point?

Matt Hancock: If that is the hon. Lady's concern, she should vote with the Government this afternoon. She should listen to the journalist who uncovered the thousands of victims of sexual abuse in Rotherham, and who said that with statutory regulation under section 40 it would have been effectively impossible for him to do his job. We do not propose statutory regulation of the press, because we want the press to be free, but also to be able to make public stories that are sometimes uncomfortable to print.

The pressure is on the press because of new online publications. That is important, because if we as a nation lose high-quality journalism, we will lose the capability to hold the powerful to account on behalf of victims of all sorts of abuses of power. Clickbait, fake news and malicious disinformation threaten high-quality journalism. Why does this matter? Because a foundation of any successful democracy is a sound basis for democratic discourse, and that is under threat from these new forces that require urgent attention. A weaker press would mean poorer coverage of courts, of council chambers and of corruption. Why are we acting in the way in which we propose to act today? Because I believe that it will ensure that the press are fairer, while safeguarding their essential freedom. Fundamentally, the sustainability of our media underpins the sustainability of our democracy, and our efforts must be focused on that.

Let us not sleepwalk into a society in which high-quality journalism has been decimated and our democracy is damaged as a result. We all benefit—every single one of us benefits—from what a free press gives our country and our democracy, whether or not the coverage is good for us as individuals: the scrutiny, the uncovering of wrongs, and the catalyst for debate. Protecting those benefits is today's challenge. Now is the time to look forward, not back, and to come together to build a vibrant, free and fair press that holds the powerful to account and rises to the challenges of our times.

I oppose amendment 62B, and I urge every Member in the House to do the same.

Tom Watson (West Bromwich East) (Lab): I refer the House to my entry in the Register of Members' Financial Interests.

Last week, colleagues asked, "What is so special about the second part of the Leveson public inquiry?" Leveson part 2 is that rare thing: an inquiry into a national scandal that the newspapers are not calling for. If any other industry were subject to serious allegations of illegality, corruption and corporate governance failure, our national newspapers would be in the vanguard of calls for a public inquiry. That is not happening here. Here, the tabloid press are on the one hand warning about a chilling effect on investigative journalism, and on the other arguing that they should not be subject to any further investigation.

We believe that this new amendment addresses the legitimate concerns of local newspaper editors in specifically excluding local and regional publishers. I accept that it is a concession, and Labour Members respect that.

The Secretary of State seemed to become confused earlier when making the case for section 40. Section 40 has gone, and I can clearly state that if the amendment is passed, we will not seek to push the case; we recognise that there is no majority in the House for it.

John Grogan (Keighley) (Lab): Will my hon. Friend go a little further? Is he saying that the Labour party has dropped section 40 for good in the case of all newspapers, and that—whether in opposition or in government—we will never bring back punitive damages for newspapers in order to get them to sign up to a state-sponsored regulator?

Tom Watson: I am saying that, although my hon. Friend stood on a manifesto commitment to push section 40, I can envisage no circumstances in which I would move that motion. I cannot speak for the rest of the House.

What the amendment would do is ensure that we proceed with an inquiry which was solemnly promised to the victims of phone hacking by those on all sides, and which Sir Brian Leveson believes should go ahead. Prior to Leveson, the only newspaper that admitted hacking was the *News of the World*. Since then, in recent court cases, *The Sun* has settled with claimants at a cost of millions rather than face a full public verdict. The Mirror Group never admitted hacking during Leveson, but, years later, it has. Even *The Sunday Times* is alleged to have used a blagger for 15 years, yet that was never properly explained to the first part of the Leveson inquiry. Leveson part 2 will achieve something new: the answers that the civil and criminal trials have not and will not get at. Newspapers cannot settle their way out of the conclusions of a national public inquiry that will examine not just illegality, but improper and abusive conduct.

2.45 pm

Mike Wood (Dudley South) (Con): The hon. Gentleman is suggesting that it is somehow the tabloid press that is objecting and campaigning against Leveson 2. However, it was *The Guardian* that said, back in March, that Leveson 2 would be

"like a driver learning to steer by looking in the rear-view mirror at the road behind rather than the one ahead."

Does the hon. Gentleman not see that that illustrates the fundamental weakness of expecting Leveson 2 to address the question of where the media should go from here to improve behaviour in future?

Tom Watson: It is true that *The Guardian* was very critical of section 40, and, indeed, its pioneering former editor, Alan Rusbridger, spoke out against it, but he has said today that there is no real reason that people could give for opposing Leveson 2. I have spoken to a number of local and regional editors in recent months, and they have privately said that they have great concerns about section 40, but regard Leveson 2 as a problem for national tabloid newspapers—which is why the amendment explicitly rules out local and regional papers.

Mike Wood: Will the hon. Gentleman give way again?

Tom Watson: I am afraid that other Members want to speak, and we have a limited amount of time. I tried to answer the hon. Gentleman's question as comprehensively as possible.

I think that the Lords have listened to the Democratic Unionist party, and have adjusted the amendment to meet their concerns. Although DUP Members are not in the Chamber today, I know that they will follow the debate closely before we vote. I am not one of those who do not respect their position. They are representing the needs of their constituents, and they do that well. Last week we did not manage to convince them, but I hope the new amendment shows that their concerns have been heard loud and clear. I think that of all the parties in the House, the DUP prides itself on its commitment to the United Kingdom. We ask DUP Members today to give all UK citizens justice by voting for the amendment.

During the Bill's passage, we have been told that the press has cleaned up its act. Indeed, the Secretary of State has talked about a new culture in the papers since Leveson 1. Let me quote from a letter written by Figen Murray, whose son Martyn Hett was murdered by a terrorist in the Manchester Arena bombing last year. While she was at the Etihad stadium waiting for news—still not knowing whether her son was alive—her youngest daughters stayed safe at home. During that time, there were seven or eight journalists at their door, and journalists calling their phone. Figen Murray says:

"What upset me most about the media intrusion we have had was the fact that my youngest daughter...heard from a journalist on our doorstep that her brother died. You cannot unhear what you hear. She was a child and this was absolutely not fair, fiercely unethical and cruel."

I ask colleagues to put themselves in that position. You are a teenager, and you find out that your brother has been killed by a terrorist bomb from a journalist who turns up at your door while your parents are out searching for him. It is unimaginable.

Martyn's mother goes on:

"Whilst a lot of noise is being made that press behaviour has improved since the Leveson Inquiry, I totally disagree. As a family we have had first hand experience that this is not the case."

In case after case, we have seen not just new evidence of wrongdoing that was never disclosed to part 1 of Leveson, but new wrongdoing, new abuses, and new victims. That is why Leveson 2 must proceed.

Let me say finally that we cannot possibly have time to consider this last-minute, far-reaching, highly irregular manuscript amendment today. It appears, ironically, to give greater powers to this Secretary of State and all subsequent Secretaries of State to interfere with self-regulation of the press. Whatever we disagree about on Leveson, no one wants this; that was the whole point of the royal charter system. So I say to colleagues today—in fact I am begging them—that this may be our last chance to deliver on that promise to the victims. The whole House supported a Leveson inquiry in two parts, and Sir Brian Leveson himself says that the inquiry's work is not done. All I ask today is that colleagues think about the promises we all made; let's keep our word and keep this amendment in the Bill.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Before I call the next speaker, may I remind colleagues that this is a short debate? I hope that they bear in mind when making their contributions that it will finish at 3.22 pm.

Sir Peter Bottomley (Worthing West) (Con): I want briefly to say three things.

First, I have brought four successful libel actions against the media. I hope not to have to repeat that. There are many other times that I could have taken action, but chose not to.

Secondly, this House has to choose whether it wants to be Lord Ellenborough, a prosecutor, or William Hone. Their exchanges were well-illustrated in Ben Wilson's history "The Laughter of Triumph". In 1817 Hone was prosecuted for seditious blasphemy when he was actually exposing abuse. If given that simple choice, it is right for those in this House, and in the House of Lords, to defend the press—not to say they are in the last-chance saloon, but to back them to hold themselves to the standards they have voluntarily accepted.

Thirdly, I want to make one small point to my right hon. Friend the Secretary of State on the data protection issue. We must find a way for journalists under the IMPRESS code to have the same data protection rights as those under IPSO. I hope he will remark on that either today or very soon.

We must try to bear it in mind that not every journalist remains consistent. Some of us might today have received a letter from Sir Harold Evans, who was editor of *The Sunday Times* when Jonathan Aitken and I were the only Conservative MPs to say that John Biffen was wrong to allow the takeover of *The Sunday Times* to go ahead.

Harold Evans said at that time that he would supply me with information demonstrating that what we were saying was right, but three days later he went in with Rupert Murdoch and we heard no more from him until he wrote his own book saying how he did not really enjoy working with Rupert Murdoch. I would take consistency from many people, but I do not expect it of Sir Harold Evans.

Brendan O'Hara (Argyll and Bute) (SNP): Like many others, I read with interest the Government's proposals published this morning in response to Lords amendment 62B, and I have to say that they are not entirely without merit. Indeed some of what is contained in the Government's proposals around extending the power of the Information Commissioner is interesting and sensible and could even be considered appropriate. Had those proposals been contained in the original draft of the Data Protection Bill, or even had they been introduced as a Government amendment in Committee, I may have been convinced that they were genuinely held beliefs. However, at the risk of being cynical, I fear that for these proposals to appear now, at this very late stage, it is more about staving off a possible Back-Bench revolt than any great principled belief, because what is on offer is simply too little, too late. Therefore, as we did last week, the Scottish National party will today again give its full support to establishing the second part of the Leveson inquiry and will vote against the Government's offered concessions this afternoon.

We have always said that individuals should be able to seek redress when they feel they have been the victim of press malpractice and that it benefits each and every one of us in this country to have a media that is both transparent and accountable. The Scottish National party is committed to ensuring that the practices which led to the initial Leveson inquiry never, ever happen again. As I said last week, we have insisted from the outset that if there is to be a second part of the Leveson inquiry the distinct legal context in Scotland must be taken into account and the devolved competences respected. In those circumstances we would be happy to support the setting up of Leveson 2. We are confident that the proposal that has come back from the other place has been fashioned in such a way as to address all of our concerns, and we fully support the setting up of the second part of the Leveson inquiry.

This afternoon, Members will have a second chance to do what we did not do last week: make good on the promise that this House gave to the people of the United Kingdom in 2012, when the then Prime Minister said of the second stage of the inquiry:

“That second stage cannot go ahead until the current criminal proceedings have concluded, but we remain committed to the inquiry as it was first established.”—[*Official Report*, 29 November 2012; Vol. 554, c. 446.]

Earlier today the Secretary of State said that much had changed in the behaviour and culture of the press since the phone-hacking scandal, but surely no reasonable person believes that the circumstances and behaviours of certain sections of the press have changed to such an extent that they need no longer be examined by this inquiry. Like the hon. Member for West Bromwich East (Tom Watson), I read the letter from Figen Murray this morning. If the Secretary of State and other Members feel that this inquiry is no longer relevant, I urge them to read that letter, because the treatment of her family by certain sections of the press following the death of her son Martyn in the Manchester Arena attack last May borders on the unbelievable.

Members need to be aware of how important this is: people in this country have to believe that we in this House are taking this issue seriously. I worry that sections of the press have not travelled as far as we would have wanted them to—and as certain Conservative Members believe they have—since 2012. The setting up of a second Leveson inquiry is not just important and necessary; it will also fulfil a solemn promise made to the people of the UK by their Government, and I urge Members across the House to do the right thing today and support the establishment of a second Leveson inquiry.

Mr Duncan Smith: I rise briefly to support my right hon. Friend the Secretary of State's submission today from the Dispatch Box. I do not believe that moving to Leveson 2 would in any way resolve any particular problems. I have no idea, even after all the answers I have heard in the debates undertaken, what exactly it is that everyone expects Leveson 2 to produce that we do not already know. I suspect that in many cases it is about carrying on and grinding that wheel further and harder, and eventually almost getting even with the media.

I, like my right hon. Friend and most Members, have had cause to deal with the media over things that have been said or done incorrectly. I do not take that as the

reason to pursue this beyond where it is at the moment. I agree with my right hon. Friend that self-regulation under the IPSO formula is infinitely better than anything that was in place before, particularly with the low-cost arbitration process of which he extolled the virtues. I would have thought that many of my right hon. and hon. Friends accepted that that was one of the last sticking points in terms of how the press regulate themselves.

Mr Kenneth Clarke: Does my right hon. Friend not accept that one of the purposes of examining what went wrong in the past is to establish how such extensive criminality was allowed to grow in our press and exactly where the responsibility for that lay so that it is not repeated? Would he also apply the argument that there is no point in looking into the past to, for instance, the Chilcot inquiry into the Iraq war, which was held to ensure that we minimise the danger of great errors being made in future such situations?

Mr Duncan Smith: I believe that most, if not all, of that was done in the original Leveson inquiry. My right hon. and learned Friend and I will not necessarily agree on this point, but, as has been pointed out time and again, since that period the courts themselves have vigorously pursued individuals who have breached the law. It was argued at the time that the courts could not do that, but they have demonstrated that they can.

The courts have shown that anybody who breaks the law can be pursued. They are being, and have been, pursued by the courts—and not all of them successfully, by the way. It has been demonstrated that independent courts can pursue and find fault with such individuals, and many have gone to prison as a result. So I am not sure that Leveson 2 would advance the sum total of our knowledge about what we need to put right. I think we know that that is the case. The question for us is whether this is best done in statutory form by a Government insisting that they can define exactly what those regulations should be, or whether it is best done by a media and press that recognise that those abuses now have to be dealt with, otherwise their own reputation will fall by the wayside.

3 pm

Reference was made earlier to the campaign in which the *Daily Mail* was involved, in which it broke the law by naming people who had not been convicted or even charged. It took risks in that regard, and it is that kind of risk that I want to see continuing, because that is the hallmark of our rather rude and often aggressive and abrasive media who get to the truth more often than they fail.

Sir Peter Bottomley: An important correction is that it was not actually breaking the law. It exposed itself to substantial challenge in the civil court.

Mr Duncan Smith: I take that correction. Maybe I was going a bit over the top. None the less, that is itself a measure of how far some of our media are sometimes bound to go.

I do not agree that we should go further, although I recognise that my right hon. Friend the Secretary of State has tabled further amendments. In recognising those, it is also important to recognise that I think that this issue is settled. I shall simply end by saying that freedom is not always perfect and that those who fight for it often need to be held to account because they go

[Mr Duncan Smith]

too far and abuse that privilege. That notwithstanding, I believe that we are beginning to meet the challenge. It will not be perfect, but I would prefer the mistakes to be made by a free press, knowing full well that they regulate and chase authority, and if for one moment they look over their shoulder and believe that this House has caught them and put them in a statutory bind, that would be worse for our own freedoms.

Edward Miliband (Doncaster North) (Lab): I am glad to follow the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), because I want briefly to address some of the points he has made. What is this amendment from the other place about? It is not about a new system of regulation for the press. It is about one very simple question, which is whether we should go ahead with the Leveson 2 inquiry that was promised when Leveson 1—which was intended to be a two-part inquiry—was set up. The right hon. Gentleman asks what that would achieve. I think that it would achieve three things, and that is what I want to talk about today.

First, it would answer the question, what is the truth about what happened? It is really important to answer the questions that the right hon. Gentleman asked about this. When the inquiry was set up, it was done on the understanding that, pending criminal investigations and trials, Leveson 1 could not look at who did what to whom, as Sir Brian said, and that that would happen in part 2 when the criminal investigations were over. So this second inquiry was envisaged right from the start. There are material questions to which we do not know the answers. For example, how widespread was the hacking and other criminality at News International? How many other papers engaged in such conduct? What was the role of electronic blagging and where did it take place? If we do not have Leveson 2, we will not find out the answers to those questions. So the first reason for having it would be to establish the truth about that.

Secondly, Leveson 2 would tell us why all this was allowed to happen, as the right hon. and learned Member for Rushcliffe (Mr Clarke) said. There are questions to which we still do not know the answers. What were the failures in, among other things, corporate governance at News International and elsewhere that allowed this wrongdoing to go on? Did the police fail to investigate because of their close relationships with the press? Did the politicians do the same? These are highly material questions that go to the trust in some of our most important institutions. So the second question that I hope this inquiry, if it is set up, will look at is why those things were allowed to happen.

The third, and in a way the most important, question is what lessons we can learn for the future. My hon. Friend the Member for West Bromwich East (Tom Watson) read part of a letter from Figen Murray, the mother of Martyn Hett, and I urge Members across the House to look at that letter in the 20 minutes or so that we have left before we vote. It is important to say that the majority of the press do not engage in such activities, but that letter shows that a minority of the press engage in the most abusive and intrusive activity, as they did against that mother and her family who had just lost a loved one. Those people do not know where to turn.

They do not have faith in IPSO, the regulator, and they are not going to go to the courts. What are they to do? It is for people like them that we need to have this inquiry, so that we can learn the lessons and ensure that there are no more innocent victims.

Mr Duncan Smith: I am listening carefully to what the right hon. Gentleman is saying, and I put this point to him. Does he not agree that such a case as he extols is not the sort of case that should now prove or test the IPSO process? In other words, if the media are as they say they are, such a case will, when evidence is brought, immediately bring opprobrium and retribution down on the heads of those journalists and possibly result in their being banned as journalists. I think that the right hon. Gentleman should test it in that way, rather than looking for another inquiry, which might come up with nothing more.

Edward Miliband: I have two answers to that. First, this has been tested, and there were no fines, no systematic investigations and no equivalent front-page corrections. Secondly, there is no substitute for a systematic look at these issues and for asking why that culture was allowed to exist and why in certain cases it is still allowed to exist.

Conservative Members rightly express concern about the freedom of the press, and they must vote in the way that they think is right, but this is not about the freedom of the press. The National Union of Journalists, which after all represents journalists, states:

“Not allowing Leveson 2 is bad for journalism and bad for the public”.

The NUJ's concern is that the ongoing actions of the minority are undermining the brilliant journalism that we have in this country. It therefore believes that it would be better for our trust in the press if this inquiry were to go ahead.

John Redwood: But does not the right hon. Gentleman agree that the media landscape has been transformed out of all recognition in recent years by social media and the internet, and that further investigation into this history will not illuminate the modern system at all or help us to deal with the difficult questions of fairness between the traditional media and the new media?

Edward Miliband: The right hon. Gentleman makes an important point. This is why social media and fake news are at the heart of the terms of reference recommended by Sir Brian and are included in what has come back from the other place. I hope, on the basis of his intervention, that we might have his support for this process, because I see no other vehicle that could achieve what he has just said he wants to achieve.

Paul Farrelly (Newcastle-under-Lyme) (Lab): MailOnline—which, through massive investment, has possibly become the English-speaking world's most successful website—has opted out of IPSO. What does that say about the Mail group's commitment to responsibility?

Edward Miliband: What it says is that compulsory arbitration, which is what is being promised as part of the IPSO process, is not compulsory, because it is not universal. That is one of the most important things that should be achieved as part of this process.

Mr George Howarth (Knowsley) (Lab): Going back to the example of the bereaved family and the gross intrusion into their privacy and grief, does my right hon. Friend agree that one of the reasons why such families choose not to use the current system is that it runs the risk of things that have been wrongly said about lost loved ones being repeated in the media as part of the process?

Edward Miliband: My right hon. Friend makes an important point.

I hope that right hon. and hon. Members across the House will think about our responsibilities to the victims, about the promises we made and about the fact that this inquiry has a clear purpose. Only this inquiry can get to the truth about what happened and enable us to learn lessons for the future. That is why I will be supporting what has come back from the other place.

Mr Peter Bone (Wellingborough) (Con): I find myself in a difficult position, because I have come into the Chamber still undecided on how I am going to vote. The right hon. Member for Doncaster North (Edward Miliband) again makes the case for Leveson 2. The Secretary of State has spoken powerfully and made the case that the additional amendments will create more safeguards. The shadow Minister, the hon. Member for West Bromwich East (Tom Watson), has spoken with great passion, and I agree with a lot of what he said.

My problem is this. We had this debate last week, and, with heavy heart, I voted against my party because I thought that Leveson 2 was right. I still think Leveson 2 is right—it is not about additional regulations, but about finding out what happened in the past and perhaps guidance for the future. Where I struggle is with the wonderful publication called, “Forward Together, Our Plan for a Stronger Britain and a Prosperous Future”, which, in case my colleagues do not know, was our manifesto for the last general election. I am reading it for the first time today. On page 80, it states clearly that “we will not proceed with the second stage of the Leveson Inquiry into the culture, practices and ethics of the press.”

That is unfortunately in the manifesto.

I have a dilemma. What has changed since last week? The Lords have removed “local press” and the Minister has taken some of the concerns on board. The House thought about the matter and some of my Conservative colleagues voted for Leveson 2. The Bill went to the other place, which virtually sent it straight back, despite the Government manifesto commitment. The question of the Salisbury convention therefore clearly comes into play.

Mr Kenneth Clarke: The manifesto appears to have had quite an effect on my hon. Friend. I hope that he will tell me where I can get a copy; I never received one. Has he discovered who wrote that document, which I do not think the Cabinet ever considered before it appeared halfway through the election campaign? I urge him not to regard it as too binding on his conscience and his valuable personal judgment about whether it is justified to keep our promises on Leveson 2.

Mr Bone: I am grateful to my right hon. and learned Friend the Father of the House for that. It is true that the manifesto was published way after the general election campaign began, and may I say to whoever wrote it that it was not necessarily helpful to the Conservative party?

Tom Watson: The hon. Gentleman is a great man and I admire his courage and fortitude in reading that manifesto, which Conservative Front Benchers and I have always considered to be a dynamic document. That is why Conservative Front Benchers are no longer in favour of foxhunting and the dementia tax. I implore the hon. Gentleman to view it not as a rule book, but as guidance.

Mr Bone: I will end soon because others want to speak. I just wanted to make the point that I voted against the manifesto on a three-line Whip last week, but my argument and that of others lost. Should I be bound by that? I am going to think about it and make my mind up.

John Grogan: Like the hon. Member for Wellingborough (Mr Bone), I have been contemplating the relationship between what is in a party manifesto and how Members should vote. I am glad to hear the deputy Leader of the Opposition say that manifestos are just guidance because our manifesto undoubtedly committed us to Leveson 2.

When I first heard about the amendments on Leveson 2 last week, I sought guidance from much more eminent Members than me who were tabling amendments. In one case, a Member said that it was just a copy-and-paste job from the original Leveson 2 recommendations. Someone else told me that it was all to do with corrupt police. I therefore looked carefully at the terms of reference of Leveson 2 and found that about half were to do with corrupt police. That is hardly mentioned in the Lords amendment. The reason is that Lord Leveson wrote to the Home Secretary saying that, because of the extensive inquiries that had taken place:

“I am inclined to agree that there is little public interest in re-opening many of these same investigations again. I also agree that the guidance from the College of Policing regarding Media Relations represents significant change.”

In other words, all that section of Leveson 2’s original terms of reference has gone and a whole range of other things has been added.

3.15 pm

I treat the manifesto on which I stood seriously. I assure my local Momentum branch that I have read it seven times and there were even occasions during the general election campaign when I could recite from it for purposes of debate, but the amendment envisages a very different Leveson 2 inquiry.

Let me draw attention to a couple of matters. Lord Leveson wrote to the Home Secretary and said that he was worried about the Cliff Richard case and we therefore have a clause about that. Who was involved in the Cliff Richard case? I speak as a vice-chair of the all-party group on the BBC.

Paul Farrelly: Will my hon. Friend give way?

John Grogan: I will not because there is little time. I am a great fan of the BBC, but it was involved in the Cliff Richard case, yet it is exempted from the inquiry by another clause.

The Kerslake report has been mentioned at length. I have read it not seven, but a couple of times. It is damning about many practices that happened after the Manchester bombing. By the way, it praises the only journalistic organisations that it mentions. It praises the *Manchester Evening News*, and it praises the BBC for having only one reporter approach any victim. However,

[John Grogan]

it is very damning. It may have been freelancers or people who work for the main news organisations who abused their position—it does not name them.

There is no civil servant closer to the Labour party than Bob Kerslake. When there is a problem, Bob Kerslake is sent to sort it out. It is therefore interesting that, in his recent report, which was published on Tuesday 27 March, he recommends not Leveson 2, but strengthening the IPSO code.

It was a little grudging, but I think that the deputy Leader of the Opposition said today that he cannot envisage circumstances in which we would go back to the absurd idea of imposing punitive damages on newspapers. He said that he could not speak for others, but he is the deputy Leader of the party, so I presume that he is speaking for the party.

Tom Watson: I am grateful for my hon. Friend's comments. He stood on two manifestos—for the 2015 general election as well as that of 2017. When I campaigned for him, he heralded our work on setting up Leveson. I regard section 40 as gone—I hope that gives him the reassurance that he seeks.

John Grogan: That is very helpful. When my hon. Friend, as well as my right hon. Friends the Members for Birmingham, Hodge Hill (Liam Byrne) and for Doncaster North (Edward Miliband), were in high positions in government, some of us on the Back Benches talked about the concentration of media power, and we did not do enough about it.

Tom Watson rose—

John Grogan: I will not give way because I am being urged to conclude. We should not look back in anger at all those frustrations, but plan a progressive media policy for the future and we should not subcontract that to a judge.

Peter Heaton-Jones (North Devon) (Con): I will be extraordinarily brief because not much more needs to be said. The House's view is settled and its will is clear. Those at the other end of this building are asking us to consider effectively a rehash of new clause 18, which this House debated at length, analysed and rejected. We defeated that new clause on Report prior to Third Reading. We do not need to rehearse those arguments.

Members of all parties are absolutely right to say that victims need to be at the centre. I am confident that the Secretary of State and his team, through some of the concessions that have been introduced today, even at this late stage, have the victims at the centre of their thoughts.

Crispin Blunt (Reigate) (Con): Will my hon. Friend give way?

Peter Heaton-Jones: I will not because time is so brief. The will of the House is settled and the other place should not throw the Bill back at us. We have made the decision and we just need to get the measure on the statute book.

Ian C. Lucas: I want to say a word about Sir Brian Leveson. The first part of his inquiry was greatly valued and welcomed by all parties. Sir Brian Leveson said that he fundamentally disagreed with the Government's decision not to proceed with part 2 of the inquiry. We should respect his view, and we should also keep the promise made by both sides of the House to the victims of press intrusion. This is very straightforward, and we should therefore support the Lords amendment.

Mike Wood: The role of the House of Lords is to scrutinise, to inquire and, where possible, to improve. That is not what is happening here. What is happening in this case is that the House of Lords is asking this House, which has considered this question in great detail in Committee and on Report, to go back and change its mind, thereby rejecting conventions established by Lord Salisbury and Lord Carrington. Agreeing to the amendment would set a very unfortunate constitutional precedent.

I hope this House will reaffirm the decision it took last week, and previously, and that their lordships will then recognise the democratic legitimacy of this House and the manifesto commitment made by the Conservative party, which is now in government.

Christine Jardine: I believe the other place has given us a compromise to reassure those who are concerned about section 40 and its impact on local newspapers and those who are concerned about any threat to the freedom of the press, which none of us in this House wants to see undermined in any way.

Please look at the Lords amendment as an effective way of carrying forward and adhering to the promise made to the victims of press intrusion, and of looking for a more constructive future relationship between the press and the public in this country.

3.21 pm

One hour having elapsed since the commencement of proceedings on the Lords message, the debate was interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83G),

That this House disagrees to Lords Amendment No. 62B proposed instead of the words left out of the Bill by Commons Amendment No. 62 but proposes amendments (za) to (a) to Clause (Review of processing of personal data for the purposes of journalism) inserted by Commons Amendment No. 109 and amendments (c) to (f) to the Bill in lieu of the Lords Amendment.

The House divided: Ayes 301, Noes 289.

Division No. 157]

[3.21 pm

AYES

Adams, Nigel	Bellingham, Sir Henry
Afolami, Bim	Benyon, rh Richard
Afriyie, Adam	Beresford, Sir Paul
Aldous, Peter	Berry, Jake
Allan, Lucy	Blackman, Bob
Allen, Heidi	Boles, Nick
Amess, Sir David	Bone, Mr Peter
Andrew, Stuart	Bottomley, Sir Peter
Argar, Edward	Bowie, Andrew
Atkins, Victoria	Bradley, Ben
Bacon, Mr Richard	Bradley, rh Karen
Badenoch, Mrs Kemi	Brady, Sir Graham
Baker, Mr Steve	Braverman, Suella
Baldwin, Harriett	Brereton, Jack
Barclay, Stephen	Bridgen, Andrew
Baron, Mr John	Brine, Steve
Bebb, Guto	Brokenshire, rh James

Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 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
 Dinanage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert

Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 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
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Opperman, Guy
 Paisley, Ian
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike

Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 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
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:

Kelly Tolhurst and
 Mims Davies

NOES

Antoniazzi, Tonia
 Ashworth, Jonathan
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret

Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blomfield, Paul
 Blunt, Crispin
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Elmore, Chris

Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Field, rh Frank
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 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
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hollobone, Mr Philip
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David

Lavery, Ian
 Law, Chris
 Lee, 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
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McMahon, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 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
 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
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 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
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
 Nick Smith and
 Thangam Debbonaire

Question accordingly agreed to.

Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill

Consideration of Bill, not amended in the Public Bill Committee

Madam Deputy Speaker (Dame Rosie Winterton): As indicated on the Order Paper, the Speaker has certified that the Bill relates exclusively to England on matters within devolved legislative competence. As the Bill has not been amended, there is no change to that certification.

Under Standing Order No. 83M, a consent motion is required for the Bill to proceed. It has been tabled and is available in the Vote Office. Does the Minister intend to move the consent motion?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak) indicated assent.

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

[DAME ROSIE WINTERTON *in the Chair*]

3.38 pm

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. Will Members leaving the Chamber do so quietly?

David Linden (Glasgow East) (SNP): I beg to move, That the Committee do sit in private.

The Second Deputy Chairman: I am afraid that that the hon. Gentleman cannot move that in this Committee.

I remind Members that if there is a Division, only Members representing constituencies in England may vote on the consent motion.

Motion made and Question proposed,

That the Committee consents to the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill.—(*Rishi Sunak*).

3.39 pm

Pete Wishart (Perth and North Perthshire) (SNP): Thank you ever so much for calling me to speak, Dame Rosie.

Is it not good to be back in the environs of the English Parliament, with all its tradition, with all its heritage and with all its history? We are at last back in the English Parliament, and is it not great that we are here today? It does not come any more important than the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill. These are critical English-only issues, dealing with important hereditaments occupied or owned by the same person—in England.

Although it is good to be back in the English Parliament, it is nothing short of a crime that this English Parliament has not met for weeks and months, meaning that English Members have not had their opportunity to meet in this English Parliament to discuss and debate critical English-only measures, which were certified as English-only in these previous Bills.

David Linden (Glasgow East) (SNP): My hon. Friend is making a very powerful point. The Government talk on a regular basis about how Parliament is taking back control. Does he feel that that has been represented by the fact that this is the first time that the House has had the opportunity to take back control?

Pete Wishart: Let me say quite candidly to my hon. Friend that what we are waiting for is the moment when my English colleagues spring into action with this opportunity—perhaps this one-off opportunity—to meet in their English Parliament and to discuss the weighty issues of state that require that English-only attention.

Sammy Wilson (East Antrim) (DUP): If the hon. Gentleman is so concerned about the absence of any opportunities for English Members to speak on English issues, why is he taking up all the time?

Pete Wishart: Let me say to the right hon. Gentleman that he may not take this seriously, and Conservative Members may not take this seriously, but I understand the importance and the significance of this English Parliament sitting in this House of Commons and I will not deride that opportunity. I stand here inviting English Members to get to their feet and to explain passionately and eloquently why they need this opportunity to debate these English-only Bills.

English Members have every right to be outraged that they have not previously had these opportunities. That is why, given that they have this opportunity today, I am fully expecting them to spring to their feet to ensure that this Parliament is properly respected. I will tell you something, Dame Rosie: Scottish National party Members fully respect the right of English Members to speak in their Parliament. We expect to hear speeches full of passion from hon. Members who have this fantastic opportunity in front of them, because we know that the English voice must be heard. It is a voice that demands its right, and today all of England will be hearing from its proud tribunes as they get to their feet in vast numbers to articulately and compellingly put that English voice. I remember why we have this Parliament, and I remember those speeches when we changed Standing Orders so that we could secure this Parliament. Can you remember, Dame Rosie, all these perfidious Scottish Members of Parliament coming down to this Parliament to make sure that that voice was going to be overridden by Caledonian votes; the hordes coming forth off that border to make sure that the outcomes were to be influenced by Scots Members of Parliament. I remember the eloquence with which that was put, why that had to be rejected, why the English Parliament was necessary, and why English votes for English laws had to be an enduring feature of this House.

Sir Edward Leigh (Gainsborough) (Con): The hon. Gentleman protests too much. We all know that, deep in his heart, he loves being here. He loves engaging in the Union Parliament; he would be bored stiff in Holyrood.

Pete Wishart: I wholeheartedly congratulate the hon. Gentleman on being the first English Member of Parliament to speak in an English-only debate in a Legislative Grand Committee of the quasi-English Parliament who is not from the Scottish National party and is not a member of the Government. Well done to him; he is

[Pete Wishart]

charting and pioneering a way for all his colleagues now to follow. Speak in your English Parliament and raise your English voice!

3.45 pm

Andrew Percy (Brigg and Goole) (Con): I just want to be the second English Member to speak in this important debate. I say gently to the hon. Gentleman that maybe the English are not rising to their feet in great numbers because we are so much more united and happy with our lot in life, and we are happy with this particular Bill. If he wants to visit my constituency to see how happy we are, he is welcome at any time.

Pete Wishart: I suspected that it might have been something like the situation that the hon. Gentleman describes. Conservative Members are just so united; of course there is no fissure within the ranks of the Conservative party on the big issues of the day. Here was I thinking that here were a party and a Government in crisis, who cannot determine a means of withdrawing from the European Union. But no, they are not in crisis. They are all quiet because they are all totally united on the big issues of the day. I am grateful to the hon. Gentleman for putting me right on that point.

This great Parliament, in this green and pleasant land, is free from Scottish intervention, even though every contribution is made by a Scot.

Bill Grant (Ayr, Carrick and Cumnock) (Con): I intervene for fear that people in the Chamber today think that the hon. Gentleman's voice is for all of Scotland. It is not for all of Scotland—it is for a small part—and Scotland may not be proud of his behaviour in the Chamber today.

Pete Wishart: We have now heard from three Government Members. In fact, the hon. Gentleman is another Scottish Member to add to the growing list of people who are now prepared to participate in the English Parliament. I have a question for the hon. Gentleman, and I will give him an opportunity to think about it. We think that English votes for English laws is the most appalling measure, which makes second-class Members of Parliament out of him and out of us. It divides the House on geography and nationality, and is one of the most invidious measures that has been passed in this place. I am not prepared to accept this on behalf of my constituents. I wonder whether he is. That is the big question today.

Simon Hoare (North Dorset) (Con): The hon. Gentleman is right to say that the measure divides the House on geography, but he is not right to say that it divides the House on nationality, because Members representing English constituencies who may not be English—I happen to be a Welshman—can take part in these debates and vote. The hon. Gentleman is right about geography, but wrong about nationality.

Pete Wishart: What we have, therefore, is a House that is divided upon nation. The last time I had a look, this was English votes for English laws. No other Parliament in the world divides its membership based on that type of geography. We are exclusively alone when it comes to

conducting our business on such a basis. Lest the hon. Gentleman forgets, this is the united Parliament of the United Kingdom of Great Britain and Northern Ireland. To pursue a measure that divides us, based on constituency geography, is not only totally and utterly invidious, but ludicrous and unworkable.

So we have this wonderful Parliament, but England said, “No. Never again. We will make this Parliament ours. We shall banish these Scots.” And it did. England created this fine institution—this Legislative Grand Committee, the voice of England. And what a transformation.

Andrew Percy: I just want to be the third English Member to speak on this issue. The hon. Gentleman is not presenting a wholly correct picture. Those of us who actually support the principle of English laws did not want to ban anybody or see Scottish Members thrown out of here. This situation is a reaction to the fact that I, as an English Member of Parliament, have no say on the matters that only affect Scotland. For the purpose of fairness, given the devolution settlement that we have, it is therefore perfectly reasonable for only English Members to vote on certain matters that only affect England. There is nothing anti-Scottish about that, which is what the hon. Gentleman seems to be trying to say; nor is there any attempt to divide. It is simply a response to the devolution settlement we have.

Pete Wishart: I am grateful to the hon. Gentleman, because there was quite a lot in what he said that I could go along with and almost support. I understand English Members of Parliament wanting that English voice. Of course they have constituents to represent who demand that they have their say in all this. There are a couple of elegant solutions that might actually deliver that.

The first is Scottish independence. The second is a little concept that seems to exist perfectly well in a number of parliamentary institutions the length and breadth of Europe and the rest of the world—it is called federalism, where the hon. Gentleman has his Parliament, we have our Parliament, and we all get together as equals to decide on the stuff that we are going to reserve. What we do not do is make the Parliament of the United Kingdom a de facto English parliament and think that there will be no issue with that. That is no solution. It is what we have just now—this unsatisfactory arrangement that divides this House, is unworkable, and is an embarrassment to this House in how it operates.

Let us have a look at how it operates, this fine institution—the English parliament; the voice of England.

Sammy Wilson: The hon. Gentleman has rolled out for everyone his grievance at being excluded from this discussion into which he wants to have some input. Perhaps he could tell us what it is in the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill that he finds so offensive that he wants to say something about it, because I have not heard anything about it yet.

Pete Wishart: I am just at the very beginning of my introductory remarks. I want to come to this fine Bill—this fine English Bill. I have lots and lots to say about the Rating (Property in Common Occupation) and Council

Tax (Empty Dwellings) Bill. Believe, me, the right hon. Gentleman will be more than satisfied when I get on to the substance of this Bill, because there is lots and lots that has to be properly—

Sammy Wilson: This right hon. Gentleman, along with most other people in this House, will be more than satisfied when the hon. Gentleman sits down.

Pete Wishart: Let me say to you, Madam Deputy Speaker, that the papers I have here are just a few of my brief speaking notes.

I am being very serious in all this. I know there can be a little bit of banter about English votes for English laws—how embarrassing, unworkable, stupid and ridiculous it all is—but this is a serious Bill that requires attention. The thing that surprises me more than anything else is the lack of interest from my English colleagues. We will do this job on their behalf. If they are not prepared to get to their feet to speak to this fine Bill, it will be left to Scottish National party Members—

John Redwood (Wokingham) (Con) *rose*—

Pete Wishart: But here is the genuine voice of England. I think the House awaits the right hon. Gentleman's pronouncements with great interest.

John Redwood: I am grateful for the introduction from the hon. Gentleman. His misguided mockery serves his cause ill and serves this House ill. He well knows that we have had a proper constitutional debate about how some symmetry can be put into the asymmetric arrangements that we inherited so that each part of the United Kingdom can make its own decisions on its own measures, and this is the result. England now has the right to veto a measure that the Union Parliament wishes to impose on England if it does not meet with the approval of England. It is the weakest form of devolution of any of the four countries in our Union. The reason there are not English Members queuing up to speak on this measure is that we agree with it. We like this measure and we wish it to go through. If the hon. Gentleman is a true friend of England, he will now sit down and let this Bill pass.

Pete Wishart: I think I am grateful to the right hon. Gentleman. I would describe his intervention as half-hearted at best. His heart was not really in it, I do not think. He is one of the great defenders of the tradition of an English Parliament and English rights. Is he really satisfied with these woeful arrangements for this House? I am all for English democracy and making sure that English Members get the opportunity to design and progress their own legislation, as is required by their constituents, but to describe what we are doing today—this embarrassing mess—as a solution is below the right hon. Gentleman.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I have just heard the right hon. Member for Wokingham (John Redwood) invoke a fantastic principle: a member nation of the United Kingdom has the right to veto a measure of the Union Parliament. He said that English Members can veto what the Union Parliament chooses. Can Scottish Members have that right when it comes to Brexit? Can we veto the imposition on a country where 62% of people voted to remain in the European Union of being taken out of it?

John Redwood indicated dissent.

Angus Brendan MacNeil: The right hon. Gentleman shakes his head—one principle for England, and another for Scotland.

Pete Wishart: My hon. Friend hits the nail right on the head. In this wonderful institution—the quasi-English Parliament—it seems to be all right for English Members to demand that they get their way and that they determine their legislation. But I remember the Scotland Bill 2015, as the right hon. Member for Wokingham (John Redwood) will too. I remember something like 97% of all Scottish Members of Parliament tabling amendments to that Bill, only for them to be overwhelmingly and comprehensively rejected because of the Government majority. It seems to be all right for English Members to get their own Parliament when it comes to these things, but when we have our say on important reserved issues in this House, it is completely and utterly ignored.

John Redwood: The hon. Gentleman must know that his colleague, the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), has completely misconstrued the arrangements. No member country of the Union has a veto over Union matters such as withdrawal from the EU. Scotland not only has a complete veto over Scottish legislation but is in sole possession of Scottish legislation in a way that we English Members are not for English legislation.

Pete Wishart: I will leave the right hon. Gentleman to take that up with my good friend from Na h-Eileanan an Iar, who I have to say I find much more convincing when it comes to some of the great constitutional issues of the day. I am more than persuaded by my hon. Friend's eloquence.

Sir Edward Leigh: So what is in the Bill? What is wrong with it?

Pete Wishart: I beg patience from the hon. Gentleman. There is so much to say. I have done my study on the Bill, and I think it is important. I have a list of 425 English towns where the Bill will have an impact—I have everything from Aylesbury all the way through to Witham and Wisbech—and I am going to go through every single one of those towns to speak about how some of the curtilage-related issues are being dealt with. I do not want to leave out any part of England. It is important that no part of England is left behind in these debates, and if English Members are not prepared to speak about their constituencies, it will be left to Scottish National party Members to do it. We will not shirk our responsibility to ensure that the English voice is heard. That is our job today, and I am determined that we will fulfil it.

Andrew Percy: Will the hon. Gentleman give way?

Pete Wishart: I will give way for the last time.

Andrew Percy: I am sorry that I am not the real voice of England; I do not know what that makes me. The hon. Gentleman suggests two solutions to this problem: one is Scottish independence, which the people of Scotland have rejected, and the other is federalism, which the people of England clearly do not want, because all

[Andrew Percy]

polling shows that there is not majority support for an English Parliament. So what is the SNP's policy? Does it want to force independence against people's will, or does it want to force a system on England against the will of the English? It would be nice to know which undemocratic solution it wants.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. The hon. Member for Perth and North Perthshire may have been drawn down certain paths. I have been listening carefully to what he has been saying, and I have given him some leeway, but I remind him that the motion before the Committee is that the Legislative Grand Committee (England) consents to the Bill. I hope he will not be drawn down other tracks and will confine his remarks to that proposition.

Pete Wishart: For that, I am very grateful. I cannot believe that I have been drawn down constitutional cul de sacs by the outrageous contributions we have had from hon. Members. I will now ensure that my remarks are confined to the Bill, which is very important.

We have to find out why the Bill is important. It is important because in 2017, in the autumn Budget statement, the Government said that they would legislate to give effect to two of the Chancellor's commitments, one of which was to retrospectively reinstate particular features of business rates revaluation practice which applied before the judgment of the Supreme Court in *Woolway (VO) v. Mazars UKSC 53*. That is important, and it is one of the reasons why we are doing this. There is another probably much more important reason why we should consider the English-only parts of this important Bill and make sure that we understand and debate it properly during this Legislative Grand Committee. The Bill will give local authorities in England the discretion to charge a council tax premium of up to 100% on long-term empty dwellings.

4 pm

That is why it is so important to consider this important Bill, and we need to use the opportunity of this Legislative Grand Committee to look at the motives behind the Bill's design and at the reason why there was a requirement on the Government to bring it to this House. We want to make sure that the Bill is properly considered—given all the significant amendments that were brought forward on Report—and we have an opportunity in this Legislative Grand Committee.

Let us have a look at some of the history and background of why we want to hold this debate and why this Bill is so important. For over 50 years, the practice of the Valuation Office Agency in identifying the unit of assessment for business rates, known herewith as the hereditament—if I have said that right—was based on the leading decision of the Court of Appeal in *Gilbert (VO) v. S Hickinbottom & Sons Ltd 1956*. Keep the year 1956 in mind.

When considering the question of a separate hereditament for rating purposes, Denning LJ said, absent a definition in statute, that the following general rule applied. I want to read the ruling in full so that it is properly understood and so that we know exactly the reasoning behind Lord Denning's decision in making

the said judgment. I think the Committee is looking forward with great anticipation to hear what Denning LJ had to say. He said:

"First take the case where two or more properties are within the same curtilage or contiguous to one another, and are in the same occupation."

Think about that:

"the same curtilage or contiguous to one another".

Then Lord Denning said:

"In that case they are, as a general rule"—

There are sometimes exceptions to rules, but he said, "as a general rule". That is important when we are designing the generality of a rule in legislation, because it is important to understand that when there are general rules, there are often exceptions. He said:

"In that case they are, as a general rule to be treated for rating purposes as if they formed parts of a single hereditament."

When this ruling was required, he was clearly stating that the general rule applying to the curtilage and to contiguous dwellings was generally what we should pursue and follow. I think his lordship was right: we must make sure we do this.

However, and this is important, Lord Denning then said:

"There are, however, exceptional cases where for some special reason they may be treated as two or more hereditaments."

He went on to offer some examples, and I am sure hon. Members are absolutely glued to their seats waiting to hear what those examples might be. He gave the example of the case in which

"one part is used for an entirely different purpose".

Let us think about having a house and using different parts of it for different purposes. That is an important distinction to make. I know that in my house I have bedrooms, kitchens and sitting rooms, so I use my house for different purposes. It is therefore quite right that, when he made the ruling, Denning was quite clear in saying that parts of a house are sometimes used for different purposes. That is an important lesson from a very important man.

Sir Edward Leigh: Is the hon. Gentleman seeking to take a leaf out of the book of the Irish nationalists in the 19th century and, by filibustering and talking complete rubbish, bore the Union to death?

Pete Wishart: I take great exception to what the hon. Gentleman has said. This is an important Bill; he may not be interested in the words of Denning LJ, but my colleagues and I are. We want to make sure that this House is aware of the weighty views of Denning LJ, whoever he may be.

So there is a general rule. It had been the practice of the Valuation Office Agency that where units of property were contiguous—that means "touching", I believe—and in the same occupation, they received one rates bill. I think the Government have been really generous in offering examples of how all this might work. That is why, when considering a Bill such as this, it is very important that we take everything into account.

The exceptions are important. The general rule, obviously, is as well—because a general rule is a guiding principle on how we approach these issues. But the exceptions are also important because they could lead to precedents.

This is where we start to get into dangerous territory. In elegant legislation, the general rule applies nearly universally. When legislation has a number of exceptions, we start to get into certain territory—I know how difficult it is for the Clerks to design legislation with too many exceptions. We have to be careful when designing legislation. When the generalities of rules and what we want to achieve in legislation tend to be universal in concept, it is important to understand exceptions and all the other things that may influence future legislation by becoming precedent.

Angus Brendan MacNeil: My hon. Friend is making a fantastic speech that legislators across the world should pay attention to. Will he expand on not the generalities but the exceptions? The House could really do with fully understanding how exceptions lead to further complications. Will he enlighten me?

Pete Wishart: I always enjoy enlightening my hon. Friend, although it is usually not necessary. I feel obliged to try to offer further enlightenment on these particular issues. There are other examples. I gave the example of my house, but my hon. Friend is a crofter, and I am pretty certain that his is a single dwelling on the isle of Barra—in fact, I know it because I have seen his place on several occasions. I know how he utilises his land and I am pretty certain that, when it comes to him, the generality of the rule applies. His dwelling is generally designed for the purpose of crofting and habitation. I am pretty certain that his property is not contiguous and that there is no such issue with his land. I am looking at my hon. Friend and—

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. The hon. Gentleman must bear in mind that he should face the Chair. Although he likes looking at his hon. Friend, it is better to look at me.

Pete Wishart: It is always a joy to look at my hon. Friend, Dame Rosie, but I will try to resist for the purposes of my brief contribution to this Bill today.

Sammy Wilson: Has the hon. Gentleman noticed that the longer he goes on, the fewer of his hon. Friends he has to face when he turns around? Maybe that should be a lesson to him: he is getting a bit beyond what even his own hon. Friends will tolerate—let alone the rest of the House.

Pete Wishart: I am glad that I have been able to detain the right hon. Gentleman long enough to get his attention. I know he is very much enjoying this short contribution to the debate. Look at my hon. Friends, sitting here and making sure that this important issue is discussed and debated. They think that this is important, and that is the lesson that goes forward today.

David Linden: Does my hon. Friend think that if we encouraged our hon. Friends with £1 billion, even more of them might come into the Chamber and sit alongside the right hon. Member for East Antrim (Sammy Wilson)?

Pete Wishart: Actually, I am looking forward to seeing the right hon. Gentleman's hon. Friends join him—it is always nice to see our friends from Northern

Ireland here. We may not be as well endowed with largesse from the Government in order to secure a majority, but we will muddle through on what we secure from the Barnett formula.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. The hon. Gentleman will return to the subject of the debate.

Pete Wishart: I want to get back to the rule, Madam Deputy Speaker, because it is the key issue in the Bill, one that must consume and concern the House more than any other. The rule was widely understood and accepted by ratepayers. It was generally understood and I think everybody appreciated what was happening. Representatives in the Valuation Office Agency are responsible for assessing business rates. However, the rule received negative judicial treatment in the 2015 judgment of the Supreme Court in the *Woolway v. Mazars* case. As a result, the VOA has had to change its practice. The practice is now that separate units of property in a shared building should be treated as separate rating units and should therefore receive their own rules irrespective of whether they are in the same occupation and are contiguous.

That is what we are here today to consider properly. This is an important issue. I will try to list some of the towns and cities—hon. Members will represent some of them—throughout the United Kingdom where it will apply and where it is important. I will start with Abingdon-on-Thames, where there will be dwelling houses that are contiguous and which may or may not be part of the general rule and may have exceptions. There is Accrington, Acton, Alcester, Aldershot, Alnwick, Alston, Altrincham, Ambleside, Amersham—I think we can see where this is going—Andover, Arundel, Ashburton, Ashby-de-la-Zouch—[*Laughter.*] Hon. Members are laughing at my pronunciation. I challenge them to get to their feet and say Auchtermuchty. There is Axminster, Aylesbury, Bakewell, Bampton, Banbury—Madam Deputy Speaker, I could go on and go on.

Sammy Wilson: Since the hon. Gentleman is so concerned about those towns and wants to highlight the problems facing their residents, will he tell us whether he has visited any of them? Does he even know where they are?

Pete Wishart: Looking through the list, I spent a lovely hour in Berwick-upon-Tweed and I remember a lovely cup of tea in Bexhill-on-Sea in one of its very fine restaurants, but I am sure hon. Members do not want me to go through the whole list and describe the very many hours I have spent.

I shall spare the House the 35 pages of towns, villages and cities included in my list which are represented by English Members who are not doing their job. I will now give them the opportunity to get up and speak on behalf of their constituents. I hazard a guess that they are probably better at it than I am, as a Scottish National party Member of Parliament. I think that my English colleagues are probably just a little bit more qualified, experienced and skilled to speak on behalf of their own constituencies than I am, so I am perplexed as to why it has been left to me to do this job. So I will now, having provided a little bit of encouragement, give them to the opportunity to do it.

[Pete Wishart]

This is an absolute and utter farce, Madam Deputy Speaker. Regardless of anything else, this speech has pointed out just how ridiculous this practice is. I am just about the only Member of Parliament who has spoken in Legislative Grand Committee. I could speak for another hour if required, but I know Labour Members are keen to move on to the next business and I will accommodate that. We should be profoundly ashamed of the way we operate the English votes for English laws procedure. It has become an embarrassment to this House and makes this place look at its most ridiculous: bells ringing, maces going up and down, and nothing ever actually happening. It is time that we brought this farce to an end. I appeal to hon. Members from England. This has not worked. We have tried it. We have seen what it is like and nothing ever happens. Join us now to ensure that we rid the House of this embarrassment and go back to a united House with one class of MP where we can all have an equal say. Join us and let us end this farce.

Question put and agreed to.

Resolved,

That the Committee consents to the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill.

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

4.14 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): I beg to move, That the Bill be now read the Third time.

This Bill, above all, promotes fairness; it promotes fairness for hard-working business rate payers hit by a tax hike that they could not have anticipated—the so-called staircase tax—and fairness for those who struggle to find somewhere to live while properties lie empty for years. That was why we moved quickly to introduce the Bill and ensure that ratepayers, in particular, receive the urgent help that it will provide. I thank hon. Members on both sides of the House for their contributions and support in helping us to achieve this aim.

Tim Farron (Westmorland and Lonsdale) (LD): The Minister is making important points and the Bill does some important things. However, it could do something important that it does not—it does not allow local authorities, such as his and mine, in very rural areas to vary council tax on second homes. He will be aware that in the Yorkshire dales and the Lake district, vast percentages of communities are empty most of the year round because homes are not lived in. That undermines schools, public transport and the sustainability of such communities. Will the Government listen to local authorities and local communities and allow council tax to be raised to tackle the problem of excessive second-home ownership?

Rishi Sunak: I thank the hon. Gentleman, my constituency neighbour, for his intervention. He is right to point out the issue of second homes in rural areas, which he and I have local familiarity with. I gently disagree when he says that nothing is being done. As he

will be aware, the Government introduced a stamp duty surcharge for second homes. Much of the funds raised from that have gone to schemes, perhaps in his constituency and certainly in mine, in areas with high second-home ownership—for example, in Hudswell in Richmondshire, where community land trusts have been funded to create affordable housing for local occupancy. Beyond that, local plans, which no doubt will be discussed in the forthcoming debate, also allow local communities to have control over who is living in new build properties.

Work is being done, and all that followed the work done by the coalition Government to remove the automatic discount for second homes. The hon. Gentleman will be aware that that was in place for many years. The coalition Government removed the necessity for the discount to apply, and now the vast majority of second homes are not eligible for a council tax discount, but he is right to point out the issue. The Department is looking more broadly at the loophole with regard to business rates applying to second homes and them then qualifying for an exemption through small business rates relief. This has been raised by hon. Members, including my hon. Friend the Member for St Austell and Newquay (Steve Double) and others from Cornwall, so the hon. Member for Westmorland and Lonsdale (Tim Farron) can rest assured that I am keeping an eye on this issue.

I return to the Bill, which deals with empty homes. I thank our partners in the rating sector for their invaluable help with the draft provisions, together with the very detailed and technical work that was done by officials, to whom I pay thanks. This has helped us to bring effective legislation to the House that navigates the intricacies of ratings law.

I also pay tribute to the work of the Housing, Communities and Local Government Committee. Not only did its comments on the definition of a void find their way to the language in the final Bill, but I noted the points raised on Second Reading by the Committee Chair, the hon. Member for Sheffield South East (Mr Betts). He is not in his place, but I thank him and assure him that I look forward to working with him in future to ensure that Bills from my Department and in my brief go through the adequate legislative scrutiny process that we were fortunate to enjoy doing with the Committee. Lastly, I thank the hon. Member for Oldham West and Royton (Jim McMahon) for his input and constructive attitude in the Bill Committee. I very much look forward to working with him on future local government measures.

In conclusion, this Bill delivers on our commitment to fairness and supports those in our country who want to build a better life. It is a Bill for those looking for a place to call home. It is a Bill for small businesses. It is a Bill that I hope we can all welcome, and I commend it to the House.

4.19 pm

Jim McMahon (Oldham West and Royton) (Lab/Co-op): I thank the Minister for the constructive and positive way he has approached the Bill, from the early conversations about the technicalities to his contributions in Committee, and I repeat his thanks to the Committees that have worked in the background on this. It is clear that a lot of work has been done to engage and to iron out the wrinkles in the Bill. I hope this reinforces the offer we made some time ago that, where measures are not

controversial and have the support of the sector, we will work constructively to take them through Parliament. I hope this will be the first of a number that local government wants to see come forward.

I do not know whether it is in order to refer to a previous stage, Madam Deputy Speaker, but I thought the hon. Member for Perth and North Perthshire (Pete Wishart), who is not in his place, took something of a liberty in the Legislative Grand Committee in trying to hijack a debate that affected English parliamentarians and English constituencies for what is an age-old debate about English votes for English laws. It almost belittles the detailed work done in many Committee sittings, where the hard work of making law has been happening but in a more constructive and mature way. I would not want us to lose sight of that. People watching on television—if anyone was watching it—might have been left with the inaccurate impression that Parliament was not doing its job and that this is a superficial way to pass laws, which is not the case at all.

Turning to the Bill, we support the measures relating to the staircase tax and the Supreme Court ruling. We recognise that it was a quirk of the system when the matter went to court and that it was not the original intention of legislation, but there remains concern about the financial impact on local authorities. In private meetings and in Committee, we requested a breakdown of the implications for each local authority in the country, but we have not to date had that information and so have not been able to assess the impact of this financial change on each local authority.

The Government will say that that is because the Supreme Court ruling meant that some local authorities were, for a short period, financially better off than had the ruling not been given, but many councils set their budgets based on that financial information, so some will face a net loss when, because of this change, money they were expecting from business rates does not come in. For some, the loss might be very minor, but for others it could be significant, depending on the make-up of properties within their local authority area. It would therefore have been reassuring to see that list today.

The agreement between central and local government is that, where central Government makes a change to the financial settlement and rules and regulations that has a net effect on local government budgets, councils ought to be compensated. Local Government and the Local Government Association—I declare an interest as vice-president of the LGA—are concerned about what it means when the Government make changes that can materially affect the financial base of local authorities but then do not provide financial compensation. Notwithstanding that, we recognise that the Government have heard the calls from business and ratepayers and have taken action. That should be welcomed.

Empty properties are a big issue. There are around 200,000 empty properties in this country at a time of a housing crisis. We know that 120,000 children in this country are without a permanent home and living in temporary accommodation. So the housing crisis is very real. Part of the problem with the Bill is that it addresses some types of empty property but not others. About 20% of properties in parts of London are empty. They are owned by wealthy individuals and institutions that will not be put off by a 100% additional council tax payment requirement, because that is pennies in the scheme of the wealth they hold. It might affect small

landlords and people renovating properties, but it will not necessarily affect the part of the UK that arguably has the biggest housing crisis, and that of course is London. If the Government come forward with new proposals to address the problem of foreign individuals owning properties they have no intention of ever living in or allowing others to live in, the shadow Housing team would be open to a discussion on that.

I am aware that there is a housing debate to follow and that a great many Members have applied to speak in it. I repeat my thanks to the Government for being constructive and for engaging in the process at an early stage. I also repeat the offer of what we know local authorities want: far more cross-party working on matters that affect local government as a whole.

4.25 pm

Bob Blackman (Harrow East) (Con): I shall make just four brief points.

Along with the hon. Member for Sheffield South East (Mr Betts), the Chair of the Housing, Communities and Local Government Committee, I examined the Bill in draft. However, the staircase tax was drawn to my attention by my constituent Anthony Broza, who was faced with a swingeing rates demand for more than £8,500, to be paid in one go, which he had no way of paying. I hope that, as the Bill proceeds, the Government will find a way to return the money that has been taken from small businesses as swiftly as possible, because this has had a direct, demonstrable impact on the cash flow of 30,000 businesses across the United Kingdom.

May I issue a gentle reminder to the Minister? Our Select Committee wanted to subject the draft Bill to pre-legislative scrutiny, but because the Government published it long before we were allowed to do that, we were unable to contribute as effectively as we would have liked. I strongly suggest that in future, if the Government wish Select Committees to undertake pre-legislative scrutiny, they should allow them to do that work in advance.

As was mentioned by the hon. Member for Oldham West and Royton (Jim McMahon), local authorities will lose money as a direct result of this—necessary—correction of the law. I have yet to see a quantification of that. I have yet to find out how many local authorities will lose, and how much they will lose. However, given the Government's clear commitment in the Budget to compensate local government for any losses that would result, I think that they owe a debt of honour to those authorities.

My final point, which I hope will be discussed in the other place, relates to the concerns raised by a number of small businesses about the double-jeopardy risk involved in requesting a review. Requesting a review of rateable value may cause it to increase dramatically, and there is a risk that by asking for a review, small businesses could lose out as a result of what is otherwise a very good measure. I ask the Government to consider how we can ensure that they will not have to pay large sums of money as a result of new valuations. However, I—along with, I am sure, all other Members—support the Bill. It is a very well-meaning measure, and I trust that it will become law as quickly as possible.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Housing and Homes

[Relevant Documents: Sixty-third Report of the Public Accounts Committee, Session 2016-17, Housing: State of the Nation, HC 958, and Eleventh Report of the Public Accounts Committee, Homeless households, HC 462; Tenth Report of the Communities and Local Government Committee, Session 2016-17, Capacity in the homebuilding industry, HC 46, and the Government response, Cm 9517; Oral evidence taken before the Housing, Communities and Local Government Committee on 12 March, on MHCLG Housing Priorities, HC 830.]

4.28 pm

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): I beg to move,

That this House has considered housing and homes.

I am delighted to be leading this debate in my new role as Housing Secretary. I pay tribute to the reforms so ably led by my predecessor, my right hon. Friend the Member for Bromsgrove (Sajid Javid).

I look forward to working with colleagues on both sides of the House as I consider the next steps on the Government's housing agenda, but our priority—my priority—remains to build the homes our country needs. It is to deliver on the ambition of families and of those starting out in life to have a home that they call their own, to give people security in their homes, and to take further action to combat homelessness and rough sleeping.

I know there is more to do to fix the broken housing market, and to provide the opportunities and, quite simply, the stability that previous generations took for granted and that is being denied to today's families and young people. It feels unfair, and that is because it is; they are being held back through no fault of their own, and as a result our country is being held back. So we need to act to help people and address the fact that we simply need to build more homes. This Government understand that and understand what is needed: more homes of the right type and quality and in the right places. We must ensure that they are affordable and that the housing market works for all parts of our community.

We are making good progress on housing supply. We have delivered over 1.1 million homes since 2010. In 2016-17 some 217,350 new homes were delivered, the highest number in all but one of the last 30 years. Since 2013 we have helped over 158,000 households on to the housing ladder through our Help to Buy equity loan, and 81% of them were first-time buyers. At the autumn Budget we cut stamp duty for first-time buyers, benefiting 69,000 households to date, and also announced over £15 billion of new financial support for house building over the next five years. This brings our total support for housing to at least £44 billion over this period.

However, I know we need to do more to deliver an average of 300,000 homes a year by the middle of the next decade. It will not be easy, but we are determined to get there, and this requires a major push in three areas: improved planning and faster build-out; delivering infrastructure; and diversifying the house building market.

Siobhain McDonagh (Mitcham and Morden) (Lab): Is the right hon. Gentleman aware that the last time the Government's target of 300,000 homes in a year was

met was in 1969, when not only was the private sector developing, but so too were the councils and housing associations? What can he do to ensure that councils and housing associations can expand their activities?

James Brokenshire: The hon. Lady will be aware of the borrowing cap issue and how we have made changes around that, and I also gently point out that when her party was in power house building starts fell by 45% in 12 years and the number of homes purchased in England fell by over 40%. I make that point to underline that there are challenges that have existed for many years under a number of different Governments, and that is why this Government are determined to make progress and address the key issues that I have highlighted.

First, on planning and build-out, this Government recently set out a bold and comprehensive approach via our new national planning policy framework. This will help us to build more high-quality homes in the places people want to live. The consultation recently closed and my Department is looking carefully at the responses we received. The framework implements reforms from the housing White Paper and further steps announced at the Budget. It also strengthens our commitment to protect the green belt. Our framework makes it clear that local authorities must pursue all options, such as brownfield land and increasing density on urban sites, before looking to the green belt. Alongside this, we have announced our intention to consult on a permitted development right to build upwards.

The framework also clarifies how our new method of assessing housing need will work. It will help all communities to have a clear understanding of the homes they need while maintaining the importance of local and neighbourhood plans.

Planning permissions are up. That is good news, but a planning permission is not helpful if it is not turned into a home. That is why our housing delivery test is tackling unjustified delays in housing delivery. Local authorities must be accountable to make sure that homes in their area are not only planned but delivered.

Mr Jim Cunningham (Coventry South) (Lab): I welcome the point that the Minister makes about building on brownfield sites first, but how much credence is he going to give to residents groups who have objections to building on the green belt? An example would be the Kings Hill estate in Coventry, around Cromwell Lane and Westwood Heath. All those residents are objecting to building on the green belt, so how seriously is he going to take their views?

James Brokenshire: This is why I made my point about the national planning policy framework and how it fits within the local plan structure, with which I know the hon. Gentleman will be more than familiar. We are looking carefully at the thousands of representations that have been made—as I have said, the consultation closed in the last week or so—to ensure that there is protection for the green belt.

This is equally about understanding what lies behind the slow build-out rates. Work is being done on this by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), and his report is due by the Budget this year. If he finds evidence of unacceptable land-banking, I again say that we will not hesitate to act.

Our second focus is on the facilities needed to deliver homes faster. We are making serious investments in roads, schools and communities. For this reason, my right hon. Friend the Chancellor of the Exchequer doubled the housing infrastructure fund to £5 billion in his autumn Budget. Soon after, we announced the first initiatives of the fund. They involve 133 marginal viability fund projects worth a total of £866 million, and they have the potential to unlock up to 200,000 new homes.

Kevin Hollinrake (Thirsk and Malton) (Con): My right hon. Friend is making some excellent points. He referred to the requirement for local authorities to have up-to-date local plans. He might be aware that York, which adjoins my constituency, has not had a local plan since the 1950s, which has put added pressure on other local areas such as Ryedale and Hambleton. Will he commit to stepping in to write local plans for authorities that do not bring forward their plans in good time?

James Brokenshire: My hon. Friend makes an important point. Local plans are central to setting out how and where local authorities expect to meet residents' needs for new homes. He has highlighted one council that has had issues, and we will certainly be monitoring the position in York closely. If further significant delays occur, intervention will be reconsidered. We have decided that intervention will continue in three local council areas—Castle Point, Thanet and Wirral—and we will now send in a team of planning experts, led by the Government's chief planner, to advise on the next steps in that intervention.

As I have already highlighted, this is about looking at infrastructure. That includes projects that are part of the housing packages that we have agreed with the Mayors of Greater Manchester and the West Midlands. We have launched a new, more assertive housing agency, Homes England, which will work to secure land and unlock development on brownfield sites. We are also reforming the system of developer contributions so that developers will know the contributions expected of them and local communities are clear about the infrastructure that they will get alongside new homes.

Thirdly, we want to see a wider range of house builders helping us to deliver more homes. In the past, more than 60% of new homes were delivered by small firms. Today, the number is less than half that, despite the fact that SME builders are keen to contribute. This is why we are supporting these builders to deliver and grow through our home building fund. Over 70% of the original £1 billion short-term home building fund has already been allocated to support SMEs, custom builders and innovators in helping us to deliver more than 25,000 homes. At the autumn Budget, this Government added another £1.5 billion to the fund.

It is right that we are taking action in these areas, but we must not lose sight of the basic issue of fairness. With this in mind, I was delighted that the Tenant Fees Bill was introduced to Parliament soon after my appointment. This very welcome measure delivers on our commitment to end costly letting fees, putting more money in tenants' pockets. The Bill will also cap tenancy deposits, ensuring that the deposit that they pay at the start cannot exceed six weeks' rent. For too long, tenants have been stung by unexpected costs such as double-charging for the same services. The Bill will put a stop to such unfair practices, and it complements other measures we have taken to make renting fairer.

Maria Eagle (Garston and Halewood) (Lab): The Secretary of State talks about fairness. What will he do to ensure fairness for those who buy new houses? Sixty-nine per cent. of new houses in the north-west were sold as leaseholds, purely and simply so that home buyers can be financially exploited into the future. What will the right hon. Gentleman do to ensure fairness for them?

James Brokenshire: I will come to the point about leasehold that the hon. Lady highlights, but first I want to finish considering some of the issues in relation to tenancies.

Last month, the Department set up a database of rogue landlords and agents and introduced banning orders. That will make it easier for local authorities to act against rogue landlords and agents to protect tenants. We will shortly consult on options to support landlords to offer longer tenancies to those who want them.

Buyers, too, are getting a fairer deal under this Government. We are determined to make the process of buying a home easier, cheaper and less stressful. As part of that, we put out a call for evidence. That has helped us to identify some practical steps we can take to achieve this goal.

We are also cracking down on abusive practices in the leasehold market. We will legislate to ban the development of new build leasehold houses, except in exceptional circumstances. We will restrict ground rents in newly established leases of houses and flats to a peppercorn.

Mr Mark Harper (Forest of Dean) (Con): I want to comment on the point about renters. We often hear that people are forced to move frequently because they do not have long tenancies. My right hon. Friend might be interested to know that the average length of a tenancy in the private sector is 4.3 years and the most common reason for its coming to an end is the tenant wanting it to.

James Brokenshire: I am grateful to my right hon. Friend for putting those facts on the record. However, all the reforms for buyers and renters are united by one aim: to improve fairness, standards and affordability across the board.

Sir Desmond Swayne (New Forest West) (Con): On new build leaseholds, is my right hon. Friend prepared to consider an exemption for the retirement market where retirement living has particular requirements? Is he prepared to meet a delegation of hon. Members to discuss that?

James Brokenshire: I would certainly be happy to meet my right hon. Friend and others to discuss that issue. I note his points, although we maintain our views on the broader issue of abusive practices in the leasehold market. However, I will certainly listen carefully to him and others.

Affordability has become an issue and that was why the Prime Minister pledged a further £2 billion of investment in the affordable homes programme, increasing its budget to more than £9 billion. In the spring statement, we allocated an additional £1.67 billion of that funding to London, where the affordability crisis is most acute. That money will enable London to build a further

[James Brokenshire]

26,000 affordable homes. We have been clear with City Hall that this must involve funding for genuine social rent properties.

We know that we do not need just more social housing. We need to improve the experience of people living in it, especially following the tragedy of Grenfell. We will therefore shortly introduce a social housing Green Paper to look at how well social housing serves our communities.

I am particularly conscious of the needs of those without a home at all who find themselves in the hugely distressing situation of living out on the streets. One of my first actions as Secretary of State was to award £28 million of funding to Housing First to underline the priority I attach to this work.

Housing First is part of our bold new approach to help rough sleepers off the streets. The Housing First approach has an impressive international track record of almost eliminating rough sleeping. It gives people stable and affordable homes, combining that with expert support to address complex issues, such as substance abuse and mental health problems. That work to tackle homelessness and eradicate rough sleeping is essential. It is totally unacceptable that we still have people living on our streets. We must turn that situation around.

The new pilot projects for Greater Manchester, Liverpool city region and West Midlands combined authority will be an important step. Our pilot programmes will support around 1,000 rough sleepers and those at risk of rough sleeping. I am looking forward to seeing the difference that those projects make in their respective areas, and assessing the case for a national roll-out of the approach.

The projects will also expand on steps we have already taken to tackle rough sleeping, including our new rough sleeping initiative, which combines a new rough sleeping team of experts drawn from Government and agencies, a £30 million fund targeted at local authorities with high numbers of rough sleepers, and further funding to support frontline rough sleeping workers in these areas.

The pilot programmes have laid the foundation of our rough sleeping strategy, which will be published this summer. This Government are investing more than £1.2 billion through to 2020 to prevent and reduce homelessness. We are taking these essential steps to meet our commitment to halve rough sleeping by 2022 and to eliminate it altogether by 2027. There can be no doubt about our commitment to supporting those in desperate need.

Everyone deserves not just a roof over their head but a safe, secure and affordable place to call home. That is the foundation on which everything is built. This is the Government's top domestic priority and, as Secretary of State, I am determined to do all I can to ensure we deliver the homes our country needs.

4.45 pm

John Healey (Wentworth and Dearne) (Lab): This is the Secretary of State's first housing debate, but it is a bit like Groundhog day. He is the fourth Secretary of State, with the seventh Housing Minister, now in the ninth year of a Conservative Government, and it is clear from this debate that the Conservative party still has no plan to fix the housing crisis.

The Secretary of State may be new to the job, but he has been in government since the start in 2010. Surely he cannot look at the Government's eight-year housing record and conclude that more of the same is what is needed. After eight years of failure on all fronts, how is the answer more of the same when, since 2010, we have seen 1 million fewer under-45s owning their own home and the lowest level of home ownership for 30 years? How can the answer be more of the same on homelessness when it has risen every year since 2010, and we now have 120,000 children growing up with no home? And how can the answer be more of the same when private renters face rents that are soaring way ahead of incomes? The average rent is now £1,800 a year more than before.

Finally, house building rates are still lower than they were at their peak under Labour, and fewer new social rented homes were started last year than at any time since records began.

Kevin Hollinrake: The right hon. Gentleman will be aware that last year's figure of 217,000 additional homes is the second highest in the past 25 years. Completion levels have risen 30% and starts have risen 85% from their low points under Labour. He must welcome those increases in activity in the housing market.

John Healey: The hon. Gentleman is a hard-working, loyal Back Bencher, and I have to give him credit. He is making some of the same arguments the Secretary of State made when he said the Government are making good progress on supply. In truth, a full decade on from the worldwide financial crash, house building is still below the level it was before that global downturn.

Siobhain McDonagh: Is my right hon. Friend aware of the article in *The Huffington Post* at the beginning of the week, suggesting that 1,000 homeless families from Birmingham have been housed tens of miles away from their schools, families and jobs? Does he agree that that is probably because London councils are busy placing their homeless families in Birmingham, because that is the only way they can afford to house them, given that the public purse spent £1 billion on temporary accommodation last year?

John Healey: My hon. Friend is right. The number of families—now nearly 80,000—living in temporary accommodation because there are no homes available, let alone homes in their own area, is a scandal that shames us all. I am interested to hear what the Secretary of State has to say. It is not just in Newham; he has been in government since 2010, since when his own council has seen a fivefold increase in the number of families without a home living in temporary accommodation.

The Secretary of State said that we are now investing more in affordable homes, and he cited £9 billion, which of course is the figure for the rest of this Parliament. Even if that money is spent, spending will still be half the level it was in Labour's last year. To give people a measure of it: in Labour's last year, spending on building new, badly needed affordable homes was £4 billion; and last year, under this Government, whatever they say, it was less than half a billion pounds. No wonder we saw 40,000 new social rented homes started in 2009, in that last Labour year, and last year we saw fewer than 1,000.

The £28 million for the Housing First pilots is welcome, but let me gently say to the Housing Secretary that that is a small drop when compared with the £996 million the National Audit Office says is the annual cut in the Supporting People programme since 2010—a programme to help the homeless. Finally, the right hon. Gentleman makes the welcome argument that we need more social rented homes, but what does he say to the residents in his own area, where 6,022 are on the council waiting list and the number of new social homes rented homes built last year was zero? He has a lot to pick up on and a lot to learn.

We have seen eight years of failure on all fronts since 2010, and it is no wonder that the Prime Minister admitted that housing was a big part of why her party did badly at last year's general election. As the Secretary of State has said, as the Prime Minister has said and as I have argued, the housing market is broken, and housing policy is failing to fix it.

I say to Conservative Members that at the heart of Tory policy is the wrong answer to the wrong question. Ministers talk big about total house building targets, but what new homes we build and who they are for is just as important as how many we build. Simply building more market-priced homes will not help many of those who face a cost-of-housing crisis, because that can influence prices only in the very long term. We have to build more affordable homes if we want to make homes more affordable, and the public know that. It is why eight out of 10 people now say the Government should be doing more to get new affordable homes built.

The public expect much more of Ministers—more urgency, more responsibility, more investment and more action to fix this broken housing market. That is why Labour has set out a bold, long-term plan for housing. It is what people need from their Government. We have made the commitment, with the plan to back it, that under a Labour Government we would see 1 million new genuinely affordable homes built over 10 years: the largest council house building programme for more than 30 years, building those new affordable homes at a rate we have not seen in this country since the 1970s. The very term “affordable” has been so misused by Ministers that it is mistrusted by the public, so Ministers should drop it and replace it with a new Labour definition linked to local incomes, not pegged to market prices.

We must build for those who need it, including the most vulnerable and the poorest, with a big boost to new social homes built as part of the programme, but we should also build Labour's new affordable homes, both to rent and to buy, for those in work and on ordinary incomes, who are priced out of the housing market and being failed by current housing policy. These people are the just-coping class in Britain. They are the people doing the jobs we all depend on—IT workers, delivery drivers, call centre workers, teaching assistants, electricians and nurses. They are the backbone of our economy and the heart of our public services. This is the same Labour aspiration that led Aneurin Bevan to talk of the “living tapestry” of mixed communities as he led the big house building programme after the second world war.

Mr Mark Prisk (Hertford and Stortford) (Con): The right hon. Gentleman's leader is a keen fan of rent control to cap the total level of rents. Although that

may superficially sound attractive, the right hon. Gentleman will understand the impact it will have on the prospects for that market; we may see people leave that market, so there will be fewer homes. Is he too a keen advocate of rent capping?

John Healey: I am surprised if the hon. Gentleman has not already done so, but he should read the housing manifesto that I launched with the Labour leader during the election campaign last year. It pledged longer tenancies, with a cap on the rent increases during that period. I shall come to the Labour plans for private renters in a minute. This debate is about differing views and very different visions of the housing problems that people face and the solutions that the country requires.

Our determination to get built the new genuinely affordable homes that are needed in this country was redoubled after the terrible Grenfell Tower fire. When the Grenfell survivors who contributed to our review say that

“tenants were victims before the fire”

and

“we're treated as second class citizens in social housing”,

it is clear that radical, root-and-branch reform is required, so we will build more and we will build better, as the public sector has always done in housing. We will have leading-edge standards on energy efficiency and smart-tech design, so that Labour's new affordable homes will be people's best choice, not their last resort.

A huge majority of us in Britain aspire to buy our own home, yet the dream is currently denied to millions, especially young people facing a lifetime locked out of the housing market. We set out in our Green Paper a plan for Labour's living rent homes, which would have rents set at no more than a third of average local household incomes and would be aimed at ordinary working families, young people and key workers—those who need to be able to save a bit for a deposit or who need a bit more to spend on the other things they need.

Labour's low-cost home ownership home would be a new type of low-cost home, called first-buy homes. Again, they would be discounted, so that mortgage payments would be no more than a third of average local incomes. Crucially, the discount on those homes would be locked in so that it could potentially benefit not just the first first-time buyer, but future first-time buyers.

Mr Jim Cunningham: In the past, local authorities were able to handle housing crises, such as when way back in the '60s they were building 300,000 homes a year. Having said that, local authorities also built houses for sale, helped first-time buyers and actually offered mortgages. It was the Thatcher Government who abolished that. Can we not do something about that?

John Healey: My hon. Friend might be interested to read the fine detail of the Green Paper that we launched last month, because it makes the commitment to look into enabling local authorities once more to provide mortgages for local people who may find the mortgage market closed off to them.

James Cartlidge (South Suffolk) (Con): The right hon. Gentleman just committed to a policy of permanent discount. Is he aware that lenders generally do not involve themselves in those types of purchase, because

[James Cartlidge]

they find the perpetual discount is very unattractive on repossession? When we had similar products in the past, such as the price discount covenant, only one or two lenders got involved and they required relatively high deposits.

John Healey: I have less concern than the hon. Gentleman about that. I recommend that he read the Green Paper. The point of Labour's proposal is to create almost a parallel market that is permanently affordable to local people who are in work and on ordinary incomes—the very people the Government are currently failing and to whom the housing market is closed. [Interruption.] I give way to the hon. Member for South Norfolk (Mr Bacon). No? I beg your pardon, Madam Deputy Speaker. Labour's policy on home ownership is about first-buy homes, first dibs for local people in all new developments and tightly targeted Help to Buy. That is the real hope that first-time buyers need.

I promised to come back to the hon. Member for Hertford and Stortford (Mr Prisk) on private renters. Since 2010, the number of households renting privately has gone up by more than a third, and there are now 5 million households renting privately throughout the country. The one thing that we cannot do is see a further slide back to those bad old days around the time of the second world war, when we had private rented housing that was unregulated, overpriced and badly maintained, and it was the only default housing for people earning ordinary incomes. What is needed is very clear: it is Labour's plan for legal minimum standards, longer tenancies, a cap on rent rises and local licensing to drive out the rogue landlords. They are similar consumer rights that we all expect and all have in other markets, but not in housing.

Finally, the tragedy and unforgiveable scandal of the rising levels of homelessness in this country, particularly of those sleeping rough in the streets, is that we know what works because we have done it before. We did it before when the country was faced with rising homelessness in the early 2000s. Our action as a Government then led the independent Crisis and Joseph Rowntree Foundation homelessness monitor to declare that, by 2009, we had in this country seen what it called an unprecedented decline in homelessness. We back the new Homelessness Reduction Act 2017—we pay tribute to the hon. Member for Harrow East (Bob Blackman) for steering it through—but we cannot help the homeless without more homes. I say to the Minister: go beyond the Housing First pilot; consider requiring housing associations to set aside, let us say, 8,000 of their homes across the country so that those with a history of rough sleeping have a low-cost, secure home in which to rebuild their lives; and then help to fund a replacement, like for like, of those homes.

Mr Richard Bacon (South Norfolk) (Con) *rose*—

John Healey: I gave the hon. Gentleman the chance to speak earlier. I will conclude now, because many Members wish to speak.

In conclusion, this has been a disappointing first debate with the Secretary of State, who seems—[Interruption.] I listened very carefully, but saw no evidence that he is willing to challenge his own Government's thinking or to make the radical changes required to fix the housing crisis. This is the test for the

Secretary of State and for the Government. It is a big challenge to political thinking, not just to policy decisions. When the evident answer to the housing crisis lies in a bigger role for councils, stronger regulation of private markets, greater investment by Government in new low-cost homes, higher legal standards on everything from energy efficiency to safety, and tougher conditions on public contracts and public funding, it is clear that Conservative ideology, not just Conservative policy, must change. I say to the House that it is also clear from the Secretary of State's speech this afternoon that the country will only see this change—the change that millions of people need and want—with Labour in government.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. It will be obvious to the House that a great many people wish to speak, and that we have a limited time. We will start with a time limit of five minutes.

5.2 pm

John Penrose (Weston-super-Mare) (Con): It is clear from what we have already heard that the Secretary of State, the Government's previous housing White Paper and Labour's Front-Bench team all agree that house building is in crisis, and I agree with that. There are many possible solutions, but I wish to propose just two in the limited time that I have, which, if we start now, could be big and bold enough to make a difference.

The first is to overhaul our slow, expensive, uncertain and conflict-ridden planning laws to give people a legal right to build up, not out, in towns and cities without needing planning permission. I am talking about creating good-looking four and five-storey town houses and mansion blocks rather than sky-high tower blocks, and about giving back local character to our town and cityscapes by letting councils issue local design codes, so that new buildings match local architectural styles or use local materials, killing off town estates of identical homes, which all look the same no matter where one is in the country. Building up, not out, will transform house building, whether it is to own or to rent. Most of Britain's towns and cities are, on average, two storeys tall, so going up to four or five storeys in urban areas would almost double, at a stroke, the amount of buildable living space in British homes.

Britain's housing associations are right behind the idea. The scheme would attract much-needed new investment to regenerate and save tired or rundown town and city centres. It would be greener because building in towns and cities would cut urban sprawl, taking pressure off green fields, and letting people live closer to work and commute less. It would also encourage those small and medium-sized builders that we were hearing about before and new entrants to the house building industry, breaking the power of the big housing developers which currently ration supply to keep prices high. This would make housing cheaper for hard-pressed 20 or 30-somethings, whether they want to rent or buy.

My second idea is to get people building faster once planning permission is granted and to give local communities a share in the value that is created when permission is given. At the moment, the value of an acre of land goes up by at least 10 times—often by a whole lot more—when it gets planning permission.

That happens before a single brick has been laid or a single home has been built. The value of actually designing and building beautiful houses to rent or buy is far less than the trading gains made by land speculators.

Dr David Drew (Stroud) (Lab/Co-op): Should not the Government at least look seriously at land value taxation? It is about time that we had a proper review of how the issue that the hon. Gentleman is describing can be capped by land value taxation.

John Penrose: The hon. Gentleman leads me to my next point.

The current situation is the wrong way around. It should not be easier to buy land, do nothing, aim to get planning permission and then flip for a profit than it is to build houses. From a moral and an economic standpoint, design and construction should be the things that add value to land, not hope or speculation. Planning permission is a huge and value-creating decision. The decision is taken by each local community, so they should see some of the value that is created. We need a tax on the speculators' profits, paid straight to local councils on the day that planning permission is given or changed, in order to fund the local services that turn dormitories into communities.

Mr Bacon: It is great to hear a radical speech. I hope that those on the Government Front Bench are listening carefully. Will my hon. Friend come to the next Right to Build expo, which is run by the Right to Build Task Force, and speak about lowering the barriers to entry so that more new players can come in? For example, governors of high schools or NHS trusts wanting to use housing as a recruitment and retention device should be able to get involved in this space.

John Penrose: I would be delighted to accept my hon. Friend's invitation.

Fortunately we do not need a new tax, which the hon. Member for Stroud (Dr Drew) mentioned, to achieve this value acquisition. Here's one we prepared earlier—the community infrastructure levy. The levy nearly does what we need and could easily be tweaked so that it does what we need by making it simpler and broader with fewer exemptions. It would be simpler, faster, cheaper and more predictable for developers, planners and landowners alike. Best of all, the revised community infrastructure levy would completely replace the hideously overcomplicated section 106 agreements, with all their uncertainty, unpredictability and lawyer-friendly viability assessments.

Finally, in order to get developers building faster, councils should be able to charge business rates and council tax starting from the day that planning permission is granted, rather than when developers finally get round to start building. We could give big developers a few months' grace to get their crews on site, but then the meter would start running. They would have a huge incentive to build and sell promptly, rather than to take their time.

Equally important, the same forces would apply to the hedge funds that own derelict brownfield land in town and city centres. These sites already have old, unused permissions, so the clock would start ticking immediately. Just think of the enormous shot in the

arm—the jolt of adrenaline—that we would give to urban regeneration projects everywhere, right across the country, if the owners could no longer sit on them for years waiting for something to turn up.

As the Government's housing White Paper says, the only way to make homes more affordable to rent or buy is to build a whole lot more of them. I agree. There is no time to waste, otherwise house prices will continue to spiral and we will lock another generation out of the dream of a place of their own.

5.8 pm

Mhairi Black (Paisley and Renfrewshire South) (SNP): I am glad that this is a general debate on housing, because it allows me to draw attention to the different directions of policy throughout the UK and the results of these policies. The UK Government have said that they want to reassure voters that they are taking the housing crisis seriously, yet the facts suggest the very opposite. I was actually quite happy to hear the Secretary of State say that the Government are looking into the Housing First scheme, which I believe was developed in Finland, and is about providing people with security and stability as a starting point. That seems like a step in the right direction, but again the facts show a different story. House building has fallen to its lowest level since the 1920s, evictions are at record levels, and a mere one in five council homes has been replaced when sold.

Crisis says that 9,100 people are sleeping rough across Great Britain at any one time. We see homeless people all the time. Quite often we pass them coming into work, at Portcullis House and the underground station. Crisis has said that unless there is a significant shift in Government policy, the number of rough sleepers is projected to increase by 76% in the next 10 years. When it surveyed councils for its report, "The homelessness monitor: England 2018", it found that 70% said that they had difficulties in finding social housing for homeless people last year. It is important to stress that homelessness does not just mean rough sleeping, as I know that many Members are aware. It includes people staying with friends and family, and people living in overcrowded conditions or in poor conditions that affect their health.

In their manifesto for the general election, the Tories included a flagship pledge to build a new generation of social housing. Everybody knows that this is something the UK is crying out for, yet within weeks of the election the Government U-turned on that pledge.

Kevin Hollinrake: The hon. Lady said that house building had fallen to its lowest level since the 1920s, yet in 2008-09 new housing starts were 88,000 and last year they were 163,000. Where does she get her figures from?

Mhairi Black: Hold on and I will tell you. [*Interruption.*] Did the hon. Gentleman say, "From the Labour party manifesto"? Actually, they were from an article in *The Independent*. I will be happy to send it to him.

What adds another layer of incompetence and complication to all this is that there seems to be total denial on the Government's part as to the further negative impacts that universal credit is having on the housing crisis. A report this month from the Scottish Government has shown that in East Lothian, for example, 72% of social housing tenants claiming universal credit were in arrears, compared with 30% of all tenants. Similarly, any action to tackle barriers to landlords offering longer

[Mhairi Black]

and more secure tenancies has been kicked into the long grass, with the Government instead announcing yet another consultation to add to the 15 already ongoing consultations relating to the private rented sector.

The Scottish Government are taking a different ideological and political direction in the areas where they can. The SNP scrapped the Thatcherite right-to-buy policy, freeing up thousands of homes from falling into private rented properties, and we have at least attempted to put back in place some safeguarded housing stock for future generations. Since 2007, we have built more homes per head than in England and Wales—48,000 more than England's rate, equating roughly to a town the size of Paisley. The Scottish Government have now delivered nearly 71,000 affordable homes since 2007. But we decided that that still was not good enough, so when we set a target of wanting 30,000 affordable homes by 2021, we decided, no, we are going to increase that to 50,000. We know the kinds of pressures that we are putting on ourselves, but, as we are all aware, this issue desperately needs the attention of Governments.

The Scottish Government are attempting to do all this while being saddled with paying £453.8 million in mitigating the effects of and protecting people from the very worst of Tory austerity. The Scottish Government fund the full mitigation of the bedroom tax, which would otherwise affect over 70,000 individuals who would lose an average of about £650 a year. If this is the good that the Scottish Government are able to do under intense pressure, often through no fault of our own, let us imagine what good the UK Government could do if they just made a simple change in direction.

5.13 pm

Adam Holloway (Gravesham) (Con): I am going to speak about street homelessness, because what I observed recently in the seven days that I spent living on the streets of London and in my constituency was a very serious problem of accommodation for single men, and particularly single men who are mentally ill.

Twenty-seven years ago I did the same thing for several months, living as a homeless person but also a homeless mentally ill person. Some things were very similar, as we would expect, and some were very different. What was very different this time was that people like the Mayor of London, Westminster City Council and the Prime Minister are at last taking this problem enormously seriously. What was also very different was that, by my reckoning, about 60% of homeless people in London are born overseas. Indeed, when I was camped out in Covent Garden, I was sleeping next to a very nice Italian and Romanian couple. What is the same, though, is that the same mentally ill and drug-addicted people are still roaming the streets of our cities. The kindness of the public and of churches, mosques, gurdwaras and the staff of amazing organisations such as St Mungo's was also the same.

What I learned this time round is that it is complicated. Each individual has a different reason for being on the streets, and their problem is not primarily homelessness, although of course that is a problem; it is the reason they are homeless that we need to address if we are

going to get anywhere. For example, on one night I was camped out behind the goods-in entrance of McDonald's by Westminster station. I am sure many Members have seen all those people taking this horrendous drug, Spice. I was sleeping next to a young man from the north of England who was an alcoholic, and he had four cans of beer by the time I woke up on the Saturday morning. He showed me the keys to his home, which was somewhere north of London, but was on the streets because he was lonely and an alcoholic.

James Cartlidge: My hon. Friend is making an excellent speech, and it enriches this place to hear the experience of those who have been on the frontline. Does he agree that his experience underlines why we should not jump to conclusions and generalisations about those who are on the streets, but should deal with each case on its merits?

Adam Holloway: Absolutely. We have to segment the homeless as much as we can. The Prime Minister has made an extraordinary commitment to end street homelessness within 10 years, but if we are really serious about solving the problem, we have to see people as individuals. We have to differentiate between different groups. We have to accept that some people have made a lifestyle choice. We have to ask whether the large number of foreign nationals really are here looking for work. We have to be honest and have the courage to look at whether the provision of services to homeless people is enabling able-bodied people to live on the streets, where they quickly get into a whole other load of difficulties.

We also need to think about whether public kindness is enabling addiction. The guy I slept next to outside the McDonald's goods-in entrance got £30 on the Sunday night from kind members of the public, but that was enabling his addiction. Indeed, one of the homeless workers told me after I had finished making the programme that someone they looked after who was a heroin addict and was in a wheelchair, having lost a leg, firmly believed that if the public had not been so kind to him, he would have sought treatment a lot earlier, but he was able to continue with his addiction because of that kindness from the public.

We also need to accept that we cannot add to our population year after year and not build new homes and not expect that to have some knock-on effect on the people at the very bottom. We also have to accept the impact of the cost of housing. I was sleeping in the doorway of a shop on Tottenham Court Road, and two or three of the people there were actually going off to work, but they slept there because they would rather not, and probably could not, afford to spend £1,000 a month on housing. We need to look at whether, by lumping everyone together, we are making it harder for people who are in the direst need. Most of all, in this welfare state of ours, we need to try to rescue the people at the very bottom from roaming the streets of our cities.

I am making a brief speech because I had a Westminster Hall debate on this subject recently, and others wish to speak. We need to look at the root causes of homelessness, look at each individual and rapidly intervene when they need it, for the mentally ill and the drug addicted, otherwise we will get nowhere.

5.19 pm

Maria Eagle (Garston and Halewood) (Lab): I would like to spend the few minutes available to me in this debate to talk about the financial abuse that arises from the growing practice of selling newly built houses as leaseholds. Over 1 million houses in England and Wales are leasehold properties, and 15% of new build houses in England are built and sold as leaseholds. In the north-east of England, the latest figures—from 2016—show that 69% of newly built houses are sold as leasehold, many of them in my constituency. That is a much higher figure than in any other area or region in England, so the issues that arise are particularly prevalent in the north-west. Many constituents have come to talk to me about problems that have arisen from buying their dream home as a leasehold and suddenly finding out that it is not what they thought it was going to be.

I want to talk about two estates in my constituency—Gateacre Park and Cressington Heath. In Gateacre Park, 40 properties sold as leaseholds were newly built houses on 250-year leases. The roads in the development are to be adopted by the local authority at the end of the work, so there are no maintenance charges. In Cressington Heath, homes have been sold on 999-year leases. It is a private estate, and the roads are not to be adopted when it is finished, so people will be expected to pay ongoing maintenance charges into the far future.

A number of constituents have come to me to complain that not only were they not aware of the full extent of the issues involved in the meaning of leasehold property or of the ongoing financial obligations, but that many of them, having been promised that they would have the option to buy their leaseholds, have discovered that, even on a long lease such as one of 250 years, they will be charged up to 20 times the ground rent. A figure of £5,600 has been quoted to people on the Gateacre Park estate, when it should not in reality be any more than about £2,000. On the Cressington Heath estate, people have been given different figures covering anything up to £17,500—£12,500, plus of course the freeholder's legal fees—all to escape the escalating ground rents that are being charged.

I therefore welcome the fact that the Government have decided they will do something about this issue. They will prevent the sale of new houses as leaseholds—that is good and welcome, although it has not of course happened yet, and we await the legislation—and make the ground rent a peppercorn rent. However, my concern is that many existing leaseholders are already being exploited, and how far will the Government's proposals help them? They are stuck in limbo: they are unable to sell their property except at a discount, because there is increasing awareness of the problems of buying leasehold houses, which is affecting the price of properties. I know of constituents who have lost sales as a consequence of their revealing that their houses are in fact leasehold properties.

There is another issue on which I would like a response from the Government. I do not believe that their proposals deal with the ongoing issue of freeholders increasingly selling the freehold—at inflated prices, but none the less agreeing to sell the freehold—but importing many of the restrictive covenants into the transfer document. I am not at all sure that it is lawful under the leasehold reform legislation. Some technical legal points have not been litigated, so I am not sure that that is lawful.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Does my hon. Friend recognise that some companies see the leasehold issue as so toxic that they are moving away from it altogether, as a local company has done in my constituency?

Maria Eagle: I welcome that fact, but what tends to happen is that companies add an extra £5,600 or so on to the initial purchase price and then put restrictive covenants into the transfer document.

I have constituents who have been told that into the far future, even when they are freeholders, they will have to pay to get permission to change their mortgage provider, paint their door a different colour or make any alteration to their garden or property. That is not a proper freehold; it is finding a way to make sure that restrictive covenants can carry on, be sold on and then used financially to exploit people who have such restrictions in their deeds—whether in a lease or in a transfer document when the freehold is transferred.

I want the Government to go further than they have so far said they will go and consider banning some of these ridiculous restrictive covenants from being put into transfer documents as well as into leases. If they were to do that, I might be able to welcome their package of measures rather more than I have been able to so far.

5.24 pm

Andrew Lewer (Northampton South) (Con): I refer Members to my entry in the Register of Members' Financial Interests. I acknowledge the Government's commitment to bettering the housing market, to which end a total of £44 billion of capital funding, loans and guarantees has been pledged, up to 2022-23.

As we have said, more than 1.1 million homes have been delivered since 2010—217,000 last year—and a target is in place to deliver 300,000 net additional homes per year on average by the mid-2020s. House building needs to be tailored to each region and met with the appropriate infrastructure, and I am pleased to say that the Government have taken measures to address that, with the £866 million fund specifically designed for housing-related infrastructure. It has already funded 133 projects.

However, it is time to consider how those incentives can be more effectively unlocked and rendered less bureaucratic—a source of concern for those who are in the industry and those facilitating developments more generally. National development plans need to both make way and create incentives for local authorities to engage in house building and infrastructure building. The “development control” mentality has not served everyone well for the past 50-plus years. In my view, real localism—not just the lip-service variety—will work more effectively with a network of unitary authorities with realistic tax bases relative to their cost bases that do not excessively hem in their urban or even suburban core with significant council tax implications.

I am pleased that that is now policy at Northampton Borough Council. It has endorsed that vision, which will assist the town's prosperity in all sorts of ways. In the context of today's debate, it will allow expansion without the risk of conflicting local plans, allow better

[*Andrew Lewer*]

highways and housing integrated working and promote joined-up thinking between housing, social care and health.

I want to mention compulsory purchase orders, which I have reservations about. Although they can boost success in the short term—notably, with some of the developments in the 1950s and 1960s—they have to be used sparingly where compelling national or local key interests are at stake and not just for convenience.

Mr Ranil Jayawardena (North East Hampshire) (Con): Does my hon. Friend agree that one of those local pressures could be the need for a local authority to deliver brownfield regeneration? That might be in multiple ownership and otherwise would not be brought forward for good use—new homes and new commercial premises.

Andrew Lewer: I thank my hon. Friend for that comment. I have been careful in saying that the power has to be used sparingly in identifying a key interest and not that it should not be used. However, private property rights are, after all, the basis on which there is democracy in a free market economy and they should, generally speaking, be the default. Forcing people out of their homes or off their land for a common good can get out of hand, and we need to be aware of that.

Northampton, the town I represent, is extremely ambitious and focused on delivering the growth agenda. It has bold plans for private and council housing. Building the new north-west link will give the town a much needed full ring road to cope with the projected new housing being built around its edge. That need is an especially good example and an opportunity for me to urge that, as we advance the Government's good work, we must guard against the "houses first but support infrastructure later" image that housing growth has among many existing and aspiring residents. That is a common, justified and long-standing grievance in Northampton. Northampton MPs have made speeches referring to the problem going back to the 1970s.

Like me, the local authority in Northampton is a supporter, not a member, of the Government—a critical friend—and its ideas include the lifting of the housing revenue account borrowing cap further than already intended and allowing mechanisms to encourage builders, such as charging fees when undischarged planning approvals become a year or two or more old. Northampton and the borough council have the plans and the vision. They are ready to translate that on to a broader and more unified—indeed, unitary—canvas, if the good actions the Government have taken to date to support them and our house builders can be improved and, yes, built upon.

5.29 pm

Matt Rodda (Reading East) (Lab): I am grateful for the opportunity to speak in this important debate. Housing is a central issue in my constituency, where, as across England, we face an acute housing shortage. For many years, home ownership grew in the Thames valley and across our country, with young people expecting to be able to afford to buy a place of their own or to have long-term secure and affordable rent of either a private or council house. Sadly, in the present time home ownership

and good-quality home rentals are all too often out of reach for many people, particularly for younger people in areas like Reading and Woodley in my constituency, where house prices have risen to unheard of levels. Much of the new housing being built is aimed at the more expensive end of the market and private rented accommodation is often very expensive, and some of it is poor quality and poor value for money.

We desperately need homes that are genuinely affordable. There is a severe shortage of council housing, affordable homes to buy and good-quality private rented accommodation. I welcome the Government's interest in prioritising brownfield land. In my constituency and in many other former manufacturing towns in England, there is a huge amount of brownfield land that can be built on without eating into the countryside or public open spaces. Indeed, Reading Borough Council's local plan has identified enough former light industrial and commercial land to provide almost all the housing needed until 2036. The council has also identified land to build 1,000 council houses. Reading Borough Council, like many other councils, is doing what it can to help.

The Minister will know that Reading Borough Council had plans to build 1,000 homes to meet the rising demand for accommodation. However, this had to be scrapped following the 2015 summer Budget delivered by the then Chancellor, George Osborne. The former Chancellor made a serious mistake when he changed the financial rules, making it harder for councils to borrow and pay back the cost of building council homes from the rental income gained once the houses are occupied.

By contrast, I was proud to stand on Labour's manifesto commitment, as we heard from my right hon. Friend the Member for Wentworth and Dearne (John Healey), to build at least 1 million affordable homes over the next five-year Parliament. Our record in government is clear. Between 1997 and 2010, we saw 2 million more homes built, a million more home owners and the biggest investment in social housing in a generation.

In the eight years since 2010, we have seen home ownership falling to a 30-year low and the lowest number of new social rented homes on record. The Government have cut investment in publicly funded affordable housing and relied instead on big developers to build, giving them too much control over what gets built. That is why in my area both Labour-run Reading Borough Council and Conservative-controlled West Berkshire District Council took the Government to court, winning a High Court challenge that means they and other councils can insist on more affordable housing being included in developments in accordance with their own local plan priorities. I hope that the Minister will consider that as a matter for potential policy change.

As I mentioned earlier, renting in my area is often expensive and can be poor quality. In my constituency, we have a particular problem with Victorian terraced houses that have not been fully modernised. Reading Borough Council and other Labour councils in Oxford and London have improved the regulation of landlords and have stood up for tenants, but much more could be done if the Government made it easier for councils to regulate the private rented sector.

At a local level, I have campaigned for a new deal on housing for young people, families and other residents who have been hit hard by the housing crisis. I am

working with local councillors and other MPs to tackle this issue and to press for a new approach. In Reading East, as I have mentioned to the Minister in other discussions, this approach could involve much more use of brownfield sites, tighter regulation to encourage developers to build more affordable homes, allowing councils to build council houses once again and protecting renters by giving councils more powers to regulate landlords.

The current housing situation is indeed a crisis; it is unacceptable and unsustainable. Young people and other groups have a right to decent and affordable housing, and I will continue to press the Government for the new deal on housing that those renters and owners deserve—a new deal that Labour would deliver.

5.34 pm

Sir Robert Syms (Poole) (Con): We all know the importance of housing because we all hold surgeries and have families coming to see us, telling us their personal stories about the impact that the current housing market has on them. We need to build more homes. When I talk to people who develop and build homes, they still complain about the length of time it takes to go through the planning process. The Government really need to look at that.

We need to incentivise those who get planning permission to develop. I am not sure whether I would wholly agree with a penal tax system, but some kind of stick and carrot is needed to give people an incentive to get on and develop. When I drive around Poole, I see sites that have been sitting there for several years. One would think that if there were tax advantages to developing or tax penalties, at a modest level, that might just tip those sites into being developed.

We need to be more ambitious with our plans for helping young people to buy. The Help to Buy scheme is not ambitious enough, nor is the help to buy ISA. Bearing in mind the billions that we poured into the banks, it is a moral, social issue to do our best to get more people buying their own home, if it is right for them and they can afford it. We also need to understand that building is not the only solution. Managing the housing stock is very important. Local authorities talk about voids—these are empty properties—and we ought to be doing rather more to assist local authorities in making sure that the housing stock is being fully and efficiently used.

Mr Bacon: My hon. Friend mentioned the delays in the planning system, which still exist. He might be interested to know that when I visited the Netherlands in January, I was shown projects for which, because there is much greater planning certainty, planning consent is often given within two weeks.

Sir Robert Syms: That might be too efficient for the British system, given that everybody has to have their say. Nevertheless, I think we could do a lot better than we are doing.

There are a number of other areas in which we can do better, including managing the housing stock. I think there are something like 2 million empty flats over shops that are not being used by families. We all know about the major, substantial and probably permanent

changes to the high street. We are over-shopped—many areas will never have shops, partly because of the impact of the internet. Perhaps the Government ought to be a bit more ambitious in turning some of those shops into homes. That would have the added win of bringing people back into our town centres and making them nicer places to live.

Our probate system is inefficient. At any one time, about 1 million homes are hung up in the probate system and cannot be sold because they are going through those legal processes. Why can we not look at the probate system to see whether we can clear houses through it before probate is granted or to try to just speed up the whole process? It is expensive enough as it is, and many homes cannot be used during that time.

In some parts of the country we are still demolishing homes, which cannot be a good thing to do. It is bad environmentally. Why do we not encourage more homesteading and give homes to people if they are willing to take them and do them up? These things can be done and they would increase the housing stock.

My final point is to do with private renting, which we all know has taken the strain over the past 10 to 15 years. We also know that many leases are for only 12 months. For peripatetic, young, single professionals, that is not a problem, but if people are married with two kids in a local school and they work locally, it is a problem, because first, there is the uncertainty each year about whether they can stay where they are; and secondly, quite often, for a variety of reasons—perhaps because the landlord wishes to sell or to put the rent up—families are forced to move. We should not forget that when families move, there is a very high cost. That includes the removal van and sometimes the cost of getting new bits and pieces, and so on. If a family with a child doing GCSEs has to move three or four times, it is not good for that child always to be moving into different homes.

If we are going to give security to people, it is right that we should give security to people who can buy. The social housing sector generally gives security to people, and of course we need to build more council homes, but we also need to give more security to those in the private rented sector. Somehow the Government, perhaps through tax incentives or capital gains incentives, ought to try to ensure that leases of three years or five years are available to families. That would take some of the pressure off families with children, who would feel much more content with their lot. Many of the 1.9 million people renting in London cannot afford to buy, so this is a big market, and a politically sensitive market: if people do not feel they have a stake in the country, and if they feel unsettled, they may well take it out on the party in government at the ballot box.

We need to be more creative and forceful in building homes, we need a better planning system, we need to manage our housing stock better and we need to address the glitches in the market so that we can increase the number of homes available. Ultimately, however, we also need to remember those who can only rent and have no choice but to go to the private rented sector. They need rather more help from the Government than they are getting at the moment.

5.40 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am grateful for this brief opportunity to contribute to the debate, and I am pleased to follow the thoughtful contribution from the hon. Member for Poole (Sir Robert Syms). I want to raise three quick points on the percentage of social housing in developments, the role of housing associations and registered social landlords, and leasehold issues and reform post-Grenfell.

Housing is the biggest issue in Poplar and Limehouse and Tower Hamlets in east London. Many of the problems the hon. Gentleman mentioned about voids and empty properties over shops do not exist in east London. Everything that empties is taken up almost immediately. We have 25,000 people on the waiting list, so there is huge pressure to use everything available.

On social homes, in the London mayoral election before last, Labour fought on a policy of 50% of new developments being social housing; the Conservatives fought on a policy of the market deciding. The 50% was probably not affordable for developers, but zero is a complete abdication of responsibility. There has been a collapse in social renting in London since 2011-12. We now have affordable rents, but in my constituency, around Canary Wharf, affordable rents of 80% are just not tenable for local people: 700-square-foot one-bedroom flats at £400,000 and 900-square-foot two-bedroom flats at £500,000 is certainly not affordable for local people and key workers, as described by my right hon. Friend the Member for Wentworth and Dearne (John Healey), the shadow Secretary of State.

In response to the point the hon. Member for Poole made about managing stock, when Labour came to power in 1997, 2 million homes in the social sector were below the decency threshold. We spent billions of pounds of taxpayers' money bringing them up to standard, with new kitchens, bathrooms, double glazing, central heating and security. The method of delivery was mostly through housing associations. In the past 10 years in particular, we have seen changes to housing associations, with more mergers and acquisitions and bigger units. That is probably unavoidable, because the sharing of back-office functions makes them more efficient, but it is changing their ethos and attitude and taking them further away.

There are a lot of great registered social landlords in my constituency—Poplar Housing and Regeneration Community Association, Tower Hamlets Community Housing, Swan, EastendHomes and others—doing fantastic regeneration work, looking after local people and bringing private property for sale and rent to market. I would like to know, however, how the Government assess the success and failure of RSLs, because there are some bad ones out there. Is it just the housing ombudsman that can proclaim an RSL a bad organisation, or can the Government issue sanctions?

On leasehold, I accept a lot of the points that my hon. Friend the Member for Garston and Halewood (Maria Eagle) made about gaps in leasehold reform, but I give the Government great credit for their progress on leasehold reform: more staff in the section in the Ministry, more senior positions, positive statements from the Prime Minister, Secretaries of State and Ministers and others, clear promises on ground rents, the consultation on commonhold, the Law Commission reporting,

examination of property management companies and their failures, representation of residents, first-tier tribunal working and more. I give the Government great credit. A Conservative Government in 1993 tried to reform leasehold and made some progress but failed. Labour tried to do it in 2002 and failed. This time the Government must get it right, and we on the all-party group on leasehold and commonhold reform will do everything we can to help.

One area of extreme concern on which the Government are not making any progress concerns the bills faced by leaseholders for the removal and replacement of cladding, and waking watches and temporary fire alarms in those blocks where the cladding is demonstrated to be unsafe. Social landlords and councils have said that they will foot the bill, but private freeholders and developers are saying that leaseholders must foot the bill. Some of these leaseholders are facing bills of tens of thousands of pounds. The Leasehold Knowledge Partnership is doing everything it can to advise them, but they do not have protection under the law. I know the Government are saying that they want freeholders and developers to pick up the tab, but we need to hear from the Government how much progress they are making, because people are at the end of their tether out there right across the country.

My constituency contains the second highest number of leasehold properties in the country, and the highest number of leasehold sales took place there in 2016. The failures identified at Grenfell are not just social housing failures; they involve private blocks as well. This goes across the piece, which is why the public inquiry and Dame Judith Hackitt's review are so important.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am afraid that I must reduce the speaking time limit to four minutes.

5.45 pm

Damien Moore (Southport) (Con): The Government have set out an ambitious target for house building. I welcome the Secretary of State's recognition that everyone deserves a home of their own, which is something with which we can all agree. According to projections by the Ministry, the number of households in England is expected to grow from 22.7 million in 2014 to 28 million in 2039. There are a number of factors behind that, but I am sure we can agree that it is a significant increase, and we must be mindful of the effects on existing communities.

We have successfully delivered more than 1.1 million new homes since 2010, and I welcome that commitment, as well as the help for first-time buyers with schemes such as starter homes and Help to Buy. The latter has already helped 387,000 people to buy a home of their own, and to get a foot on the property ladder. However, it would be remiss of me not to mention the genuine concerns that have been voiced in my constituency, and others across the country, about the effect of house building on communities. More consideration needs to be given to the need for the views and concerns of local communities to be taken properly into account in areas where house building is taking place.

It is not just a case of opposition to developments for their own sake, and it would be wrong to label those people nimbys. However, when concern is expressed

about the way in which the developments will affect their quality of life and the strain that they will place on local services, action must be taken to ensure that those problems are remedied. The scale and design of such developments can cause resentment from the outset, but basic remedial action can often alleviate opposition. Building and infrastructure must go hand in hand, and section 106 agreements must be implemented sooner rather than later.

More consideration needs to be given to the provision of services such as schools and doctors' surgeries, and to ensuring that homes are not built where flooding occurs and already congested roads are not made worse by additional vehicles. We need appropriate infrastructure, sympathetic design and landscaping, and highways that are as safe and uncongested as possible. Clear aims and guidance should be given to local authority planning departments on those objectives, so that problems do not occur from the moment that the houses are built.

Again, I welcome our ambitions to give people homes of their own. However, I urge my colleagues in the Ministry to take genuine concerns on board. I urge them to build to give people homes of their own, but also to plan to ensure that those people, and the existing community, have the quality of life that they so deserve.

5.48 pm

Justin Madders (Ellesmere Port and Neston) (Lab): We are facing a situation in which, for the first time, children can expect to earn less than their parents, and, after decades in which the number of houses built has failed to keep up with demand, we have reached a crunch point at which home ownership is so impossibly expensive that it appears out of reach to a whole generation. The only solution is a long-term, sustainable programme of council house building, along with the provision of genuinely affordable homes.

As we have only a limited time in which to speak, I want to talk about the lucky few who have already realised the dream of buying their homes, but have found that it is all not quite as nice as they expected. As we already heard, 69% of houses built in the north-west in recent years have been leasehold, and as we know, leasehold is a can of worms. I hoped that the new Secretary of State would be present to hear for himself just how rancid the whole business is.

According to research in my constituency, of those who purchased a leasehold property using a solicitor recommended by the developer, a staggering 92% said they were not fully informed of the ground rent terms when they bought their home. The result is that they have been unable to sell on their property. The illusion of home ownership is very real to them. The true owner of their property is likely to be an unaccountable, faceless investment company based offshore.

This matters because many of these accidental tenants have found that some of the terms in their lease, particularly in relation to ground rent, are so onerous that they cannot sell on their property. In one sense they are on the property ladder, but it is a ladder that only has one rung, and it is a rung that they are trapped on. If they find they are unable to move, they might want instead to improve their home and build an extension, but the permission fees for doing so, which are also in the lease,

are so outrageous that it is not a realistic option. The term "fleecehold" has been created to describe these practices; the term sums up the avaricious nature of these freeholders quite nicely.

We all remain hopeful that there will be a satisfactory legislative solution to achieve a straightforward, efficient and fair process of enfranchisement either through Government legislation or my private Member's Bill, but many thorny problems remain, particularly with covenants that involve fees and charges being levied on the home owner even after the freehold has been bought. And of course we need a thorough sort out of the fees that apply in the lease so that those who are not in a position to purchase the freehold are given confidence that those fees are reasonable.

In terms of fees that lie with the property regardless of the tenure, I refer to Gleeson Homes. It proudly proclaims to sell only freehold properties but it has a huge number of covenants that come with the land, and it is those that come with a fee that I am most interested in. Permission fees are levied for extensions and so on even if people just want to put a shed in. It says charges start at £200, but it does not say what they can rise to, and perhaps most ominously it says retrospective fees can be expensive. I really do not know why Gleeson wants to put itself in the position of a planning authority, but the key issue is that there are numerous ways in which developers can choose to earn funds but it does not always have to be through a series of opaque charges that are not always apparent to the home owner at the time of purchase.

We need developers to come clean with a full audit of everything that comes with the property that has an ongoing cost implication. The best way to do that is to undertake a Select Committee inquiry into the whole leasehold scandal so that we can have full transparency. There are many questions a Select Committee ought to ask. Why did developers decide to embark on this industrial-scale scam? What is the extent of ongoing charges that attach to properties? What were developers reporting to shareholders at the time they opened up this additional revenue stream? How did the lenders and the lawyers miss the fact that these leases might render the homes unsellable? What did those running Help to Buy think they were helping people to buy? And who exactly are the beneficiaries of those leases now?

If we are serious about meeting the housing needs of this country, we have to get a full understanding of how the cowboys, the spivs and the speculators were allowed to hijack this vital element of national infrastructure so that it is never allowed to happen again.

5.52 pm

Kwasi Kwarteng (Spelthorne) (Con): I am very pleased to follow the hon. Member for Ellesmere Port and Neston (Justin Madders), who made some interesting remarks.

We also have to mention in the debate that the housing crisis, such as it is, is a localised crisis; too often in this Chamber we feel that London and the south-east represent the whole country. The housing crisis is particularly acute in the south-east, in constituencies such as mine, and there is huge demand for housing. However, that problem, such as it is, did not come out of a clear blue sky. It has evolved over the last several

[*Kwasi Kwarteng*]

decades—20 or 30 years—and both of the parties that have shared government over that time have some responsibility for it.

There were two notable features of the period between 1997 and 2010 that have made the problem more acute. First, there was a huge increase in house prices. We only need to look at a place such as Spelthorne, let alone London itself, to see that there was a huge accretion of wealth. Asset prices went through the roof and the Labour Government of the time were relatively happy about that. One of their Ministers said that he was quite happy and relaxed about people being “filthy rich”—I think that that was the phrase used. So there was a boom-time atmosphere that increased asset prices.

The other thing that happened was that we had lots of net immigration. I know that it is not very fashionable to say that but clearly house prices have something to do with demand, and demand for housing has something to do with population increases. That is something that we should be honest about in this House. A Government looking at the problem will try to build more houses, and that is exactly what Her Majesty's Government are trying to do. There is a commitment to expand the supply so that house prices will not increase in the way that they have done in the recent past, and that is to be welcomed.

The abolition of stamp duty for first-time buyers is also a very good thing. It is an excellent policy, yet I remember that, when the Chancellor announced it at the Dispatch Box, there was a howl of protest from Opposition Members. I think that someone rather resourcefully looked at the Red Book and suggested that prices would increase by 0.3%, ignoring the fact that the abolition of the stamp duty represented way more than that in terms of the help it gave. They said that that was a critical point which meant that it was a failing policy.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I would ordinarily want to agree with the hon. Gentleman, but if I did so on this, we would both be wrong. He is talking about the abolition of stamp duty, but in my constituency the number of properties available to first-time buyers at between £200,000 and £400,000 is almost nil, so the policy is of very little benefit to my constituents. It is a subsidy for London and the south-east at the expense of the north and the west midlands.

Kwasi Kwarteng: If the hon. Gentleman had been paying attention to my speech, he would have heard me say that this was a highly localised problem. I made it clear that the position with pricing was acutely felt in constituencies such as mine. I cannot speak for his constituency, but in the context of the south-east, my constituents tell me that the abolition has been very welcome.

Mr Jayawardena: As my hon. Friend says, the abolition has had a demonstrable impact on first-time buyers. That has certainly been the case in North East Hampshire. Does he agree, however, that more work is required to help second-steppers who are looking to move up the housing ladder?

Kwasi Kwarteng: I fully agree with my hon. Friend's sentiments.

The abolition of stamp duty for first-time buyers was an example of the Government trying to help people—perhaps not in the constituency of the hon. Member for Stoke-on-Trent Central (Gareth Snell), but certainly in constituencies such as mine—and it was widely appreciated. People were very happy to hear that that was what the Government had done.

On the subject of leasehold, I happen to share many of the sentiments that have been expressed today. The property law relating to leasehold is extremely complicated. Anecdotally, I know that, in the part of north-west London where my parents live, for example, flats with 125-year leases are being sold for huge amounts of money. Obviously, the value of those properties will decrease substantially as the lease runs out, and there is clearly a sense that developers are using leasehold law to rig the system for their own benefit. We should absolutely be looking at that and trying to stop it happening.

I am sorry to see that my hon. Friend the Member for Gravesham (Adam Holloway) is no longer in his place. He made a brave speech earlier, in which he rightly distinguished between homelessness and the housing problem and the more particular problem of rough sleeping, which he rightly suggested was a much more individuated problem than is often suggested. Unlike many people in this House, he has actually experienced rough sleeping. I remember the initial programme that he did 27 years ago—[*Interruption.*] Well, he has been out on the street. That is more than I have done, and I suggest that it is more than most Opposition Members have done as well. They may mock and ridicule him, but he has actually made that step. He made some very pertinent remarks about the nature of rough sleeping, and he spoke particularly about drug addiction and alcoholism. The social problems associated with rough sleeping should not be used to obscure the wider problems of access to property and of rising prices keeping younger people out of the property market.

5.59 pm

Laura Smith (Crewe and Nantwich) (Lab): I wonder how many of us here have experienced living in a home that is not fit for purpose and its damaging impact on a person's physical and mental health. How many of us here have had to struggle to scrape together agency fees, find a deposit to put down on a rental property and find the first month's rent, while still paying all the other basic bills, paying for essentials for the family and dealing with the added constant pressure of thinking about how ever to come out of the cycle of renting rather than owning a property? Countless times, well-meaning people have advised me, as a non-homeowner, that renting is throwing money away and that I really ought to save for a deposit on my own property. I think I can speak for most private renters when I say that, of course, that is everyone's preferred route, but it is increasingly unlikely to happen because of the cost of living compared with income.

People who rent are faced with significant up-front costs and often very short tenures, and they have to pay more fees and find large deposits every time they move. Young people in particular have to move more often and, in England, the length of a let is so short that they face those up-front costs time and again.

Then there is the real problem of what the rented property is like. A home should not damage someone's health, but we know that housing conditions can affect

a resident's health and wellbeing in the most appalling ways. Housing conditions such as cold and damp can affect health, as can factors such as the accessibility of the home. One estimate put the cost of poor housing to the NHS at £1.4 billion a year in England. With a growing private rented sector in England and Wales, that cost is likely to increase.

Do not get me wrong: several million people live relatively happily in rented homes, but a substantial minority do not. Some 756,000 households live in privately rented properties that are likely to cause residents to need medical attention.

Since becoming an MP, I have witnessed at first hand the poor conditions that some people are living in. In the worst properties, you can smell the problems before you see them. Damp and cold have a distinctive smell. Working taxpayers in my constituency are paying private landlords for families to live in homes where the state of disrepair is jaw dropping: cupboards lined with black mould; broken and dangerous appliances—it is simply not good enough.

I want to speak briefly about homelessness. It is important to recognise that the rise in homelessness can be traced directly to decisions that the Tories have taken since 2010, despite their keenness to ignore and deny that. There have been 13 separate cuts to housing benefit since 2010, including the bedroom tax and breaking the link between private rented sector housing benefit and private rent. In addition, the National Audit Office has revealed that vital funding for homelessness services has fallen by 69% since 2010.

I am of the opinion that a home is a right, that a home should be comfortable and in no way damage a person's health, and that people should be able to stay in the area where they were born if they want to do that.

Anneliese Dodds (Oxford East) (Lab/Co-op): When my hon. Friend says that housing is a right and particularly that it is a right not to live in damp housing, does she agree that, thanks to the efforts of a Labour Member, tenants can now take their landlord to court, but they need legal support to do that?

Laura Smith: Absolutely. My hon. Friend makes a very good point.

I am of the opinion that someone should be able to aspire to buy a property; that good-quality council housing should be available to those who require it; and that those who rent out properties have an obligation to look after them and the welfare of those they are making money out of. Finally, I am of the opinion that the only way that the housing and homelessness crisis in this country can be solved is by getting rid of this out-of-touch Conservative Government.

6.4 pm

Gillian Keegan (Chichester) (Con): It is a pleasure to follow the hon. Member for Crewe and Nantwich (Laura Smith).

During the recent Public Accounts Committee inquiry into homelessness I, like many, was surprised to discover the large number of people who, although they are not technically classed as homeless, are living in temporary accommodation. More than 77,000 families are housed in temporary accommodation, which has a negative

impact both on those living in often substandard accommodation and on the councils that pay to provide it.

Children living in temporary housing for long periods miss, on average, 55 days of school a year, which can have a devastating effect on their academic attainment. Not only that, temporary accommodation is the single largest item of councils' homelessness expenditure, costing around £1 billion a year.

Despite more money being provided to tackle this issue, rising accommodation costs are affecting other areas of homelessness funding, leaving spending on prevention, administration and support down by 9% in real terms between 2010 and 2016. Ironically, to break the cycle and reduce costly demands, prevention action is key but, as most of the money is spent on lose-lose temporary accommodation, it is the ultimate Catch-22.

That is why the Homelessness Reduction Act 2017 and the funding to which the Minister has committed are vital and will provide a shift in policy, focusing on prevention and ensuring that everyone who is homeless, or threatened with homelessness, will be able to get advice and support from their local authority. I am pleased that, in my area, Chichester District Council has already taken the initiative and appointed a dedicated homelessness officer to support those who are in this situation or at risk of needing temporary accommodation.

In the near term, building more houses is the only solution. The shortfall in housing stock has created price inflation, meaning that, nationally, house prices are nearly eight times annual earnings, but that is not uniform across the country. In areas such as Chichester, for example, house prices are more than 12 times annual earnings, pricing many young people and those on average salaries out of the market. That represents a dramatic change, considering that house prices were four times average earnings when many of us were buying our first home.

The ratio is still the same in some areas. Where I grew up, in Knowsley, house prices are still just over four times the average salary, which explains why many of my young cousins, with their partners, can still afford to buy their first home in their 20s. An affordable home in Chichester is currently categorised as 80% of the market rate. With an entry price of more than £300,000, Members can do the maths and see the problem. In expensive, high-priced areas, renting, let alone buying, a home without help is impossible. We therefore need genuinely affordable housing, such as social housing, to be prioritised in more expensive areas.

The Government's estimated 25,000 social-rent homes to be delivered over the coming five years is a step in the right direction. However, we must make sure those homes are in the right places, where there is the highest need. In Chichester we should be more ambitious on social housing development, rather than expecting market drivers alone to rebalance the housing market.

Both my parents and my grandparents grew up in council houses, which was the only route available for them to be able to afford a family home, and many people across my constituency need the same. To get to grips with our housing and homelessness problem we need to encourage the building of genuinely affordable homes in Chichester. We must continue to be innovative

[Gillian Keegan]

to get the right amount of the right type of housing in the right areas to continue the dream of home ownership for all.

6.8 pm

Anneliese Dodds (Oxford East) (Lab/Co-op): Oxford is now the least affordable place in Britain to buy a home, with the average home costing 16 times average salaries. Rents have rocketed, and we now have up to 60 people rough sleeping on our streets of a night. That has happened despite huge local efforts to improve the situation.

At least half of new developments in Oxford must be affordable housing, of which 80% must be at social rents. We have one of the strictest regimes in the country for landlord registration. The council is establishing a new local housing company and is investing to ensure that our council homes are of a decent standard, and we have retained full council tax relief for low-income families, despite Government cuts.

Even with that local effort, rents and purchase prices are massively out of reach for many. The lack of affordable rental properties, as well as three other factors, is fuelling our rough-sleeping crisis. The hon. Member for Spelthorne (Kwasi Kwarteng) referred to this, and my estimation of the other factors driving this has not been plucked out of the air; it comes from my discussions with professionals, many of them former rough sleepers, who know what is driving the massive increase in Oxford from a time when on some evenings we would have not a single person sleeping rough. Now up to 60 people sleep on our streets on some evenings. The three factors that have driven that, in addition to the lack of affordable housing, are: benefit cuts and freezes; cuts to hostel funding by our county council, as a result of central Government cuts; and cuts to support services in mental health and in addiction services.

Despite that, we are trying to do what we can as a city to improve the situation: we have 180 beds now for rough sleepers in Oxford, with more coming next year; we have a new specialist hostel being set up in Cowley; and we had innovative joint working between our churches and our rough sleeping services over the winter to try to unlock additional places. However, all of that has been against the grain of wrong-headed Government policies, which are stopping my city from being a city for everyone, which it always has been until now. It is becoming a place where people can get on and be secure only if they are wealthy, particularly if they have housing wealth.

It is estimated that another 25,000 homes need to be built by 2031 to keep up with demand in my city. That is an incredibly tall order, given the green belt around Oxford, which is no longer suited to our population's needs. The Secretary of State suggested that the response was just to build on brownfield land or to build up, but there is not a lot of brownfield left in my city. Although we are increasing the density of housing in my city, I would like Members who have children to reflect on whether we have gardens for our homes and whether anyone here lives in a highly dense area, for example, a tower block, with their children and without a garden. There may well be, but I do not imagine there are very many Members who do, and if it is good enough for us,

it should be good enough for our constituents and we should provide them with a decent place to live, particularly for their families.

Meeting current demand is also unachievable given the woefully low levels of public investment in housing, which was described ably by my right hon. Friend the Member for Wentworth and Dearne (John Healey). That is compounded by foolish policies such as the changes to right to buy, which have made it harder for councils to build and, thus, further pushed up private rents.

The Secretary of State is no longer here, but I wish to finish my speech by inviting him to come to my city so that he can talk to those families in need. He will be able to talk to the overcrowded families—those whose children are sharing tiny bedrooms—and to those people sleeping on the streets to find out from them what needs to change.

6.12 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to follow the hon. Member for Oxford East (Anneliese Dodds), who made a considered contribution to the debate. I thank Members from across the House for their appreciation for my Homelessness Reduction Act 2017, which has as its centre the aim of reducing the number of people becoming homeless in the first place. Prevention is clearly better than cure, but we have to face up to the fact that, although we can attempt to intervene and to prevent people from becoming homeless, we have to build more homes across the piece that are affordable for people to rent and to buy. That means we have to be radical in our thoughts. The Secretary of State set out a range of things that can be done, but we know that some things need to be done straightaway. He rightly mentioned the Housing First pilots, which I strongly support. However, there are only three pilots, in three parts of the country, whereas this is a nationwide problem. So when my hon. Friend the Minister for Housing answers this debate, I look forward to hearing him say how quickly we will roll out the lessons from the pilots right across the country, so that rough sleepers in other parts of the country can gain the benefit of Housing First, because that is key.

One challenge we face is the unaffordability of housing. One point I lobbied strongly for in the last Budget, and which, I am pleased to say, the Chancellor acceded to, was funding for a national rental deposit scheme and help-to-rent projects. We are yet to hear from the Department as to the various different options that will be rolled out on that. Helping people to rent and providing the deposit would enable 30,000 families to secure their own home, because the one thing they cannot do is raise the deposit to start paying the rent and have a home of their own. We need to be in a position whereby we encourage that process.

Across the piece we are paying out £1.7 billion a year to fund temporary accommodation in this country, and people are in temporary accommodation literally for years—that cannot be acceptable.

We see the price of housing to buy escalating and rents escalating, too. We have to be radical in our thought processes as to how we deal with that. One of the biggest issues is the price of land in the first place. The cheapest land is agricultural land. Speculators move in and get options on that land. When planning permission is granted for alternative uses, the price of that land

suddenly escalates. Those people then sell the land on and make money on those options. That cannot be acceptable. We see other challenges in retail or commercial land being transferred to the housing usage class, and there suddenly being a dramatic increase in the land value.

We have to take the land value out of the price of housing in the first place, to reduce the cost of people owning their own homes or, indeed, renting a home. At the same time, we force local authorities to sell their land to the highest bidder, and when they do so, the price of the housing built on that land comes back in the form of a huge housing benefit bill when people rent that housing. We have to close the gap and take the value of the land out of the equation completely.

Older people are now going to be renting well into their retirement—

Mr Bacon: Given that housing benefit, which my hon. Friend just mentioned, takes up 3% of public expenditure and costs some £26 billion every year—it has cost £363 billion, more than a third of trillion, in the past 20 years—would he like to see more of that money going into the creation of new dwellings for ordinary people at prices they can afford, rather than enriching more private landlords?

Bob Blackman: Yes; my hon. Friend anticipates where I was going. We should tell local authorities, and all other public sector bodies, to gain planning permission for homes to be built on their properties. Instead of paying out huge amounts of housing benefit, we should compensate the public bodies directly from the Treasury for the value of that land, which can then be used for public services. We should then ensure that the rents and prices in the properties built are commensurate with the cost of building those properties, over an extended period of time. Once people have been tenants for 10 years, we should give them the right to buy those properties at the price they were 10 years prior, and then reinvest that money into further new housing. I am a great supporter of the right to buy, but one challenge that we face with it is that we need to invest its proceeds in building new housing.

Those are some of the radical solutions; I cannot do them justice in four minutes, but I hope that we can get some answers from my hon. Friend the Minister for Housing. Finally, may I draw the House's attention to my entry in the Register of Members' Financial Interests?

6.17 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): It is a delight to follow the hon. Member for Harrow East (Bob Blackman), who had many very good ideas, but we have to talk about the green belt in London. There is enough land to build a million homes that are 10 minutes from tube and train stations and an hour's journey away.

What is the green belt? What is the land that I am talking about? Is it nice, pleasant and green—somewhere we would wish to spend the day with our families? No. I spent my bank holiday going around and looking at some of these sites. I started over in Hillingdon, where I saw an illegal waste tip and stood on 20 feet of rubble that could be land on which we could build 3,500 new homes. I went along the A40 to Ealing, where I saw, close to a mosque, two schools and a train station, a site

covered with building rubble and surrounded by chain-link fencing. I then went to the *pièce de résistance*: a tyre-changing shop and car valeting service at Tottenham Hale, where a housing association had had its application for housing turned down because it was green belt.

At some point, we have to stop being frightened of the title and inspect what land makes up this designation. I do not want to build on a park that children use, or on rolling green fields that people enjoy on their bank holidays, but I do want to build on scrappy bits of land that nobody in their right mind would choose to regard as green belt.

Mr Bacon: Well said. Carry on.

Siobhain McDonagh: I would love to, but I do not want to stop anyone from speaking.

I ask hon. Members from all parties to support my early-day motion on this issue and to support the contribution that we have made to the consultation on the national planning policy framework, which has Members from both sides of this House, academics, housing associations and businesses saying, "Yes, stop it. Please look at the green belt." We cannot keep talking about building more homes unless we have the means and the land to provide them, and we do, if only we all got a backbone and started looking at what we call the green belt.

6.20 pm

Jack Brereton (Stoke-on-Trent South) (Con): I welcome this debate, and I am glad that the Government have made housing a key priority in this Parliament.

Much has been made of the affordability of houses. Although I recognise that a lack of housing supply and the unaffordability of housing for individuals and families are problems in many parts of the country, it is important that the policies implemented to solve them also take into account the situation in areas that experience low values.

My constituency of Stoke-on-Trent South, and indeed the whole city, poses a number of housing challenges, which often contrast with the national picture. A largely industrial city, Stoke-on-Trent is characterised by an abundance of Victorian terraced stock and a large number of undeveloped brownfield sites. Consequently, the local housing situation can be labelled "low value". We have, for instance, the second-highest number of properties in council tax bands A to D.

Such a low-value market creates its own problems of viability. There is little incentive for developers to consider brownfield sites, as the remediation costs coupled with the low eventual sell-on prices render most schemes unprofitable. Even the restoration of existing terraced stock, or the conversion of empty commercial properties to residential, is a challenge. In other areas, developers may land bank to generate excess profits at the expense of local housing supply. Unfortunately, in Stoke-on-Trent, land banking can often be the harsh reality that we face of land owners simply trying to avoid excessive losses. Of course, in many cases, profits are a matter of subjectivity, but where we have sites that fall into negative equity from the costs of redevelopment there does need to be some incentivisation.

[Jack Brereton]

A further potentially unseen consequence of persistent low-value markets is the lack of contribution that can be demanded of developers to aid infrastructure development to support planned and future building works. The community infrastructure levy, for instance, is a much simpler way to raise such funds when compared with the complexity of section 106 agreements, but is often not suitable for low-value markets, only further suppressing marginal viability. Indeed, there has been a far lower take-up rate of the CIF within lower-value areas.

I welcome the measures that the Government have already taken to address some of these issues, including the £3 billion home building fund, the £3.5 billion private rented sector guarantee scheme and the £2.3 billion housing infrastructure fund. The latter has already made a difference, with £10 million of marginal viability funding from the housing infrastructure fund awarded to the city.

In 2015, Stoke-on-Trent City Council secured housing zone status, making it one of 20 pioneer authorities outside London. The council has also recently established Fortior Homes, a wholly owned company, in which it will initially invest £50 million to act as that catalyst for development, as well as stimulating the market, particularly in the PRS sector. I hope that Fenton town centre will see those developments coming forward in the very near future. What this recognises is that specific housing products within a market can be untested, and despite high potential demand there can be an unwillingness by private investors to take the risk of that first step—having the confidence to invest.

We also see demand for a range of different types of living. Yes, we need housing that people can afford, but we also need more family homes, more homes for the elderly, more tenures that have the flexibility of PRS and more executive homes for people to grow into. We have started to see those executive homes—I was very pleased to open the final phase of Wedgewood Park recently—but it is crucial that we do not lose sight of the unique and sometimes contrasting challenges in housing markets in low-value areas such as Stoke-on-Trent.

6.24 pm

Rachael Maskell (York Central) (Lab/Co-op): I will focus on York's local plan during the short time I have to speak. We do not yet have a local plan, but it will be debated at full council on Thursday.

Although the Government's planning and housing policies are clearly not delivering what is needed in our communities, I believe that City of York Council should at least try to follow what the Government have set out, rather than detracting from the figures with smoke and mirrors. Allow me to focus on those figures. The planning process requires 1,070 homes to be built, yet the council's submission will only include plans for 867 homes. In fact, the NPPF for 2018 demands 1,135 homes, so York is 268 homes short. The former Secretary of State wrote to the council's leadership about this. However, the council is determined to submit its plan with inadequate provision. This will clearly not address the real housing crisis in York, which has already been eloquently described by my hon. Friend the Member for Oxford East

(Anneliese Dodds), as York is a mini Oxford in so many respects, and it is absolutely essential that our city has the housing that it needs.

I want the Minister to focus on these points. Over the past five years, 1,458 student housing units and 2,737 flats and town houses—mainly exclusive, luxury apartments—have been built in York, only 5% of which are affordable according to the Government's own definition. They are therefore completely inaccessible to my constituents. Seven residential care homes have also closed, with only 27 replacement units, in a city with an ageing demographic. Since I have been elected to this place over the past three years, zero social housing has been commissioned in the city, even though we have a housing crisis and just 73 houses were sold under right to buy in the last year.

York is not an affordable city by any stretch of the imagination, and we are seeing an escalation of the crisis. That is why I need the Minister to focus on the local plan, which will be landing on his desk any day now. He also needs to look at the wider context of the local plan, including transport. Our city is suffocating under the air pollution caused by gridlock, yet high-density housing is being built in the heart of the city. Yes, we want to see the development of brownfield sites, but it will just add to the traffic crisis. The local plan that will soon be submitted relies on old data, not the most recent data, so it will not set out the real scale of the crisis.

When the Minister receives the local plan, which will go to the inspectors, will he ensure that all people in the local community are involved in the next phase? It is clear that the Government will have to intervene in the submission. It is therefore really important to listen to the expertise that has built up regarding what is actually needed for our city for the sake of the local economy and for our public services, which are unable to recruit the vital staff that they need. Of course, we also need to ensure that we have a transport system that is built for the future.

As we all know, York is an amazing city, but there are many people in crisis. The housing crisis means that there has been a sharp rise in homelessness in the city, and there are people with complex housing needs. This situation needs to be addressed. I trust that the Minister will say in his response that he will give the issue his attention from today.

6.28 pm

James Cartlidge (South Suffolk) (Con): It is a pleasure to follow the hon. Member for York Central (Rachael Maskell).

Instead of looking at the broader policy, I will focus on a specific constituency case. Although planning is generally the key responsibility of the planning authority—in my case, Babergh District Council in South Suffolk—this is an issue for Parliament because it concerns a loophole in retrospective planning that has caused great distress to my constituents Clare and James Frewin of the village of Bures St Mary. I was councillor for Bures St Mary before I became an MP in 2015, and the last planning application that came before me—to which I objected—was an application to build six houses on a former slaughterhouse behind the Frewins' grade II listed property on a very steep hill in the village of Bures.

As the development has gone on, it has become very clear that these properties, which are built just behind the my constituents' back garden, are far higher than was given permission for. In fact, in January this year, the developer himself, Mr Steve Dixon of the Stemar Group from Southend, confirmed that there was a height difference of at least 1.7 metres. My constituents then commissioned an independent survey from Randall Surveys LLP, which found that the height difference was in fact 2.6 metres. That is the same as one floor of an entire residential property. Imagine, Mr Speaker, that someone is building a house behind your back garden, where your family enjoy their time, that is almost 3 metres taller than they were given planning permission for.

The key thing is that all we can do in this situation is ask the council to request that the developer seek retrospective planning permission. It is true that in theory the council could put a stop notice on the development, but the problem there is that if the developer gets planning permission, they can sue for any damages resulting from the stop notice. Obviously, therefore, the council is very reluctant to use it.

In this case, the real problem is that the developer in question simply does not give a damn about my constituents. In fact, he has been extremely aggressive with them. He has trespassed on the Frewins' property. He has told Clare Frewin—this was overheard by another constituent—"If you had as much money as me, you would not live around here," and he described the village as "scum". Actually, Bures is a very beautiful village on the Suffolk-Essex borders, so I do not know what this builder from Southend understands by beauty. Imagine being in my constituents' shoes, Mr Speaker. They have this development behind them that they did not want. They have to accept that it has been approved. It is being built far higher than the builder was given permission for, and he just carries on building it. He ignores all their concerns. He does not engage with the local community but rides roughshod over them.

We in Parliament have not given the district authority the right powers to deal with that, because it can itself be liable to legal action. I would like to see some kind of review of retrospective planning permission, so that where the developer is clearly causing detriment against the public interest, a stop notice can be issued. It could be appealed against, but whether it was upheld or even rejected, the builder would not have the right then to sue the council for damages, because it had acted in the public interest.

This case has caused great dismay in Bures and across South Suffolk. The impression given is that the system is weighted firmly in favour of the developer, who cares not a jot for my constituents. I want a system that better represents my constituents, so that they are not subject to people riding roughshod over them with planning permission they have been legally given. Instead, we should have a system that is weighted fairly between both sides of the argument.

6.32 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): It is a pleasure to follow the hon. Member for South Suffolk (James Cartlidge).

I want to focus my comments on private rented accommodation and fairness. We all know that there are many fantastic private landlords out there across the country who offer a high-quality service for the people living in their accommodation, but we also know that there are many who do not. The issue of fairness concerns who pays to regulate this sector. Who foots the bill for dealing with some of the problems that are identified? We have all, I am sure, had constituents come to us and say that they have had problems with their accommodation. One of my constituents came to me with her baby who was suffering terribly from asthma because of the damp in her private rented accommodation. I spoke to Hull City Council's housing team, whose fantastic housing manager, Dave Richmond, dealt with the case and the landlords had to resolve the problem.

But what about all the people who do not go and see their Member of Parliament? What about all those to whom it would not even occur that they could go to their MP and they could help them to deal with the issue? Who goes to check that private rented accommodation is of a high standard? I have had this conversation with Hull City Council. I am sure that it would love to be able to go out there and check that some of the accommodation that people are living in meets the standard that it should, but who pays the bill? People who live in Hull are paying their council tax to deal with problems that are caused by private rented accommodation and private landlords. Can anyone name me another type of private organisation where the general taxpayer foots the bill to deal with problems created in its own industry?

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My hon. Friend is making a powerful speech. Does she agree that that is why selective licensing schemes, which allow private landlords to be charged for some of that enforcement, are important? Does she share my bemusement and even frustration that the Minister has still not signed off numerous selective licensing applications, including mine in Brighton and Hove? The Government have been sitting on those for months now, and we are still not able to move forward in many of our cities where councils want to do exactly what she says.

Emma Hardy: I thank my hon. Friend for that contribution. That is exactly the point that I wish to make.

The Ministry's data shows that in Kingston upon Hull there were a total of 22,132 properties in the local authority area with a housing health and social care rating category 1 hazard—all of them in the private rented sector. A category 1 hazard is one that poses a serious threat to the health or safety of people living in or visiting a home. It is estimated that the cost to the council of dealing with all those issues would run to £23.5 million. Surely that bill should not have to be footed by the people who live and pay their council tax in Hull.

I absolutely agree that there should be a local licensing system whereby those who own private rented accommodation make a contribution to the regulation and maintenance of some of their properties. That is the only fair way to do it. I am calling on the Ministry to make it easier for local councils such as Hull City Council to introduce landlord licensing, so that they

[Emma Hardy]

can check that all these people living in private rented accommodation are not living somewhere that is a hazard to their health.

6.36 pm

Mary Robinson (Cheadle) (Con): It is a pleasure to follow the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy).

Planning and housing are hot topics in my area, as neighbourhood plans, the Stockport Metropolitan Borough Council plan and the Greater Manchester spatial framework are all currently being worked up, and people are rightly focused on the need for brownfield use and green-belt protection.

I welcome the Minister's comments on the importance of green-belt protection. The Campaign to Protect Rural England recently launched its "State of Brownfield 2018" report to highlight and reinforce that very issue. It analysed the potential use of brownfield land to address our housing shortage and its findings were quite stark. An examination of the recently published brownfield registers from across the UK found that there is enough space on brownfield land to build at least 1 million new homes, with more than two thirds of those homes deliverable within the next five years. That would mean that three of the next five years-worth of Government housing targets could be met through building homes on brownfield land that has already been identified, thereby easing pressures on councils to release green-belt land unnecessarily and preventing the unremitting creeping loss of countryside. Local authorities must be empowered and use powers to refuse planning permission for greenfield sites where there are suitable alternatives on brownfield land.

The draft Greater Manchester spatial framework was published in 2016 but was widely criticised for focusing too little on brownfield land and too much on development on the green belt. Indeed, Andy Burnham, the Mayor of Greater Manchester, was elected a year ago pledging to "radically rewrite" the framework and promising a "substantial reduction" in the loss of green-belt land. Currently across my borough of Stockport, more than 12,000 homes are proposed on green-belt land. Shockingly, 8,100 of those—67%—are planned on the green belt in my constituency of Cheadle. I look forward to a radically reformed proposal.

Greater Manchester has 1,000 hectares of underdeveloped brownfield land across 400 sites that has not been earmarked for use. That is enough land to build 55,000 homes. The revised spatial framework is an opportunity to further redevelop our major town centres, and we should be radical in our approach. We need a more ambitious attitude if we are to ensure that our town centres benefit from the investment generated by urban regeneration schemes.

We also need to see more co-operation between local authorities. I was encouraged when that was reflected in the Localism Act 2011 and reinforced by the Secretary of State last autumn, with the introduction of a requirement for local authorities to publish a statement of common ground. Councils already have a duty to co-operate with bordering authorities, as set out in the Localism Act. However, under the new proposals, they will have 12 months to set out how they are working cross-county to meet their local housing needs.

This issue is particularly pertinent to my constituency because, as I have already mentioned, the number of houses proposed to be built on the green belt is considerably high. Stockport Council, for example, has argued that, by calculating housing need at the Greater Manchester level, over a 20-year period, 18,720 fewer homes could be built on the green belt than under GMSF and 5,680 fewer than under the current national methodology.

In my constituency, the strength of feeling is a concern and most evident in the activities of local neighbourhood groups. I very much want to mention the Woodford neighbourhood forum, which was set up in October 2013. The people who are part of the forum have worked unremittingly hard on their local plan and I urge the Minister to listen to local voices as he takes this policy forward.

Mr Speaker: Thank you very much.

6.40 pm

Melanie Onn (Great Grimsby) (Lab): I thank everybody who has participated in the debate. We have heard some incredibly thoughtful, welcome and, in some cases, unexpectedly radical contributions. That drives home just how important an issue housing is up and down the country.

However, we have a Government who have failed to do anything over the past eight years to help those who are suffering in this housing crisis. Speeches by Members on both sides of the House have given a glimpse of how across the board the Government are failing. Whether it is statutory homelessness, social house building, rough sleeping, home ownership or the proliferation of temporary accommodation, there is not a sector that has not suffered as a result of eight years of austerity.

To give one example, rough sleeping has increased by 169% since 2010. Crisis predicts that, without substantial changes in Government policy, it will increase by a further 76% in the next 10 years. I cannot be alone in being alarmed by the fact, as the hon. Member for Chichester (Gillian Keegan) said, that children in temporary accommodation lose out on 55 days of school on average. I think that we should all have a great sense of urgency about tackling this issue, rather than waiting for 2022 or 2027 to get to the heart of tackling it.

The Under-Secretary of State for Housing, Communities and Local Government, the hon. Member for South Derbyshire (Mrs Wheeler), who has responsibility for housing and homelessness, has said that she does not know why rough sleeping is going up. Perhaps she should listen to the 70% of councils that said that they had difficulty finding social housing for the homeless. Even worse, almost 90% of councils have said that they have struggled to find private rented accommodation.

I welcome the Homelessness Reduction Act 2017, which was driven through by the hon. Member for Harrow East (Bob Blackman). It has huge promise, but we know that the resources that will be delivered to local authorities, which are expected to deliver on every element of the Act, will not match those demands. Schemes such as Housing First are a drop in the ocean compared with the losses of the supported people funding, which the Conservative Government decided to cut.

All of that is no surprise. We know that social house building is hitting historic lows under this Government. In the last year, during the now Home Secretary's time

at the MHCLG, £817 million was handed back to the Treasury that was meant to be used to build affordable homes and support local authorities. That is simply unacceptable. Where private house builders are building, the Government have been slow to close regulatory loopholes that harm consumers.

We heard from my hon. Friends the Members for Garston and Halewood (Maria Eagle) and for Ellesmere Port and Neston (Justin Madders) about the issues in their constituencies. Sixty-nine per cent. of new build properties in the north-west are being sold as leasehold, and that figure is higher than anywhere else in the country. I am sure the constituents of my hon. Friend the Member for Garston and Halewood in Gateacre Park and Cressington Heath will be delighted to hear that their MP is so active on their issues. The fact is that 999-year leases are being given out and maintenance charges continue in that period. That will be incredibly prohibitive. There are charges up to 20 times the ground rent to purchase the leasehold. People have been misled and exploited, and there are clearly issues with covenants in transfer documents. The House must give its attention to those issues when leaseholds are discussed, as I hope they will be later in the summer.

My hon. Friend the Member for Ellesmere Port and Neston was absolutely right to call these “fleeceholds.” He said that his constituents were unable to move up the ladder because the leaseholds were far too restrictive. I have seen the same in my own constituency. Constituents in Cambridge Park and Limber Court are in retirement villages, on fixed incomes, and they cannot sell their properties. We also have to think about what we can do retrospectively to try to deal with legacy issues when it comes to people selling leaseholds to freeholders who simply want to make as much money as possible out of people. The Government are taking action on the issue, which I welcome, but we have to make sure that we tackle the issues that have been brought to the House this afternoon. To be laid back in any way about this matter would not be acceptable to any of our constituents.

If the Government turned around tomorrow with the money and regulation changes required to seriously start to challenge the housing crisis, that still would not be enough. House building itself faces a crisis, with skills in the building industry in seriously short supply. The Federation of Master Builders warned earlier this year that small and medium-sized house builders are facing the worst skills shortage on record. Demand for carpenters, bricklayers, plumbers, electricians and plasterers is outstripping supply. Two thirds of construction SMEs are struggling to recruit bricklayers. Who will build the 300,000 houses the Government say they want to build?

Then there is the £250 million that has been put into a flagship Government scheme to boost starter home constructions: it has not led to a single property being built. What a betrayal of young Britons who are struggling to buy that all important first home! I commend my hon. Friend the Member for Reading East (Matt Rodda) for his work standing up for young people in his constituency. He says that the wrong kind of housing for local people is being built. It is too expensive. He urges the proper use of brownfield sites, and I hope the Minister has listened. That is a snapshot of the situation across the country.

I turn briefly to the speech made by my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick). It is telling that there are 25,000 people on the council waiting list in his constituency. The number of social homes being built has collapsed. The idea that affordable rents should be 80% of market rents means that in reality they are anything but affordable for his constituents. He was absolutely right to raise that issue. The private rented sector is therefore often the only option available. Perversely, one of the leading causes of homelessness is the end of an assured shorthold tenancy—the numbers have quadrupled since the Government came to power.

Rents are rising faster than incomes and there are 900,000 fewer homeowners among the under-45s. Renters are spending £9.6 billion a year on houses that the Government class as non-decent. My hon. Friends the Members for Crewe and Nantwich (Laura Smith), for Oxford East (Anneliese Dodds) and for York Central (Rachael Maskell) discussed really important points about the quality of private rented accommodation. Hopefully, the Homes (Fitness for Human Habitation and Liability for Housing Standards) Bill, which my hon. Friend the Member for Westminster North (Ms Buck) is promoting, will make its way through the House rapidly so that we can start to tackle properties that are simply not suitable for anyone to live in, impacting not only on people's physical health but on their mental health.

There are also the issues around tenant fees and the expenses of people in rented accommodation, who may not ever have the opportunity to be anything but renters. What can we do for those people? In Oxford East, someone has to earn 16 times the average salary to be able to own their own property. That is an extraordinary figure. It cannot be a city for ordinary people—all those who are “just about managing”, who the Government have spoken so regularly about. My hon. Friend the Member for York Central was clear that the provision of homes in her city was inadequate and that property there was too expensive. Only 5% of homes are affordable there—surely far beneath what the Government would expect.

We know that building affordable homes is a good investment. The Government currently spend 95% of their housing budget on benefits to support people in their homes. In the 1970s, over 80% of Government housing spending funded homes, with just a fifth spent on housing-related benefits.

I would just like to mention very quickly the contribution by my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), who was absolutely right as well as very brave to mention the classification of the green belt. Too often the assumption is that the green belt is a national park or an area of outstanding natural beauty and not, as she described, a tyre replacement plant.

Labour has a plan; the Government have empty words and eight years of failure. On every graph to measure housing failure, one can pinpoint clearly where Labour left office and when the Conservative party took charge.

6.50 pm

The Minister for Housing (Dominic Raab): I welcome all the contributions to the debate, those from across the aisle as well as from the Government Benches.

[Dominic Raab]

The Government are more determined than ever to make sure that this country is one where the dream of home ownership can become a reality for aspirational working Britain and where, at the same time, we address the challenge for generation rent, whether people are in the private or social sector. We delivered over 217,000 new homes to rent or buy in the last year alone, the highest in all but one of the past 30 years.

This must be the point of departure, not the point of arrival. We are ambitious to go much further, first through planning reform, including the revised draft national planning policy framework and reforms to developer contributions. That is fundamental to delivering the homes the country needs, and fundamental to ensuring they are the right homes built in the right places to the right quality. As my hon. Friend the Member for Southport (Damien Moore) argued clearly and cogently, density is a key part of that, which is why the NPPF says that local plans should significantly raise minimum densities in towns and cities, and on other land well-served by public transport. My hon. Friend the Member for Weston-super-Mare (John Penrose) spoke powerfully about the importance of this particular policy measure and I recognise that he wants the Government to go further. The hon. Member for Oxford East (Anneliese Dodds) spoke about the need to preserve garden space when we utilise density.

Planning reform also means giving greater weight to the need to put suitable brownfield land to good use. Arguments on that were made on both sides, including by the hon. Member for Reading East (Matt Rodda) and my hon. Friend the Member for Cheadle (Mary Robinson). As the shadow spokesperson said, the hon. Member for Mitcham and Morden (Siobhain McDonagh) gave us an iconoclastic blast at the prevailing consensus around green belt, which I will certainly reflect on. Under the revised NPPF, we will also hold local authorities to account through the new housing delivery test to make sure we have a stronger focus on getting homes built, because people cannot live in a planning permission. There can be no ducking or diving; councils must build the homes that their communities need.

We must also deliver the infrastructure to support house building, a point made by my hon. Friend the Member for Northampton South (Andrew Lewer) and the hon. Member for York Central (Rachael Maskell). People rightly ask, when they see a new development near them, will the roads be congested, will local schools have enough places and will it mean a longer wait to see their GP? We are investing £5 billion, so local authorities can secure vital infrastructure in areas where housing need is greatest. Through our marginal viability funding, and through the £4 billion from the latest tranche of Forward Funding, which goes to larger-scale projects, there is the potential to deliver 200,000 homes in relation to marginal viability and over 400,000 new homes from the Forward Funding pot. That is the way the Government will deliver more homes, while at the same time building the stronger communities we all want.

At the same time, we will not shrink from holding developers to their responsibilities. The most recent figures show that 684,000 homes with planning permissions granted have not yet been completed. That is far too

high. My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) is leading a review of the gap between the number of planning permissions granted and homes being built. He will make recommendations in the autumn for closing the gap. It will be important in addressing the concerns expressed so eloquently by my hon. Friends the Members for Poole (Sir Robert Syms) and for Stoke-on-Trent South (Jack Brereton). Where planning permission is granted, we believe it should be viewed more like a contract for delivery, not the start of an endless haggle that exhausts councils and frustrates local communities.

At the same time, we recognise that central Government have a lead role to play. We must lead by example. Releasing surplus public sector land has the potential to increase the supply of new homes and meet our ambitions. We are pressing all Whitehall Departments to release more sites, with the capacity to deliver 160,000 additional homes. Of course, that offers a special opportunity for us to provide more affordable housing for the teachers, nurses, veterans and all those key public sector workers who should be able to afford to live in the communities that they serve with such dedication.

Our mission is not just to build more homes, but to deliver housing that is available and affordable to everyone in our society, especially the most vulnerable. Strong speeches were made by hon. Members on both sides of the Chamber, including the hon. Member for Crewe and Nantwich (Laura Smith) and my hon. Friend the Member for Chichester (Gillian Keegan). The Government are committed to halving rough sleeping by 2022 and to eliminating it by 2027. We are backing that ambition with £1 billion of funding and with the Homelessness Reduction Act 2017, which has just come into force. I pay tribute to my hon. Friend the Member for Gravesham (Adam Holloway) for all his work in this area, and for having the guts and gumption to see what it is like at first hand and to look at the issue through the eyes of someone who is sleeping rough.

The Housing First pilots launched last week have put £28 million into helping those who are either sleeping rough now or who are at risk of rough sleeping. This aims not only to keep a roof over their heads but to help them to address the underlying challenges that lead to rough sleeping, from mental health problems to alcohol abuse. I welcome the support from the hon. Member for Paisley and Renfrewshire South (Mhairi Black) right the way across to my neighbour, my hon. Friend the Member for Spelthorne (Kwasi Kwarteng). It is also important to recognise the restlessness of my hon. Friend the Member for Harrow East (Bob Blackman) to go even further than those existing pilots, and that point was very powerfully made.

More broadly, 357,000 affordable homes have been delivered since 2010. More council houses have been built in the last eight years than in the whole period in office of the last Labour Government. Those are the facts. We believe that anybody who works hard and aspires to own their own home—

Maria Eagle: Will the Minister give way?

Dominic Raab: I will not, because I have such a short time, and I want to address all the points that hon. Members made on both sides of the House.

We believe that anybody who works hard and aspires to own their own home should have the opportunity to realise that dream. Right to buy has helped nearly 2 million to realise their aspiration to own their own home. I recognise that the shadow Housing Secretary, the right hon. Member for Wentworth and Dearne (John Healey), referred to the Labour party's Green Paper, which recently vowed to scrap right to buy—there was not a lot made of that in his speech. The public will note that while Labour's Front Benchers may enjoy owning their own cushy homes, they now oppose extending the same opportunity to those in our country for whom that is currently beyond reach. Government Members understand why people dream of owning their own home. That is why we will launch our £200 million pilot of the voluntary right to buy for housing associations in the west midlands. Only the Conservatives are serious about—

Maria Eagle: Will the Minister give way?

Dominic Raab: I will not. Only the Conservatives are serious about reviving the dream of home ownership and only the Conservatives have a credible plan to achieve it. Our Green Paper on social housing in England is a historic opportunity to address this crucial sector, from landlord-tenant relationships to, frankly, some of the ignorant and offensive stigma that too many social tenants suffer today. This Government—a Conservative Government—are dedicated to eradicating that prejudice, recognising the hard work that so many social tenants put in, valuing the pride that they take in their neighbourhoods, and restoring the respect and dignity that they deserve. We will publish that groundbreaking report before the summer recess. That is our mission: to reverse the decline in home ownership for the teachers, nurses, shift workers, couples working overtime up and down the country, and all those who dream of owning their own home.

Too many feel that the housing ladder has been pulled up beyond their reach. We must grasp the opportunity to right that wrong, to build the homes that Britain needs, whether to buy or to rent, to make them more affordable and to make the Conservative dream of a property-owning democracy a 21st-century reality for the next generation.

Question put and agreed to.

Resolved,

That this House has considered housing and homes.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

CONSUMER PROTECTION

That the draft Package Travel and Linked Travel Arrangements Regulations 2018, which were laid before this House on 16 April, be approved.—(*Wendy Morton.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft European Organization for Astronomical Research in the Southern Hemisphere and the European Space Agency (Immunities and Privileges) (Amendment) Order 2018, which was laid before this House on 29 March, be approved.—(*Wendy Morton.*)

Question agreed to.

PETITIONS

Royal Bank of Scotland closure in Kyle of Lochalsh

6.59 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): I rise to lodge a petition on behalf of those using the Royal Bank of Scotland branch in Kyle of Lochalsh, one of the 62 RBS branches in Scotland earmarked for closure. The news came as a bombshell to people living in that part of my constituency. If it closes, its customers will be approximately one hour from the next nearest RBS branch, in Portree. When RBS talked about closing the branch, it said, as it did of many others, that very few people were using it regularly. It stated a figure of 51 people. I have discovered that the branch actually has 2,436 customers and deals with 25,000 transactions a year—very different from the picture RBS has been painting. We also know from information published in the *Daily Record* yesterday that RBS is actively encouraging customers to sign up for the mobile app to move them away from using the branches that we need to save. I am delighted that Kyle has been given a reprieve until the end of the year, but I am calling on RBS to support the branch sufficiently to make sure it stays open.

The petition states:

The petition of residents of Ross, Skye & Lochaber,

Declares that the proposed closure of the following branches of the publicly-owned Royal Bank of Scotland in the areas of Kyle of Lochalsh, Beaulie & Mallaig, will have a detrimental effect on the 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.

[P002145]

NatWest Ferryhill

7.1 pm

Phil Wilson (Sedgefield) (Lab): I rise to present a petition against the closure of the NatWest branch in Ferryhill, which will leave it without any bank branches whatsoever. I would like to put on record my thanks to Hannah Smalley of Ferryhill, who helped to compile over 1,000 signatures in opposition to the closure.

The petition states:

The petition of residents of the United Kingdom,

Declares that NatWest Ferryhill is due to close on the 4th June 2018 and this will have a detrimental effect to the local community.

The petitioners therefore request that the House of Commons urges the Government to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of NatWest Ferryhill branch.

And the petitioners remain, etc.

[P002149]

Mr Speaker: Before we come to the Adjournment debate, in the light of its subject matter—the contribution of Arsène Wenger to the profile and performance of English football—it is pertinent, though sad that it is my duty, to report to the House the death this morning of the former Aston Villa and Bolton defender JIloyd Samuel. If Members are not aware, or if others present are not seized of this fact, I have to report that he died in a car crash. He was a Trinidad and Tobago international. He played 199 times for Aston Villa and no fewer than 83 times for Bolton. Tributes have been paid to JIloyd Samuel from across the world of football, and tonight we extend ours.

Arsène Wenger

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

7.4 pm

Huw Merriman (Bexhill and Battle) (Con): Arsène Wenger's extraordinary record and longevity over 22 years and 1,235 games is not the main reason why I initiated the debate, Mr Speaker, but given that both you and I are wearing Arsenal ties, I thought that perhaps I could deliver some of the highlights of his record. In his first season he rejuvenated a fading team with his new ideas, and he won the Premier League in the following season. He repeated that feat in 2001 and 2002, before making history in 2003 and 2004 with his "Invincibles" team, which went through the entire season unbeaten. I believe, Mr Speaker, that that will never be seen again.

Anna Turley (Redcar) (Lab/Co-op): Will the hon. Gentleman give way?

Huw Merriman: I have always had the greatest respect for the hon. Lady, but I now understand that she is an Arsenal fan, so my respect goes through the roof. I give way.

Anna Turley: I appreciate the hon. Gentleman's sentiment. My constituents would not forgive me if I did not remind him that during that "unbeaten" season, Arsenal did in fact lose to Middlesbrough in the Carling cup, although they were unbeaten in the Premier League. However, that season was absolutely incredible. I think there could be no better tribute to Arsène Wenger than the occasion when, during the "Invincibles" season, the Pompey fans at Fratton Park, despite having lost 5-1, were singing, "Can We Play You Every Week?". That, I think, is testament to how widely respected and how glorious the football was that was played in that "Invincibles" year.

Huw Merriman: The hon. Lady is spot on. She hedged her bets beautifully by referring to her local side as well. She is absolutely right. I remember taking my sister to see that side. I believe it was when we had put five past Wolves. I remember turning to her and saying, "This is probably as good as it gets." Sadly, that turned out to be the case, but at least I was there. I will reminisce a little more as we go on.

What I described earlier was, of course, the third Premier League crown, but Arsène Wenger also claimed seven FA cups, more than any other manager. While, sadly, the European Champions League eluded him—Arsenal were beaten finalists in 2006—qualifying for the Champions League in 19 successive seasons is another British record. That record would justify a debate in its own right, but it was Arsène Wenger's commitment to the core values of British sport and society that led me to apply for the debate.

Some have asked why I have time to hold a debate of this type when the trains do not work in my constituency. I say to them that we in Parliament have plenty of time during the day to talk about the things that do not work, or could work better—and as you know, Mr Speaker, I spend a lot of my time doing just that—but it is also important for us to celebrate success and the contributions that people make, not when they have left us and gone to the great stadium in the sky, but while they are still

with us. I hope that our constituents will connect with Parliament when it focuses on an activity that millions in this country enjoy. For them, it is not just a passion but a way of life.

Let me say, Mr Speaker, that you look resplendent in your Arsenal tie today. You are, of course, an enormous Arsenal fan. It was my good fortune to bump into you and to say that I was keen to hold this debate. I thought, for the reasons that I have outlined, that it would be fitting not only for me to apply for the debate, but for you to chair it. I am also delighted that the Sports Minister is with us. She is a Minister of many virtues. Her support for her football club is, sadly, the one stain on her great character: she is a Spurs fan. Sadly, there is no St Totteringham's day for Arsenal fans this year, as indeed was the case last year.

Mr Speaker: There is no cure for it.

Huw Merriman: There is indeed no cure for it, Mr Speaker. We can only hope.

I am delighted to be opening the debate. I want to focus on a number of contributions that Arsène Wenger has made in different spheres. First, I want to touch on his vast input in making the game the financial export that it is for this country. While it is true that we do not export as much as we once did, football is one of the industries that we export exceptionally well. I believe that it is the fastest-growing export across the globe. A recent study revealed that the annual revenue from Premier League clubs had hit almost £5 billion, double the combined total revenue from the leagues in Italy and Spain. Premier League clubs contributed £2.4 billion to the Exchequer, and are responsible for the creation of 100,000 jobs in this country. The strength of their appeal abroad is demonstrated not just by the £3.2 billion of rights sold overseas, but by what will happen in the next three years. China, for example, is bidding 14 times the previous value.

I observed the strength of this export last weekend, when I was in the small African country of Djibouti—the 14th poorest country in the globe, where there is terrible poverty. The young boys and girls whom I met were not only kicking a football around with great joy, but wearing the shirts of the premiership clubs more than those of any other league. In particular, they were wearing a lot of Arsenal strips. I was there with UNICEF, supporting Soccer Aid in the work it does in countries like Djibouti.

With his brand of attacking football, there was a tripling of our global fan base across the world, and I would argue that a large part of the success and the money that has been put into the Exchequer is down to Arsène Wenger. I am delighted that the Leader of the Opposition, another great Arsenal fan, has joined us, and I would be happy, if it is not against convention, to take an intervention from him.

Arsène Wenger has also contributed to the changing culture and behaviour within sport. It was put very well by one of our former players, and a great hero of mine, Ray Parlour, who revealed the full extent of the horror of the once notorious drinking culture at Arsenal in the following way:

“I'll always remember the first pre-season tour with Arsène Wenger. New French lads had come into the team. We worked our socks off and at the end of the trip Wenger said we could all

go out. We went straight down to the pub and the French lads went to the coffee shop. I'll always remember the moment Steve Bould went up to the bar and ordered 35 pints for five of us. After we left the bar”—

I am amazed he can still remember this—

“we spotted all the French lads in the coffee shop and they were sitting around smoking. I thought how are we going to win the league this year? We're all drunk and they're all smoking, and we ended up winning the double that year.”

Much of the reason for this end-of-season transformation is summed up by another Arsenal great, Lee Dixon, who said of Arsène Wenger:

“There is no doubt he changed the face of English football. He was the first. It was all him. His legacy is not only Arsenal based. It is English football-based because of where the game was when he came in and how clubs and players operated. The physiology side of the game, the social side, training—he came in and ripped up the handbook. Everybody said, ‘Who is this fella?’ and the next minute they were all copying him.

The advancements in terms of science and facilities and all the support available for elite athletes is testament to him. I truly believe he pushed the button to start all of that. It is easy to lose track of the fact he was the great innovator.”

And so he was.

The third point is how Arsène Wenger built our club in the modern era and balanced its books, rather than using the largesse of petrodollars and oligarchs to do so. In 2004, Arsenal not only won the third of Arsène Wenger's premiership titles but, as we have mentioned, went the entire season unbeaten. Never one to rest on their laurels, Arsène Wenger and the Arsenal hierarchy recognised that to close the gap on the richer clubs around us, the club had to increase its stadium revenue.

Highbury, which gave me the greatest pleasure over my years as an Arsenal fan sitting at the clock end, had a capacity of only 38,000, half that enjoyed by our rivals Manchester United in 2006 at Old Trafford. The move to the Emirates Stadium was funded by the sale of Highbury to housing, increases in match-day and commercial revenue and, sadly, selling one or two of our best players each year, all to balance the books. It could be said that Arsène Wenger was the forerunner of former Chancellor George Osborne, with perhaps the difference being that Arsène really did balance the books.

Unfortunately for us, our rivals did not need to look at such sound economics to underpin their transformation because something else that we did not know about was afoot at that time: everything changed when Roman Abramovich arrived at Chelsea in 2003. Of course, he was not the first sugar daddy to arrive in English football, but he was the first who seemed to have and fund a bottomless pit. I recall our former vice-chairman, David Dein, capturing the scene when—*[Interruption.]* Great man indeed. When, as you may remember, Mr Speaker, Chelsea put in a bid for the great Thierry Henry, David Dein joked:

“Roman Abramovich has parked his Russian tanks on our lawn and is firing £50 notes at us.”

Fortunately, we did not sell Thierry.

Where Abramovich began, Sheikh Mansour at Manchester City continued, and others from the international playgrounds have joined in. Some owners paid for a plaything and some of those clubs paid for it by going to the wall—Portsmouth being one such example. West Ham did not even have to bother paying for a

[Huw Merriman]

stadium at all, and I would contend that it barely pays for its stadium now. All this careful financial planning and prudent investment has been diminished by the flow of foreign cash, which could not have been foreseen. I am proud that the club that Arsène Wenger built washes its own face with the highest matchday revenue in the world and not, as he infamously put it, via financial doping from wealthy individuals based in countries with dubious records on human rights and worse.

Arsène Wenger's fourth contribution was his ability to be the best of talent from abroad. We have embraced him and he has embraced us. It may seem hard to believe today, but when he took over at Arsenal, only one other premiership club had a foreign manager in place: Ruud Gullit at Chelsea. Arsène Wenger was the first foreign manager to win the league. In taking a great British institution and enhancing it with flair, ideas and panache honed in France and Japan, he has shown not only what talent from abroad can do to deliver change in this country but what our country can do to embrace those from abroad.

Jeremy Corbyn (Islington North) (Lab): I thank the hon. Gentleman for giving way and congratulate him on securing this debate. As the MP who represents the Arsenal stadium—the old and the new—I have been through the pain and the pleasure of the building of the new stadium. Throughout the whole time that Arsène Wenger has been manager, he has ensured that Arsenal has made an enormous contribution to the local community. Arsenal in the Community has been very successful for local grounds and clubs all over the borough. I have never forgotten taking a large group of primary school children to the Arsenal stadium one evening, where Arsène Wenger gave them a very interesting talk about how he had learned English. He told them that they should all learn foreign languages in order to create a more generous and peaceful world. He has a wonderful ability to communicate with people of all ages and all footballing abilities. I think that the future of football has to be community based, with much greater fan participation in the running of our clubs.

Huw Merriman: I absolutely agree with the right hon. Gentleman. I think it is fair to say that those words do not come out of my mouth often, but he is absolutely right about what Arsenal does for the community. It has always been a special community club. As the right hon. Gentleman will be aware, when we had violence in our stadiums in times gone by, all stadiums had fencing round the edge of the pitch, but Arsenal never did. It was the only club that did not have fencing, because it was always community based. It was also the first football club to become a Disability Confident club. It has always been a pioneer in its community, and it has also ensured great diversity. Our fans have always had that diversity, and it should therefore be no surprise that a manager should come from abroad and that we should embrace him as one of our own. I believe that Arsène Wenger is the best example of successful immigration in this country, and I would like to think that it is thanks to him that immigration is widely proclaimed as doing fantastic things for this country. I completely agree with the right hon. Gentleman's comments.

The fifth element is not so much a contribution as the part that I find so sad about the end state for our great manager. This relates to the challenges that many people now face from social media and the prioritising of the demand for instant results over time and reasonableness. Everyone has an opinion now, no matter how qualified or otherwise they might be, and complex technical analysis is now delivered in one word and a hashtag. As a traditional fan, I almost wonder whether football is now passing me by, when there is so much anger, menace and vitriol being poured out on social media. This cannot do anyone any good.

It saddens me that the latter years of Arsène Wenger's reign coincided with the rise of social media platforms that were incredibly unfair to him and that, after he had delivered so much to our club, he should be subject to jeering at the railway station in Stoke-on-Trent, for example, with fans chanting "Wenger out" after everything he had done to earn their respect. I felt ashamed to be a fan of the club if those people were also professing to be fans. I worry that our leaders in sport, industry, public services and, indeed, politics are now subject to a 24/7 barrage of abuse in which they are told that they are wrong and everyone else is right. They are not allowed to have an opinion or to stand on their own record. What will that do to encourage others to take their place?

Despite failing with her political beliefs, my mother successfully indoctrinated me with a love of Arsenal that I have to this day. There are 100 million of us across the globe. Some have great notoriety: the Trump family, Osama bin Laden and—it gets even worse for the Arsenal PR team—Piers Morgan.

Mr Speaker: Order. The hon. Gentleman did not quite say this, but I think what he was driving at is that there is sometimes a tendency for people on social media to volunteer their opinions with an insistence in inverse proportion to their knowledge of the subject matter under discussion. Do I understand him correctly?

Huw Merriman: Mr Speaker, you are absolutely spot on. I can think only of the words "Piers" and "Morgan" when you conjure up those sentiments. However, I am delighted to say that Piers Morgan is now a convert: I was contacted by "Good Morning Britain" and I understand that he is calling for an honorary knighthood for Arsène Wenger. That means that for the first time I find myself in agreement with Piers Morgan.

Matt Western (Warwick and Leamington) (Lab): I thank the hon. Gentleman for securing the debate. I cannot believe that I am here, witnessing and enjoying the debate. It is important that we recognise Arsène Wenger's contribution, not just to Arsenal football club and football in this country, but to football around the world. Does the hon. Gentleman agree that Arsène Wenger has been hugely successful not only in men's football but in women's football, and that Arsenal Ladies is the most successful women's team in the land?

Huw Merriman: The hon. Gentleman is absolutely right. I have talked about Arsène Wenger's managerial tenure, which has delivered great success. He has been a pioneer in the women's game as well. Interestingly, again, we are now getting left behind by the money of Man City, but we are forcing everyone to compete.

I want the Minister for Sport to be able to respond, so, on behalf of 100 million Arsenal football fans, millions more fans across the world and all those in this country who admire success, dignity, class and devotion to an institution, I thank Arsène Wenger for everything he has achieved and I wish him even more to come in the years ahead.

Mr Speaker: I thank the hon. Gentleman very warmly and I call the Tottenham-supporting Minister for Sport.

7.22 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): It gives me enormous pleasure to respond to a debate that epitomises a man of strength, commitment and pure dedication; a man who has faced much adversity over time but has always come out of it stronger; a man who despite his often stoic appearance has an air of mischief about him that occasionally bubbles to the surface in the guise of a cheeky grin—but enough about my hon. Friend the Member for Bexhill and Battle (Huw Merriman); we are here to talk about the legacy of Arsène Wenger.

We are discussing 22 years of football history in this Adjournment debate, but I fear that we have made history here tonight: we have found a topic for debate on which the hon. Member for Strangford (Jim Shannon) is not in his place to intervene. I hope that the good folk of PARLY app can be supported through this difficult time.

Like you, Mr Speaker, I was just a spring chicken when Arsène was appointed manager of Arsenal in September 1996. Let us just pause for a moment to reflect on what the United Kingdom looked like 22 years ago. It was the year of genetic engineering with both the birth of Dolly the sheep and the Spice Girls, but it was also the year of break-ups, with two royal divorces and the end of the original Take That. While an army of fans of Gary, Robbie, Howard, Mark and Jason had a special hotline set up to help them to get over their disappointment, there was no such support for the legion of reds crying into their scarves as they questioned the future of their legendary but ageing back five of Seaman, Dixon, Winterburn, Bould and Adams.

No one thought of those fans when Arsenal got knocked out of the FA cup in the third round, lost to Villa in the semi-final of the Coca-Cola cup, finished fifth in the table and, worst of all, failed to beat Tottenham all season. But the trauma of that season's failure soon passed into history when, annoyingly for us Spurs fans, the then vice-chairman of Arsenal headed over land and sea to tempt the holder of the mighty Japanese league's title of manager of the year to take over the reins of Bruce Rioch at the second greatest north London club, Arsenal.

At his first press conference in England, Arsène Wenger said, "The main reason for coming is that I love English football, the roots of the game are here." He may have come because he loved English football, its raw passion, style and pace, but he leaves having arguably had the greatest influence of anyone on the profile and progress of football in this country.

Wenger's impact was instant. Arsenal finished third in his first season and then won the first of his three league titles and seven FA cups the following year. He built a squad that respected him and played for him,

and through his analytical approach to every football match, he developed an often unbeatable team, including the legendary "Invincibles" who went entirely undefeated throughout the 2003-04 season.

In modern football, it is seen as a remarkable achievement for a manager to last longer than two or three seasons in a job, so the fact he led one of the most successful teams in the country for 22 seasons is an incredible feat. To give a sense of perspective, since Arsène Wenger took charge at Arsenal, Tottenham have had 11 different managers, Liverpool have had seven, Chelsea have had 12 and the current champions, Man City, have had 13.

Anna Turley: For a Tottenham fan, the hon. Lady is providing good testimony on one of the country's most successful and fantastic managers. She and the hon. Member for Bexhill and Battle (Huw Merriman) have not really talked about Arsène Wenger's commitment to fair play. Who could forget that Arsène Wenger offered to replay the game against Sheffield United when Kanu deliberately knocked the ball into the goal, not knowing the rule about passing the ball back to the goalkeeper? Arsène Wenger's commitment to fair play and to the values of the game, as an inspiration manager and mentor to so many people, are testament to the class of the man.

Tracey Crouch: The hon. Lady makes a good point. I have coached and managed football teams, and I have also refereed young players, who behave how they see the legends behave. Fair play is a key part of what the FA is trying to deliver at the grassroots, and the likes of Arsène Wenger have been great advocates for that.

Arsène Wenger ensured that Arsenal qualified for the UEFA Champions League for an incredible 19 seasons in a row. Many of those years were during a time when club budgets needed to be balanced to finance the cost of the Emirates Stadium, as my hon. Friend the Member for Bexhill and Battle mentioned.

Arsène Wenger brought a number of previously unknown players from far and wide to play in England over the years and turned them into legends of the game, including the likes of Vieira, van Persie and Henry. He has for ever been a champion of youth academy football and of giving young players a chance, such as Ashley Cole, Jack Wilshere, Cesc Fàbregas and many more. He has pioneered a confidence in the young when other managers have not been as brave.

Arsène Wenger brought many other things to football, including an understanding of how a good player can become a great player by living healthier. When he arrived, he immediately set about improving the nutrition of his players and famously introduced broccoli to the team's menu. If he ever revealed how he managed to do that, I am sure it would be a bestselling parenting manual in no time.

I have read that Arsène Wenger is such a perfectionist that, if players insisted on having sugar in their morning tea or coffee, he supposedly showed them a special technique for stirring it so that the granules dissolved properly. Back on the pitch, he developed a style that, at times, saw some really attractive football, living up to the expectations of the beautiful game, or as the late, great Brian Clough once quipped:

"Arsenal caress a football the way I dreamed of caressing Marilyn Monroe."

[Tracey Crouch]

Although many people may have chanted “Boring, boring Arsenal!” from their seats over the years—not me, of course—the jealous truth is that at times they were anything but.

Beyond the men’s squad, Arsène Wenger has also been a keen supporter of investment in the women’s game and recently said how pleased he was that Arsenal were willing to spend money to innovate and dominate in women’s football for the majority of his time at the club. Arsenal have won 58 major trophies since forming in 1987, and they pride themselves on doing it by playing the Arsenal way or, as some might say, the Wenger way.

Equally, as the Leader of the Opposition said, Arsène Wenger has been an incredible supporter of the excellent Arsenal in the Community scheme, which delivers sport, health, social and education programmes to more than 5,000 individuals in the local area every week. He has spoken of the importance of the game giving back to people from all areas and backgrounds, and he has stressed how crucial it is that those in need in the local community are given an opportunity to engage and benefit from the community’s unique connection to a club like Arsenal.

This mirrors precisely the Government’s sports strategy and how we believe sport should be used as a powerful tool for individual and societal change. It turns out that Arsène Wenger, with his desire for healthier diets, his views on sensible spending and a history of orderly exits from Europe, is far more aligned with Government policy than we have ever given him credit for—a career in politics must surely beckon.

While mentioning politics and being nice about reds, I should say that Alastair Campbell alerted me to a brilliant Arsène quote he included in his book “Winners: And How They Succeed”. It goes as follows:

“We have gone from a vertical society to a horizontal society where everybody has an opinion about every decision you make, everybody has an opinion on the Internet straight away. Basically the respect for people who make decisions is gone because every decision is questioned. So one of the most important qualities of a good leader now is massive resistance to stress...Many people underestimate this challenge.”

As we in this place face the political and legislative equivalents of formations, substitutions and season-changing decisions, I am sure we all empathise with his words.

Whatever Arsène Wenger chooses to do next, I am sure he will continue to succeed. Whether that is in England or abroad, the legacy that he has left at Arsenal will no doubt be strong and I am sure will continue to benefit football in its far wider sense in this country for years to come. For fans of the other 19 Premier League clubs, I am sure we all have mixed opinions as he departs the greatest league in the world. You knew what you got with Wenger’s Arsenal: a formidable opposing team that, one way or another, created memories for both sets of fans. So after 22 years of torture, tactical masterfulness and the temerity to win titles at the ground of their greatest rivals, it will be interesting to see what happens next in the Gunners’ history. In the meantime, Mr Speaker, I am sure that the whole House will join me in wishing Arsène Wenger, farewell, thank you and bonne chance.

Question put and agreed to.

7.31 pm

House adjourned.

Westminster Hall

Tuesday 15 May 2018

[MR GEORGE HOWARTH *in the Chair*]

Infection Prevention and Control

9.30 am

Jim Shannon (Strangford) (DUP): I beg to move,

That this House has considered raising standards of infection prevention and control in the NHS.

This issue has been brought to my attention by a number of health organisations, and by lobby groups within the House as well. We are very aware that 5 May marked World Hand Hygiene Day and I am very glad to have secured this debate, to draw attention to the importance of infection prevention and control in the NHS and, in particular, the role of good hand hygiene in raising standards.

The first time the matter came to my attention was when my brother Keith had a serious motorbike accident some 12 years ago. Whenever we visited him in the Royal Victoria Hospital, we were told by the nurses to wash our hands: "Everything has to be very, very hygienic in here." We washed our hands almost to the point of obsession because in that ward people were between life and death, and infection could have meant the end of a life.

This year, World Hand Hygiene Day focused on raising awareness about sepsis. We all know about sepsis through our constituents and the stories in the press as well. The World Health Organisation estimates that sepsis affects some 30 million patients worldwide every year. In response to a business question that I put to the Leader of the House, she suggested I seek a debate in Westminster Hall on the matter. As I am not very often here, I thought I would introduce a debate myself for a change—it would perhaps be an occasion. Here in the UK, there are 44,000 deaths from sepsis every year and it is a priority area for the Secretary of State. Effective hand hygiene plays a key role in reducing the risk of healthcare-associated infections such as *E. coli*, which are a major risk factor for developing sepsis.

I told Professor Didier Pittet, director of infection control at the World Health Organisation, that a debate on infection control was taking place in Parliament—I wished to inform him about what we were doing.

David Simpson (Upper Bann) (DUP): I congratulate my hon. Friend on obtaining the debate. Yes, he is not often here and it is good to see him speak. On infection control, when we go to hospitals it is amazing to see patients standing in their dressing gowns, outside the front doors, smoking—human rights and all the rest of it—some of them running about with a drip in. All that infection is brought back in. Does my hon. Friend agree that something surely needs to be done from that end as well?

Jim Shannon: My hon. Friend is right. I hope that hospitals will take note of what is said in this debate and take action accordingly. It is all very well a visitor washing their hands almost to the point of obsession—every

time they go out and come back in again—but hopefully that same level of hygiene control is being done by the hospital as well.

When I notified him of the debate, Professor Didier Pittet said:

"In the early 2000s, the NHS was the first ever health system to use a hand hygiene promotion strategy modeled on the World Health Organisation's. This strategy went on to be active in 186 of the 194 UN member states. I call for the UK and the NHS in particular to reinvigorate hand hygiene promotion as the main strategy to reduce infections. The WHO hand hygiene promotion strategy saves between 5 and 8 million lives in the world every year, and will save hundreds of thousands in the UK."

So, the importance of the debate is clear.

I spoke to the Minister before the debate and gave him a copy of my speech, to make him aware of what we are trying to do and the questions I want to ask him. I have absolutely no doubt that the shadow Minister and all of us here will be saying the same thing. We are looking for the same thing. There are some pilots in place and some recommendations coming from across the NHS, and we want to look towards those as well.

Mr Gregory Campbell (East Londonderry) (DUP): My hon. Friend talks about similarities and about issues being the same. Does he agree that, on the various standards—all of which are improving all of the time across the United Kingdom—we should all strive for best practice, with the most successful practices being replicated right across the United Kingdom in all the devolved institutions?

Jim Shannon: What my hon. Friend says is wise—we always hear very wise words from him, no matter what the debate. If we have best practice in Middlesex, Edinburgh, Cardiff, Newtonards, Bangor or Belfast—wherever it may be—let us replicate it everywhere else. My hon. Friend is absolutely right.

It is true that here in the UK we have made good progress in reducing the number of healthcare-associated infections over the past 10 to 15 years. The introduction of mandatory reporting of infections in the early 2000s has certainly helped to track the trends. When we look at some of the things we have done, there is good news. In 2003-04 the average quarterly count of MRSA bacteria was 1,925, but by 2008 it had reduced by 57% to 836—a significant reduction. Although that should be a cause for celebration, rates of healthcare-associated infections remain stubbornly high. Today's debate is really about getting to the stubborn hard-core hygiene-related infections that do not seem to want to move.

The results of the most recent point-prevalence survey show that the number of patients contracting an infection in hospital is staggering. Every one of us knows how important the matter is. When my dad was in hospital for a time, he was always catching infections there. I am not saying that that was the fault of anyone, but I had thought that the possibility of infection would be greater at home—in hospital you expect it to be lower. Unfortunately, in the cases that I am aware of of people going into hospital with an illness, the rate of infection is high. People worry about that. My constituents worry about it, and I believe that everyone else's do as well.

One in every 16 patients contract an infection in a UK hospital. That is only 6.4%, but it is 6.4% too many. There are 5,000 patient deaths every year from healthcare-associated infections. That is the thrust of the matter. If we are having deaths in hospital due to these infections

[*Jim Shannon*]

we need to address the issue, and I look to the Minister for some thoughts on how we can do that. I am confident that he will come back with something that will help us in our debate.

The human cost of infection goes without saying. However, healthcare-associated infections also have a significant financial cost, which cannot be ignored. The health issues are one consideration, but the financial spin-off is also great. If we can address the infections early on, we can reduce the financial implications and also the deaths and infections. At a time when the health service is facing an unprecedented strain on services, reducing that financial burden is all the more pressing. It is estimated that hospital-acquired infections cost the NHS in excess of £1 billion a year, which is 0.8% of the health service's total budget. That is not an insignificant amount; £1 billion would change a lot of things for the health service and also, I believe, for people's lives. That amount includes the immediate costs of treating patients in hospital, and also downstream costs due to bed-blocking—we all know the problems with bed-blocking. The costs are especially relevant, given the challenging winter that the NHS has just come through, with hospital capacity reaching 100% in some cases.

If I ask my constituents back home, where we unfortunately have a non-functioning Assembly, what the key issue is for them, they will say that it is health, and it will continue always to be health. If I may make a political statement, but not for any reason other than to illustrate the point: if Sinn Féin were to grasp what is important—and health is one of the things we can agree on—we could move forward together.

Jack Lopresti (Filton and Bradley Stoke) (Con): I congratulate the hon. Gentleman on securing this important debate. I spent some time in hospital a few years ago and it was a positive experience with a happy outcome—and I escaped infection. Does the hon. Gentleman agree that it is important to get right locally the fundamentals of fighting the global threat of anti-resistance to so-called superbugs?

Jim Shannon: The hon. Gentleman is absolutely right; we have got to get it right in our own hospitals and across the NHS and the whole United Kingdom of Great Britain and Northern Ireland, and then we can look further afield to other countries. He reminds me that last year I had occasion to be in hospital three times for various operations. I never had any infections. I had nothing but the best care. The surgeon's knife went in the right direction and removed what had to be removed. It was important to do that. The important thing is that we have hospitals and an NHS that are excellent. When the NHS works well, it is the best in the world, but sometimes we need to think about things.

The cost of infections to the NHS includes the immediate costs of treating patients in hospital, bed-blocking and so on. There are also issues with hospital capacity, which has reached 100% in some cases. The World Health Organisation estimates that 50% to 70% of hospital-acquired infections are transmitted by hands, so improving hand hygiene must play a central role in any strategy to reduce hospital infections. It would be

remiss of me not to note the work carried out by the Secretary of State to improve patient safety in the NHS—let us give credit where credit is due. In November 2016, there was a commitment to halve gram-negative infections by 2020. The Secretary of State announced he would appoint a new national infection prevention lead, Dr Ruth May. Both are important steps in bringing down infection rates and show a commitment to do so.

Given that 50% to 70% of hospital infections are transmitted by hands, I was encouraged to see alongside those measures a commitment for the NHS to publish staff hand hygiene indicators for the first time. If hand hygiene is done—it should be, and perhaps there are indications of places where it has not been—then publishing hand hygiene indicators will allow benchmarking between hospitals and help drive up standards of hand hygiene. If we can have a system that can help drive hand hygiene, we should have it. Perhaps the Minister can respond to that point in his summing up.

The policy should not be implemented by weighing or counting cartridges used in hospital hand sanitiser dispensers. If it is done by the number of cartridges used, we might be under the impression that things are going the right way, but there has to be a wee bit more to it than that. Without factoring in patient bed numbers and staffing levels, the information is, I gently say, somewhat meaningless in showing hand hygiene compliance levels. The intention is right, but other factors need to be looked at.

The Secretary of State is a strong proponent of the use of reasonable technology in the NHS. Like me, he believes it has the power to radically change how we deliver care. Electronic monitoring technology can monitor hand hygiene to deliver real-time, accurate data to drive behavioural change. We want to see behavioural change where staff are not as active on hand hygiene as they should be.

Electronic monitoring is an innovative practice that is used internationally. Studies from a hospital in the US have shown that following the adoption of the technology, hand hygiene compliance improved by 30%. If we use that methodology, hopefully we can replicate what has happened in the US and reduce infections. That 30% increase corresponded with a 29% decrease in the number of MRSA infections, saving that one hospital more than \$400,000. Here in the UK, electronic monitoring is being piloted at a number of hospital trusts in what the Care Quality Commission describes as “outstanding” and “innovative” practice. It goes back to what my hon. Friend the Member for Upper Bann (David Simpson) said in his intervention: where we see good things happening, we should be doing those things across the whole United Kingdom. My hon. Friend the Member for East Londonderry (Mr Campbell) also referred to that.

If the results from the US are replicated here in the UK—they can be—the national adoption of electronic monitoring technology could see 30,000 fewer infections, saving the NHS more than £93 million. More importantly, it would mean less infection, fewer people staying in hospital and fewer deaths. Dr Ruth May, the national infection prevention lead, said that,

“the collection, publication and intelligent use of data...will ensure organisations improve infection control and help...poor performers get the support they need”.

Those are very wise words. While I welcome the announcement of the hand hygiene indicator policy, it appears that progress on its implementation has stalled. I suppose that is the point I am coming to and the reason for this debate. The Department of Health and Social Care has missed its own deadline to publish the data by the end of 2017. Data is so important in drawing up a strategy, policy and vision of how we can address the issue.

We have been collecting mandatory data on the number of healthcare-associated infections, such as MRSA and *Clostridium difficile*, since 2004. When hand hygiene is so critical to reducing the number of healthcare-associated infections, it is difficult to see why it has taken more than 14 years to publish data on staff hand hygiene—data that we are yet to see. I find that incredible. I spoke to the Minister last night, so he knew I would raise this issue. The key issue for me is how we use the data we have to make a policy and a strategy from which we can all benefit. To mark World Hand Hygiene Day, the World Health Organisation is calling on Health Ministries worldwide to make hand hygiene a marker of care quality. If we do that right, we will be going in the right direction.

Will the Minister consider making hand hygiene a national marker of care quality? Will he, on behalf of the Secretary of State, outline who is responsible for the implementation of the policy? Will he set out a clear timeline for the collection and publication of this data, which is critical to driving up hand hygiene standards in hospitals? Someone walking through the door of any hospital will always first notice the smell. They will probably notice the warmth of the hospital, because it is there to care for patients and those who are ill. They will also see nurses running about with their gloves on. Hand hygiene is important for them, but we need to drive it a wee bit harder from the ministerial point of view and the local hospital point of view, to ensure that it happens.

Publishing data on hand hygiene compliance is a simple first step in improving hand hygiene, which is essential to raising standards of infection prevention and control in the NHS. It will save lives and money, and we cannot afford further delay. The UK and the NHS have been at the forefront of worldwide infection prevention and control strategies since the early 2000s. While a good deal of progress has been made since then—we welcome that progress, some of which has been significant—there is much work to be done to realise the Secretary of State's ambition: that the NHS will be the safest health service in the world. We should strive to be the best. In many cases, we are the best, but we can certainly do better. The role of good hand hygiene in reducing hospital-acquired infections and improving patient safety cannot be overstated. We must also acknowledge that the current method of direct observation in monitoring hand hygiene in hospitals is no longer fit for purpose, and that technology can and should play a role in changing behaviours.

I look to the Minister for his response. I thank all Members for taking the time to come to Westminster Hall on a Tuesday morning to make a contribution. We look forward to those contributions.

Mr George Howarth (in the Chair): I do not propose setting a time limit on speeches. It might be helpful by way of guidance to suggest that if everyone speaks for

no more than 10 minutes, it should be possible to accommodate everyone who has indicated that they want to speak.

9.48 am

Andrea Jenkyns (Morley and Outwood) (Con): It is a pleasure to serve under your chairmanship, Mr Howarth. I congratulate my hon. Friend the Member for Strangford (Jim Shannon) on securing a debate on a matter that is of great personal importance to me, as I lost my own father to MRSA that he caught in hospital.

In 2011 my dad, Clifford, went into hospital for a routine operation to drain fluid from his lungs. What should have been a 20-minute procedure turned out to be two and a half hours as trainee doctors practised on him. The whole event was a real catalogue of errors regarding cleanliness in the hospital. To begin with, the cleaners kept their mop buckets in the room where the procedure was done—it was not a sterile environment. Also, located in the adjacent rooms were patients infected with MRSA. So, the staff did the procedure next to rooms where people had MRSA. Also, a number of doctors and nurses came into my dad's room and did not wash their hands. I saw some of the same nurses later, having cigarettes outside in their uniform. My hon. Friend the Member for Upper Bann (David Simpson) mentioned patients doing the same. One nurse came into my father's room to administer some antibiotic cream that was to be placed in my father's nose, and she used her bare hands and did not wash them afterwards.

The scale of the problem is vast. The World Health Organisation estimates that 50% to 70% of hospital-acquired infections are transmitted by hands, and that more than half are preventable through good hand hygiene. Yet, in the UK, a patient admitted into hospital has a 6.4% chance of contracting a hospital infection. In total, more than 300,000 patients are affected by hospital infections in the UK every year. There are 5,000 patients who, like my father, die from a hospital infection every year. That is 5,000 too many. For me personally, it meant that my wonderful dad, my hero, never got to meet my husband; my dad never got to walk me down the aisle at our wedding last year; and my beautiful baby son Clifford, who is named after my dad, never got to meet his amazing granddad. That is just my own personal story. There is an inadequacy in existing practice.

The Government have done a lot to move forward on hospital-acquired infections, and I know that the Secretary of State and the chief medical officer really do care about the issue, as I have had several meetings with them over the past three years and my all-party group on patient safety has worked closely with them. The hon. Member for Central Ayrshire (Dr Whitford) has also worked closely with me on this. The chief medical officer has done a great deal globally to lead the way in highlighting antimicrobial resistance.

However, it is important that this debate draws attention to the fact that the current system of hand hygiene monitoring in hospitals needs updating, and is inaccurate and outdated. There are better monitoring systems out there. The old system allows poor hand hygiene practice to spread, and can put patients' lives at risk. The system currently in place is known as "direct observation", and there are three fundamental flaws within it. First, many of the nurses currently performing direct observation

[*Andrea Jenkyns*]

audits on colleagues are not trained to perform such tasks. That means that audits are often incomplete, inconsistent and ineffective.

Secondly, direct observation artificially inflates reported compliance, owing to something called the Hawthorne effect. Naturally, staff wash their hands more frequently when they know they are being monitored. In 2015 I ran a hand cleanliness awareness campaign here in Parliament and 40 colleagues, cross-party, signed up to it. The Deb Group collaborated with me on my Handz campaign and I was astounded at the research that the group showed me. It has conducted peer-reviewed research that shows that the true levels of hand hygiene compliance are in fact between 18% and 40%, rather than the 90% to 100% typically recorded in UK hospitals. That means that direct observation as a means of monitoring artificially inflates reported compliance by as much as 50%. We cannot begin to address the problems of poor hand hygiene when our hand hygiene audits report figures of 90% to 100% compliance.

To increase hand hygiene standards in our hospitals, basic behavioural psychology dictates that we need accurate and timely feedback to drive behavioural changes. Yet direct observation audits are often only completed quarterly or, at best, monthly.

The Government have had a big focus on patient safety and there has been a renewed focus over the past five years, from initiatives to reduce prescribing errors to the commitment to halve gram-negative infections by 2020. If my right. hon. and hon. Friends will permit me, I must thank the Secretary of State for driving those initiatives and for his personal commitment in trying to make the NHS the safest healthcare system in the world.

Looking to the future, the Secretary of State said that the 10-year plan for the NHS must enable it to be “more teched up”, so my question to the Minister is: what role can and should technology play in raising standards of infection prevention in the NHS? Electronic hand hygiene monitoring offers the potential to improve health outcomes and save money at a time when health services are coming under increasing pressure. Improving hand hygiene requires behavioural changes that are reliant upon frequent, accurate and relevant feedback. In his review into NHS productivity, Lord Carter discussed the need to have,

“real-time monitoring and reporting at NHS leaders’ fingertips”.

Electronic monitoring can deliver real-time, accurate data to drive behavioural changes. There are currently pilots in electronic monitoring technology in two acute hospital trusts in England. The Care Quality Commission has noted the innovative practice to improve hand hygiene using technology as an area of “outstanding practice”. However, the technology is not new; it has been in use in the US for several years.

The UK has one of the safest healthcare systems in the world, but 5,000 patients a year dying from hospital infections is 5,000 too many. Does the Minister acknowledge that, to improve hand hygiene and reduce the number of infections in our hospitals, using direct observation as a means of monitoring hand hygiene is no longer appropriate or effective? Finally, does the Minister agree that using

technology, if adopted in the right way, offers an excellent opportunity to improve patient safety and reduce the £1 billion in associated costs of hospital infections?

9.54 am

Nigel Mills (Amber Valley) (Con): I congratulate the hon. Member for Strangford (Jim Shannon) on securing this debate. It reminds me of a debate on much the same topic that we had a few months ago. Its aim was to find out from the then Minister when the Government might enforce the strategy they had announced. It is a pity that we are repeating that debate a few months later and we still do not have the answers. The case has been set out very clearly by the previous speakers. There is not much advantage in repeating it, but, just to reinforce the point, we are talking about 5,000 deaths annually. The World Health Organisation estimates that half of those are preventable through effective hand hygiene. I do not know of other situations in UK life where we could have 2,500 people die each year unnecessarily and that would not be a national scandal. We would do anything we possibly could to fix it. There are things we can do to save a large proportion of those lives that are not very difficult or expensive. Our strong message today is: let us get on and do them.

I accept it will not be easy. We are not talking about finding the number of people who do not practise any hand hygiene and making them practise it; we are talking about making sure that as many health staff as possible get up to the very high levels of compliance with hand hygiene rules, rather than being in the middle. I suspect that no health service staff are deliberately not cleaning their hands as often as they ought to. We know they work in high-pressure situations. They do their very best for patients, and occasionally some behaviours creep in that perhaps should not. The important thing is to have processes in place that can identify when performance is perhaps slipping and then remind people, gently and constructively, how important hand hygiene is. That is why we need accurate and sensible monitoring.

We all know what happens when a colleague in a team says, “We have got to do one of these audits today. I’ll go round and watch to make sure you are all practising the right hand hygiene.” We all know what will happen. We have all been in those situations. We are all very careful to make sure we wash our hands as best as we possibly can. We all think we know the same rules, so we all comply with the same things. The person observing probably does not know the rules any better than those being observed. It is no surprise, therefore, that we end up with near 100% compliance. In fact, it is a surprise that we do not end up with 100% compliance in that situation. It is like the driving test. I have never looked in my mirror as much in my life as on my driving test, because I knew I was being checked on that.

Dr Philippa Whitford (Central Ayrshire) (SNP): Is there not a simpler approach? Should not the audit be unannounced and carried out by people like secret shoppers, which is a technique that we use in Scotland?

Nigel Mills: Yes, that would be clear progress. However, I sense that we would notice an unknown person walking round the ward with a clipboard, which might make someone behave more carefully. I am not sure how easy it is to stop the word going round the hospital that such work is being done, but I accept that that is better than

one member of the existing team doing it. The question is: can we find a better way of monitoring compliance and getting the data we need, so that we can work out what is happening, see what the trends are, and see whether they are reflected in infection rates? As hon. Members have pointed out, there are various techniques on the market to do that electronically.

Simply counting how many times the ward dispensers are squeezed will not work because we need to know the type of ward, how many patients there are and how sensitive the work is to know how many times people need to squeeze the dispensers. We need a system that says, "On a ward carrying out this sort of activity with this number of patients, we would have expected this level of hand hygiene-compliant moments, and we actually got this many squeezes on the dispenser. That is only a quarter of what it ought to have been. That tells us there is a big problem on this ward." Or it might tell us that we got 80%, which is probably a sensible level to get.

In my constituency is the Deb Group, a large employer that produces hand hygiene gel and monitoring techniques. I accept there are many rivals on the market and many different ways of monitoring. Some people prefer to have each member of staff wear a badge with a sensor that can tell how often that member of staff approaches a hand hygiene gel dispenser, so that we can monitor at an individual level rather than a ward level.

All those ideas are out there. We need the Government, and presumably the Care Quality Commission or NHS Improvement, to say to hospitals, "We want you to collect real data. We don't want you to do stupid observations that give you 99% compliance, which we know is meaningless, just so that you can tick a box to say that you're compliant. We want you to collect real data. We don't mind how you do it, and we're not going to punish you, take money off you, or put you in special measures if that data shows that you're at 25% or 35% compliance, and all your rivals are at 97% because they're doing it wrongly. We want you to do it properly, get the data, use the data, and improve your performance where you can see that it is linked to infections being too high."

When the CQC reviews hospitals and other health environments, it should check that hospitals are collecting that data sensibly and using it to improve performance. The CQC should be very serious about that when it assesses a hospital. Can we see that hospitals know what their performance is, have a plan in place to improve it, and are improving it, and that infection rates are falling? It would be a serious matter if hospitals were not doing that work properly—if they were just having a quick half-hour assessment now and again, and producing data that they must know is complete rubbish.

We have the right plan; we know what we want hospitals to start doing. Let us get it in force, and task the CQC to ensure that hospitals are doing it. Let us set out clearly what we want hospitals to do and ensure that they are not too scared to go down that line, thinking that their data will suddenly get worse and they will be punished for it. Let us do what we know we need to do, and hope that we do not have to come back in another couple of years to talk about the fact that 2,500 people have died because we have not managed to put something in place that is easy and relatively cheap, and that we know works.

10.1 am

Douglas Ross (Moray) (Con): It is a pleasure to serve under your chairmanship, Mr Howarth. I, too, congratulate the hon. Member for Strangford (Jim Shannon) on securing the debate. Naturally I wanted to take part; this issue is important to my constituents in Moray, as it is to those of all other right hon. and hon. Members. Furthermore, the hon. Member for Strangford is an assiduous contributor in this place. Indeed, some of my debates have been supported by him, so I was keen to reciprocate the support that he gives to others by coming along today.

The role of healthcare is, in essence, to treat and heal patients. That is why healthcare-associated infections, where someone acquires an infection in a hospital or another healthcare facility, can be so cruel. They can also be especially dangerous. Healthcare-associated infections, or HCAs, lead to comorbidity and can interfere with the treatment that people are in hospital for in the first place.

Naturally, in today's debate, which is looking at UK-wide issues, I want to focus, as I am sure the hon. Member for Central Ayrshire (Dr Whitford) will, on what we are doing in Scotland, and I will pick up on some of the points that have been made about sharing best practice across the country. It is particularly concerning that in Scotland, according to a Health Protection Scotland report, the incidence of HCAs in intensive care units is higher than other parts of hospitals, with an incidence rate of 2.7% in 2016. Likewise, surgical site infections are among the more common HCAs, with, for example, an incidence rate of 1.37% in the first 10 days after a caesarean section. Surgical site infections can be especially painful for patients, and in some cases can even require further medical intervention afterwards.

Healthcare-associated infections are distressing, painful and often dangerous to patients, and are costly for the NHS. Such infections frustrate, complicate and even undo the hard work of our medical staff. They exacerbate the strain on hospital resources, and cost money in compensation payments. In 2016-17, for example, 89 wards and 97 other bays were closed across Scotland due to outbreaks of norovirus. Clearly, action is necessary to prevent and control infections in hospitals and other NHS facilities. By reducing the incidence of HCAs, the NHS would no longer need to treat those infections, and would avoid the complications that are caused in the treatment of the disease or disorder for which the patient was originally admitted to the hospital or healthcare facility.

Moreover, reducing instances of healthcare-associated infections will help to reassure patients seeking treatment in the first place. Unfortunately, some people, especially elderly people, worry about the possibility of picking up an infection while in hospital. That can lead to reluctance to seek treatment in the first place, which can be very dangerous. It is vital that we work to reassure people that an NHS hospital is a safe place where the risk of infection is low.

In Scotland, the picture for progress on preventing HCAs is mixed, and there is more to be done by the Scottish Government in that area. In positive news, there was a decreasing year-on-year trend in the incidence of clostridium difficile infections between 2013 and 2017. However, the incidence of HCAs in intensive

[*Douglas Ross*]

care has crept up slightly, from 2.5% in 2014 to 2.7% in 2016, while the incidence of ventilator-associated pneumonia increased by more than 26% in the same period. There has been some good work, but there is room for improvement.

The NHS faces a number of challenges with respect to preventing infection—from the density of people in one place to the threat of superbugs and resistance to antibiotics, as we heard earlier. It is thanks to the hard work of our NHS staff across the country that infection rates remain as low as they are. There has been a discussion about unannounced hospital inspections. The main hospital in Moray, Dr Gray's, was subject last November to an unannounced inspection. The findings were reported earlier this year. Importantly, it was found that the standard of domestic cleaning and compliance with standard infection control precautions was good. However, the head of quality care at the healthcare environment inspectorate said:

"NHS Grampian must ensure the environment is maintained and, where possible, refurbished to allow effective cleaning and reduce the risk of infection."

Despite all the great work by the staff in Dr Gray's and other hospitals, their hands are slightly tied behind their back if we have older, crumbling buildings that need capital investment. There is much more that we can do to support our staff, who want to do the best for patients but are sometimes hamstrung by the conditions in which they work.

There is still room for improvement, and the Scottish Government must ensure that staff have the support they need to make further inroads in the fight against HCAs. That should include the Scottish Government and NHS Scotland working with their counterparts elsewhere in the United Kingdom to share ideas and good practice, as the hon. Member for East Londonderry (Mr Campbell) highlighted in his intervention. This issue does not stop at the border; we can learn from one another. Will the Minister explain how health departments across the country share best practice and work together to ensure that we deal with this important UK-wide issue?

There must be zero tolerance for failings, such as poor hygiene that can put patients' health and lives at risk, as we heard in the very emotive speech made by my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns). Remarkably, as recently as 2013, one in 10 senior medics in Scotland were not complying with hand hygiene standards. That is a worrying message, and the situation must improve.

We should be proud and thankful that we live in a society where we have high-quality universal healthcare, with a low risk of infection. However, in every part of the United Kingdom we must not stop striving to control, and hopefully prevent, such infections from occurring in future.

10.8 am

Lee Rowley (North East Derbyshire) (Con): It is a pleasure to serve under your chairmanship, Mr Howarth. I, too, congratulate the hon. Member for Strangford (Jim Shannon) on securing the debate. As my hon. Friend the Member for Moray (Douglas Ross) said,

the hon. Gentleman has attended some of the debates that I have led in previous months, so I am grateful for the opportunity to speak in a debate that he has introduced. I know the topic is important to him, and he made a great and passionate case when introducing the debate.

Like my hon. Friend the Member for Amber Valley (Nigel Mills), I am not sure whether I can do justice to some of the issues that have been outlined. I do not wish to repeat things that have been said in a far better way than I could say them—I am by no means an expert in this area. My hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) and I have known each other for many years. I know how difficult it was a number of years ago, with the loss of her father, and what a passionate advocate she has become for infection control and resolving some of the issues that have been mentioned. I cannot hope to match some of the discussion that we have had today.

As a relatively new Member of Parliament, I have been surprised in the 10 months since the election by the number of people who have come to my surgery to raise these sorts of issues. I am not new to politics—I was a councillor for eight years before becoming a Member of Parliament—and perhaps because previously I was looking at a different section of government and how it operated, but I was taken aback by the harrowing stories and challenges that many constituents have highlighted and have been willing to share with me.

There are a couple of issues in particular that have come through. The first is anaemia and the second is sepsis, which the hon. Member for Strangford has raised, and I have tabled some parliamentary questions on them. On anaemia, the best way to prevent infection is to prevent people from going into hospital in the first place. We need to reduce admissions, but it is a challenge to achieve that in our health service. One reason why many people are admitted is that they have undiagnosed illnesses, they experience problems and they automatically go to A&E. They present in a way that could be avoided.

The Anaemia Manifesto Steering Committee estimates that around 4 million people live with iron deficiency. It can be a secondary diagnosis, which means that people present with symptoms that they think are something else, but which in fact are anaemia. That costs the NHS up to £50 million every single year. Recognising and acknowledging that, and doing more work on anaemia, might help to address some of the admissions issues we have. Anaemia is the fourth most common cause of admissions for people over 75. It is, by common consent, an underdiagnosed and undertreated condition, and addressing that could be a route to reducing infections, by reducing the number of people in hospital in the first instance.

Sepsis has been discussed. I have heard about a number of cases about sepsis in my surgery: a lady with a young child whose life has been completely changed as a result of contracting sepsis, and who now has a completely different outlook and different requirements in how she lives her life, because of the limitations that sepsis has created; and a family who lost their mother to a sepsis infection that was not identified early enough. I could see the pain on their faces when they were talking about this hugely personal challenge that they had faced and which was created by sepsis.

There is recognition of the problem, and the Department of Health and Social Care is doing an incredible amount to raise sepsis awareness, and to move forward the acceptance that more needs to be done, but there remain challenges in diagnosis, in ensuring effective monitoring when people are in hospital, and in appropriate and adequate treatment. I am aware of the sepsis action plan and the public information campaigns on sepsis that are under way and which no doubt will continue. My parliamentary question was answered a number of months ago; it remains the case that there is a gap in understanding and focus in the health service on sepsis. I am sure that the Department of Health and Social Care and the Minister are seeking to close that gap as quickly as possible, but there is more work to be done, particularly with more than 100,000 cases a year and the deaths that the hon. Member for Strangford has outlined.

Jim Shannon: I thank the hon. Gentleman for his kind comments earlier. To underline the number of deaths, Northern Ireland had a peak in 2008 of 191 deaths where C. diff was mentioned on the death certificate. That has been reduced to 67. It comes down to the hard core of problematic infection that is still there. That is where we are looking for some direction from the Minister.

Lee Rowley: I absolutely agree. I think everybody would recognise that there is more work to be done.

I will not take up any more time. I welcome the commitment from the Government on matters such as sepsis. There is acknowledgment across the House and from the Government, I hope, that there is more to be done in this area—there is public concern and a desire for public focus—and that process is already under way. I hope it can be restated and redoubled. We all recognise that there is further progress to be made so that we are not here in five or 10 years' time, debating the same subjects, listening to the same stories in our surgeries.

10.14 am

Dr Philippa Whitford (Central Ayrshire) (SNP): I pay tribute to the hon. Member for Strangford (Jim Shannon) for securing this important debate. As he said, it is only a few weeks since the World Health Organisation's "Save Lives: Clean Your Hands" campaign and we are talking about how to reduce healthcare-associated infections. Most hon. Members have rightly focused on hand-washing and hand hygiene, because it is crucial, but that alone will not tackle hospital infection. It is not just about hand-washing; it is about the cleaning of wards.

We started to see the rise in MRSA, MSSA and so on after we started to outsource cleaning. I remember watching a young man cleaning with a machine in the Royal in Glasgow. He looked about 20, and if anyone who has a 20-year-old son can tell me that he knows that there is such a thing as corners, I would be delighted to admit defeat. We need people who are committed to the space. I was very glad that my hospital in Ayrshire never outsourced. We kept ward maids who had their own patch, in which they took pride, and there were supervisors who came along—a bit like someone's mum-in-law with a white cloth—checking under the beds and the trolleys and on top of the curtain rails. It is really important that the environment is clean.

Bed occupancy is another issue. We know that the NHS in England has been under pressure for quite a long time, because the number of beds has halved over the past 30 years. England has one of the lowest bed ratios in Europe, at 2.4 per 1,000. Bed occupancy has been more than 95% and the recommendation for a safe level is 85%. The average in Scotland is 83%. That will vary between rural and urban areas, but if there is no time to clean the bed between patients, the risk increases. If the hospital is under pressure with a queue down in A&E, people are going to cut corners.

As the hon. Member for Moray (Douglas Ross) mentioned, the fabric of the building is crucial. If something is cracked or broken or old or wooden, it is not possible to clean it properly. That is why we have the Healthcare Environment Inspectorate in Scotland, which—believe me—turns up unannounced, poking around in every nook and cranny, looking under trolleys and wheelchairs, in the toilets and the shower rooms. That also includes external unannounced observation of people washing their hands.

I will turn to staffing levels. Across the UK we face nursing workforce challenges. Although we are struggling with a 4.1% nursing vacancy rate in Scotland, in England at the moment it is more than 10%. That creates pressure on everyone else on the ward. As the hon. Member for Amber Valley (Nigel Mills) said, there is a temptation, if not to do no hand hygiene, perhaps not to spend long enough with the gel on the hands and not to take quite the same quantity.

It is important to remember that *Clostridium difficile* is caused by the overuse of antibiotics. It may spread from patient to patient due to poor hand-washing, but the initial problem was overuse and prolonged use of broad-spectrum antibiotics. It is very important that that is controlled. We need to think about sources, such as pressure sores and intravenous access, whether it is a peripheral drip or a central line. An important one at the moment is the management of urinary catheters. How long is it left in place? Is it too long? If it needs to be in longer, is it being changed regularly?

We also need to monitor surgical site infections. In Scotland, two wounds are monitored so that we are aware of whether things are improving or worsening. Although the hon. Member for Moray complains about a 1.37% wound infection rate after C-section, that has actually decreased over many years, and for hip replacements the rate is 0.63%. Some of that is not due to hand-washing. I have been a surgeon for more than 30 years and have seen the change from big interrupted black silk sutures that allowed penetration points for infection, to subcuticular invisible mending that means that the wound seals very quickly, using better dressings and glue to seal the wound so that there is less risk of external ingress. There is also a plan to add bowel surgery and vascular surgery—a dirty operation and a clean operation—because that is how we can monitor if something more general is going wrong.

Like the rest of the UK, in Scotland since about 2000 we have been trying to tackle infections. We lost our white coats and had to wear short sleeves—I still do. We were not allowed watches—I still do not wear one—and hand-washing and hand gel were promoted. Nevertheless, in 2007-08 an appalling outbreak of *Clostridium difficile* in the Vale of Leven Hospital affected more than 150 people and caused 34 deaths. That wake-up call made us realise

[Dr Philippa Whitford]

that tackling healthcare-acquired infections cannot be done in isolation; it must be part of a quality improvement and safety drive.

We created Healthcare Improvement Scotland, and in 2008 we established the Scottish patient safety programme, which was based on principles from Boston but was the first national patient safety programme. It is a structure on which we can hang evidence-based practice about many of the challenges that put patients at risk. It involves not the great and the good sitting in an office, but frontline champions from all health boards and all areas. It is driven by outcome data, which is shared, published, peer reviewed and actioned. We have to make hand-washing, like patient safety, part of daily practice; it must not sit on a shelf in a folder.

The Scottish patient safety programme was started to tackle all risks. I came across it as a surgeon, because it was used to tackle surgical errors such as wrong-site surgery and drug errors—patients being given the wrong drug—but it also addressed healthcare-acquired infections and hand hygiene. We had ward champions and unannounced audits carried out by people from other wards. I agree that, unfortunately, the worst performers in every audit were the doctors. That is why we had to publish the results, put them on the doors of the ward and literally name and shame. We also did a lot of education with relatives, because they come in from outside. In recent years we have made our hospital grounds smoke-free to try to tackle the issue of staff and patients forming a mug of smoke that people have to walk through to get to the door.

All infection-control measures are brought together in one manual, the “National Infection Prevention and Control Manual”, which means that everything is in one place. If there are five or six different initiatives and guidelines, they can sometimes be slightly different and can end up causing confusion.

The hon. Member for Filton and Bradley Stoke (Jack Lopresti), who is no longer in his place, mentioned the important issue of antimicrobial resistance, which will make it harder to tackle infection. Our behaviour in healthcare is helping to drive it. We are threatened by a post-antibiotic era. Alexander Fleming came from Ayrshire, and it would be horrific to think that the antibiotic era might last less than 100 years. Antibiotic stewardship is critical, and it is part of our patient safety programme. The Scottish Government are now also working with vets, because part of the issue is the use of antibiotics in animal husbandry. It therefore comes under the title of the “one health” programme.

The purpose of the Scottish patient safety programme was to reduce deaths, and within just three years there was a 9.3% drop in hospital standardised mortality rates and a 24% drop in deaths in intensive care. The hon. Member for Moray said that there is an infection rate of 2.7% in intensive care, but we have to remember that those are the sickest, most complex patients, and they are therefore most at risk of having or bringing in an infection. There was a 90% drop in ward clostridium difficile rates within three years. Deaths from *C. diff* dropped by 79% between 2007 and 2015, and those from MRSA dropped by 87%.

Many hon. Members mentioned sepsis. We have all seen the horrific cases in the media, and 40,000 deaths is more than many cancers, which get a lot more attention.

In Scotland we established the Sepsis Collaborative, which ran from 2012 to 2014. It focused on just one measure: the national early warning system, which was about delivering antibiotics intravenously to the patient within an hour. Every hour's delay increases the death rate by more than 7.5%. In 2010 an audit showed that fewer than 25% of patients were getting an IV antibiotic within an hour, but by 2014 it was more than 80%. The aim was to reduce deaths by 10%, but during the time of the programme there was an almost 20% reduction.

All parts of the UK have seen a dramatic fall in *C. diff* and MRSA, but all have seen a rise in *E. coli*, which is a bug that lives in the bowel. It is largely driven by catheter infections and it concerns older patients. It is one of the challenges we face, because many of these bugs will be resistant. There is actually a higher mortality rate from *E. coli* than from MRSA.

One of the differences in approach is to look at healthcare-acquired infections not by themselves, but as part of patient safety. In Scotland there are no financial incentives to meet standards, either for the hospital or for the staff; it is just pure clinical competitiveness. Nurses and doctors go to work to do a good job, and if we give them the tools, the education and the training, they will do that. We also have to give them time and support. Having a more complex quality improvement structure makes it easier to share good practice. That is what we are talking about today. We want to see a change in approach, not in a protocol folder on a shelf, but in the DNA of staff.

10.26 am

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Howarth. I congratulate the hon. Member for Strangford (Jim Shannon) on securing this extremely important debate and on his insightful contribution. He has a reputation for being one of the most prolific Members of this House, both here and in the main Chamber. He has pursued this issue assiduously during his time here, and his comments made clear his commitment to improving patient safety. His contribution was wide-ranging and fecund, and he highlighted the good timing of the debate, given that 5 May is World Hand Hygiene Day. There is a particular focus this year on sepsis, to which a number of hon. Members referred. We should reflect seriously on the staggering figures they mentioned: there are 30 million infections worldwide a year and 44,000 deaths in this country, and we could save between 5 million and 8 million lives a year through greater awareness and control. We all want to tackle sepsis very seriously.

The hon. Gentleman was right to say that there will not be any political disagreement today, as we all want the very best outcomes in this area. He was right that good progress has been made, particularly over a longer period, but it could be argued that we have plateaued. The infection rate remains too high. I am sure that we all agree that the figure of 6.4% across the NHS is far too high. He talked about the human and financial cost—he mentioned the figure of £1 billion. He made the fair point that this has downstream effects, as beds are occupied unnecessarily. It is always regrettable if any patient is in a bed because of something avoidable, particularly given that the number of beds across the NHS is at an historic low.

I was pleased to hear from the hon. Member for Morley and Outwood (Andrea Jenkyns). She has spoken on a number of occasions about this important subject, and she spoke again about the personal tragedy of her father's death. She has been a consistent and vigorous campaigner on the issue since she came to this place. This is the first time I have heard in such detail the appalling circumstances surrounding her father's death and the basic hygiene breaches that took place. I doubt that any member of the public, let alone any trained medical professional, would consider what happened there to be acceptable. That highlights the difficulties we sometimes face in tackling these issues.

The hon. Member for Amber Valley (Nigel Mills) made a considered and thoughtful speech about a wide range of issues. He referred to the World Health Organisation's figures, which suggest that about half of the associated deaths in this country are preventable. He was right to say that in no other area would we be prepared not to tackle such a figure with great vigour. I agree with him that staff are not deliberately flouting hygiene standards, but the pressure of work sometimes means that standards slip. From the vacancy rates referred to by the Scottish National party spokesperson, the hon. Member for Central Ayrshire (Dr Whitford), and from regular staff surveys, we know how much pressure staff are under in the NHS. The hon. Member for Strangford highlighted accurately the difficulties with the existing audit processes and how they are not necessarily the best. He summarised perfectly the false comfort that we derive from the belief in 100% compliance rates. We know from what we have heard today that when audits are not taking place, compliance is considerably less than 100%.

The hon. Member for Moray (Douglas Ross) had clearly done a lot of important and excellent research to come up with all those statistics across a whole range of environments. He showed that there is no uniform picture in tackling infection control and suggested that the condition of the buildings might sometimes be an impediment to best practice. He rightly said that that is an area where many things can be learned from across the border, or indeed across the world—best practice should be disseminated.

The hon. Member for North East Derbyshire (Lee Rowley) talked about the need to reduce hospital admissions as one way of reducing infection rates. He mentioned anaemia in particular: apparently 4 million people have an iron deficiency and anaemia is the fourth most common cause of admission. He also mentioned sepsis and the possible gap in understanding or focus in the NHS, although we have heard today that a lot of awareness-raising is going on in that area.

It has been almost two and a half years since we last discussed this issue—January 2016—so today's debate provides us with a useful opportunity to take stock of progress. We heard about a number of recent positive initiatives but, as the hon. Member for Strangford said, levels of healthcare-acquired infections remain stubbornly high, and in some cases they are increasing. Reductions in the rates of MRSA and *C. diff* are welcome, but the increase in MSSA and *E. coli* over the past five years is worrying. Furthermore, about one in every 16 patients will still acquire an infection while being cared for by the NHS in England, and every one of those infections

requires additional NHS resources and, more importantly, leads to great patient discomfort and reduces patient safety.

According to the most recent figures from Public Health England, the fatality rate is 28.1% for MRSA cases, 19.7% for MSSA, 14.7% for *E. coli* and 15.1% for *C. diff*. We cannot overstate the seriousness of acquiring one of those infections. Furthermore, the Department of Health and Social Care reported recently that, sadly, *E. coli* infections led to the death of more than 5,500 patients in 2015, at an estimated cost to the NHS of £2.3 billion. The impact on patients and their families is devastating, while the growing threat of antimicrobial resistance adds to the significance of the issue.

In the US and Europe alone, antimicrobial-resistant infections are estimated to cause more than 50,000 deaths a year, and that figure is projected to increase significantly, as we have heard. A report by the World Health Organisation states that resistance is frequent among bacteria isolated in healthcare facilities, with antibiotic-resistant bacteria causing over half of all surgical site infections. We cannot overstate the importance of tackling the issue.

Healthcare of course carries inherent risks, and even if we were to take every possible preventative step, it would still be possible to acquire an infection. However, as I mentioned last time we discussed the matter, it has been estimated that about 30% of infections could be avoided by better application of existing knowledge and good practice. Much of that improvement could be realised through improved hand hygiene practices. Although we have known that for decades, the method of monitoring hand hygiene in hospitals remains outdated, inaccurate and, as we heard from the hon. Member for Morley and Outwood, flawed.

The monitoring method relies on direct observation by nurses, which leads to compliance rates being overstated and takes up hours of nursing time when staff on the wards are already overstretched. Staff naturally wash their hands much more frequently when being observed directly, which results in clearly overstated compliance rates of 90% to 100%. Academic research has found that typical compliance is actually between 18% and 40%. The international best practice to which the hon. Member for Strangford referred demonstrates that electronic monitoring of hand hygiene can decrease the risk of infection by 22%, which would not only save the NHS money, but save lives. We therefore welcomed the November 2016 commitment by the Secretary of State that staff hand hygiene indicators would be published for the first time by the end of 2017. However, as we heard, that deadline has elapsed and we seem to be no nearer to seeing implementation. Will the Minister tell us when we can expect to see the detail of that long-overdue improvement?

On 19 March, in a written response, the Minister mentioned that Public Health England had carried out some initial analysis with the available data, but that the data was incomplete, so it does not truly reflect hand gel usage. I accept that it might not provide an accurate representation of the NHS as a whole, but will the Minister set out what the analysis that he has received has found, and whether any of that information might be useful in the interim until the full dataset is available? Two ongoing pilots into the use of electronic monitoring technology within the NHS have also been mentioned.

[Justin Madders]

Has he made any assessment of those pilots? What plans do the Government have to look at universalising good practice, if it is shown to be as effective as early reports suggest?

As with any type of infection, healthcare-acquired infections can trigger sepsis, particularly in people who are already at risk—for example, those with chronic illnesses such as diabetes, or those who are immunocompromised, such as those receiving chemotherapy. The majority of cases do not derive from a hospital setting, but with 150,000 cases a year and 44,000 deaths, many of them preventable, sepsis is a critical safety issue for the NHS. The challenge is to recognise it in its early stages, before multiple organ failure sets in, and to implement rapid treatment. If it is left untreated for hours, the chances of death increase rapidly. Sepsis in its early stages is often dismissed as something less serious, so I ask the Minister to advise us on what processes are in place to monitor patients at risk from sepsis. What steps will he take to ensure that treatment is started without delay?

In conclusion, around the world and in this country we spend vast sums of money on researching innovations to tackle illnesses and improve our welfare, but tackling hospital-acquired infections better would potentially put us in a position to prevent thousands of unnecessary deaths each year through the most basic of steps and the dissemination of best practice.

Mr George Howarth (in the Chair): Before I call the Minister to respond to the debate, I remind him gently that it is customary to leave a short period at the end of the debate for the mover of the motion to wind up.

10.38 am

The Minister for Health (Stephen Barclay): As always, Mr Howarth, it is a pleasure to serve under your chairmanship.

I join the shadow Minister, the hon. Member for Ellesmere Port and Neston (Justin Madders), in congratulating the hon. Member for Strangford (Jim Shannon) on securing the debate, which provides an opportunity for the House to emphasise the importance of raising standards of infection prevention and control in the NHS. He was kind to pay tribute to the Secretary of State for his work on patient safety, and on putting that front and centre in his priorities. As the hon. Members for Ellesmere Port and Neston and for Central Ayrshire (Dr Whitford) acknowledged, that is a point on which the House is united in a common cause. How we reduce infections is of real importance to our constituents, as my hon. Friend the Member for North East Derbyshire (Lee Rowley) said, and that is reflected in our surgeries, because it impacts on the lives of those we represent. There is therefore a great deal of common cause.

The debate is timely because it was World Hand Hygiene Day on 5 May, which is an initiative that the World Health Organisation started in 2010 to remind us all, including patients and family members, to practise good hand hygiene, to help reduce the spread of infections. The hon. Member for Strangford was right to challenge the Government to reinvigorate our approach to hand hygiene. A number of initiatives are under way in

Government to address exactly the points that he raised. Public Health England has been raising awareness, and NHS Improvement has begun a number of initiatives, such as its NHS provider bulletin and a hand hygiene theme in its executive masterclass. Other ways of raising awareness include the Royal College of Nursing's glove awareness week. As the hon. Member for Central Ayrshire said, that it is all about taking practice from guidance or files and embedding that into the DNA, the culture and the way people operate, who include visiting relatives and staff at all levels, including doctors as well as nursing staff.

A number of hon. Members, including my hon. Friend the Member for Amber Valley (Nigel Mills), raised technology and what more we can do. One theme of the debate was whether the Government are doing enough to drive forward the use of technology. I recognise the limits of direct observation and how behavioural change may respond to those. That is why the Government are actively looking at the extent to which technology can facilitate this area.

We have carried out an initial assessment; indeed, the NHS Improvement director of infection prevention and control, Dr Ruth May, and her team recently visited the Royal Wolverhampton NHS Trust, which has been trialling an electronic monitoring system to make an initial assessment of that. Their feedback is that the system is reliant on existing technology, and that many IT systems would not be able to support that. A number of practical issues need to be addressed before one would have a roll-out of technology. I reassure the House that Dr May and her team are actively looking at that issue. We all recognise the impact, not just on patient safety, but on the cost of infections and unnecessary deaths. We are actively looking at the issue of technology.

The hon. Member for Strangford also asked if we could publish more. To pick up on the remarks of the hon. Member for Central Ayrshire on the way information is published in NHS Scotland, dialogues are already taking place. I am happy to ask officials to ensure that, as part of the collaboration that is already under way in NHS Improvement with colleagues in the Scotland and England NHS, we look at best practice to ensure that we are working with and maximising the learning from both sets of NHS.

Public Health England has carried out some initial analysis of the available data to determine the suitability of the data available for publishing. Currently, the data is incomplete and will not truly reflect the usage of hand gel. We are exploring how to improve that data. The hon. Member for Central Ayrshire commented that transparency on what is being done and on variance in performance around infection rates is a key driver of prevention.

Dr Whitford: The Minister may know that as a breast cancer surgeon, I was involved in developing the breast cancer standards for Scotland. The only action was peer review—putting everyone's performance up at an annual conference. No one wants to be at the back of the class; in actual fact, seeing genuine performance drives up quality.

Stephen Barclay: The hon. Lady is right that peer review is always a powerful motivator. That sort of transparency drives behaviour, so we need to ensure

that we do that in an effective way that does not alarm patient families, because of the publication of data that could be misrepresented by those who have different objectives. The need to get more publication of data is an important point, which the hon. Member for Strangford and others raised, on which we need to do further work.

The hon. Member for Upper Bann (David Simpson) asked in his intervention about the specific issue of patients going outside to smoke, and whether there was an associated infection risk, for example through drips. I am advised that there is no additional risk of infection, as long as the drip is well managed. If colleagues have specific issues about the infection risk associated with that, that is the nature of the debate and helpful to know.

My hon. Friend the Member for Moray (Douglas Ross) spoke of the pain and distress to patients caused by infections, and the important link to buildings. Although that is relevant in Scotland, to which he referred, I accept that the point would also apply to the England NHS. The state of the buildings and the maintenance programme have a part to play, not just in the Scottish NHS, but in the England NHS as well.

The hon. Member for Strangford asked whether hand hygiene could be a national marker of care quality. The Department is considering how we could do that effectively. The points he raised were heard and I will ensure that they are addressed. As and when we have any update, I will be very happy to share that with him.

Overall, a great deal of progress has been made. We are committed to reducing the number of infections. Since 2010 we have made excellent progress on MRSA and *C. difficile*. In the 12 months ending March 2018, MRSA cases were down 54% on the 12 months ending May 2010, and *C. diff* infections were down 47%. Considerable progress has been made, but as the hon. Member for Central Ayrshire mentioned, although we have made progress in slowing the rate of increase of *E. coli* infections, there is more to be done to bring that rate down. NHS England has the challenging objective to bring that down by 20% as part of its mandate. As a result of slowing that down, there were 2,400 fewer cases of infections than there would have been with the previous trend.

Clearly, there is more to be done on *E. coli* and it is an area of considerable focus in the team. Those cases also have a fiscal cost of between £3,000 and £7,000 per infection, but the much more material cost is the patient safety issue and the harm that accrues as a result. NHS Improvement is leading this programme, aimed at a 20% reduction in *E. coli* bloodstream infections in 2018-19. It is an ambitious but important target. NHS Improvement has begun working with the medical director of NHS England, Steve Powis, on setting up pilots with local health economies across England to engage and assist in the reduction. That may be an issue that my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) wishes to pick up with me after the debate—how we can work together, given her powerful but extremely sad experience of the events that befell her father.

Colleagues recognised the considerable amount of work on antimicrobial resistance, which is an important factor in treating infections. Our latest estimate is that over five years, there could be an extra 6,000 deaths attributable to pan-antibiotic resistance. Lord O'Neill's

review on AMR said that drug-resistant infections will cost the world 10 million extra deaths a year and \$100 trillion by 2050. Those are pretty scary figures, but they underline the importance of preventing infections occurring in the first place.

That brings me on to patient safety. Following the tragic events at Mid Staffordshire and the subsequent public inquiry led by Sir Robert Francis, the NHS embarked on a journey of improvement based upon three strands: better regulation, greater transparency and a culture of learning. Assessing the risk of, and preventing, detecting and controlling the spread of, infections, including those that are healthcare associated, is addressed by the fundamental standards of care, enshrined in regulations, that all Care Quality Commission registered providers are expected to meet. A number of colleagues mentioned the role of the CQC as part of the checks and balances that need to be in place.

In November 2016, the Secretary of State launched new plans to reduce infections in the NHS, including the sepsis commissioning for quality and innovation. Through that, we have incentivised hospitals to improve their sepsis care. Independent CQC inspections have focused on *E. coli* rates in hospitals and in the community. In addition, we have appointed a national infection prevention lead to ensure a sustained focus at national level, improved training and information sharing, so that NHS staff can cut infection rates and, through the National Institute for Health and Care Excellence's 2017 guidelines, highlight standard principles and advice on good hygiene.

Considerable progress is being made. Data published in 2017 suggests that four in 10 of all *E. coli* blood infections cannot be treated with commonly used antibiotics. Infection prevention and control is a key element of tackling antimicrobial resistance, and hand hygiene plays an important part in that. We are working extensively with stakeholders, including the royal colleges, academia and the research community, industry and our expert advisory groups, to inform our next steps.

Several colleagues, including the hon. Member for Ellesmere Port and Neston, mentioned sepsis. We have made significant progress since our focus to improve sepsis practices increased in January 2015. There is new NICE guidance and a new national CQUIN measure to incentivise providers to improve the identification and timely treatment of sepsis. The hon. Member for Central Ayrshire was absolutely right about the time-critical nature of that treatment. That work is already delivering change. The most recent data, which is for the third quarter of 2017-18, shows that emergency department assessment for sepsis has increased from 52% to 92%, and in-patient assessment has increased from 62% to 84% since April 2016.

Considerable progress has been made, which reflects the renewed focus across the NHS, in England and Scotland, on the time-critical nature of sepsis treatment, but we know there is more to do, which is why a new cross-system action plan was launched in September 2017. That plan outlines a range of activities to ensure that the NHS is on the highest possible alert to tackle that devastating condition. Indeed, just recently, on 25 April, NHS Improvement issued a national early warning score 2 patient safety alert to support providers

[Stephen Barclay]

to adopt the revised NEWS2 to detect deterioration in adult patients, including better identification of patients likely to have sepsis.

My colleague the Minister for Care, my hon. Friend the Member for Gosport (Caroline Dinan), hosted and gave a speech at the launch of Health Education England's paediatric sepsis e-learning package, which, again, is about raising awareness at an early stage. That training package was informed by clinicians and by parents whose children sadly passed away from sepsis, so we can learn from those tragic events and ensure that warning signs are better picked up at an earlier stage.

As several Members recognised, hand hygiene plays a key role in infection prevention and control, in supporting patient safety and in our efforts to address antimicrobial resistance. Considerable progress has been made—MRSA has more than halved and *C. difficile* has reduced by just under half since 2010—but, as the hon. Member for Central Ayrshire rightly said, *E. coli* remains a key area for renewed focus. We have successfully slowed its growth, but we now need to reduce it significantly. Part of the challenge is that a lot of it occurs outside the hospital setting, in the community.

I look forward to working with colleagues from across the House on this shared objective in an area where shared practice, from both England and Scotland, can help. We can learn from each other and from Members' experiences in their constituencies. We will continue to embed hand hygiene practice and promote awareness of it in the NHS, not just through World Hand Hygiene Day but through debates such as this one.

10.54 am

Jim Shannon: I thank all hon. Members for their significant and helpful contributions. The shadow Minister mentioned that everyone was on the same page and

saying the same thing. I love debates of this type, because they show that we can all work in a cross-party way and make significant and helpful contributions. Let me look at the thrust of what we are trying to achieve. We are trying to bring deaths down—we have got them down to a certain level—and to implement a constructive strategy and policy to move forward with diagnosis and monitoring. Members also referred to the desire for increased public focus, and to the failure of buildings.

I am sure Members will not mind me saying that we are blessed to have the hon. Member for Central Ayrshire (Dr Whitford) here. I think we all acknowledge that she brings a wealth of knowledge to this place. I say that sincerely—I mean it, as I think we all do. We can all benefit from what she knows and from what is being done in Scotland.

The Minister told me before the debate that he was standing in for a colleague. He stood in very well, and I thank him for his constructive responses to every one of our comments. Much progress has been made. We are encouraged that a strategy is in place to try rigorously to reduce infection. Members' contributions were all helpful, constructive and positive, and I hope that the debate leads us to where we all want to be, with disease reduced and perhaps someday done away with in all hospitals. The Minister referred to a shared objective. Yes, everyone in the House has a shared objective, and we all hope that together we can make it happen. I thank each and every Member for their contribution, and I wish them well.

Question put and agreed to.

Resolved,

That this House has considered raising standards of infection prevention and control in the NHS.

10.56 am

Sitting suspended.

Administration of Justice: Daniel Cresswell

11 am

Crispin Blunt (Reigate) (Con): I beg to move,

That this House has considered the administration of justice in respect of Daniel Cresswell.

I sought this debate to address a plainly wrongful conviction of my constituent, Daniel Cresswell. It is one of the most serious individual miscarriages of justice that has been brought to me about a constituent in more than two decades in Parliament. Every agency, from the investigating officer through to the Crown Prosecution Service and the legally aided defence barrister as well as the route to the Court of Appeal, the Criminal Cases Review Commission and, to some degree, the prison system, have all failed Daniel Cresswell alarmingly.

The assorted oversight systems could not produce any remedy, either. They included the then Independent Police Complaints Commission, West Yorkshire police professional standards department, West Yorkshire police's operational and political oversight in the form of its chief constable and its police and crime commissioner, the legal ombudsman, the Bar Council and, to date, even the Government as represented by Ministers. The formal purpose of the debate is to invite the Minister, on behalf of the Government, to instruct a judge to review the whole handling of the case, as agencies and their oversight systems have collectively failed. However, I must say I have no expectation that he can or will put a review in hand. Indeed, any number of junior Ministers are responsible for some element of failure in the system that individually they oversee.

I have the highest respect for the Minister selected to reply on behalf of the Government, and I know that today he can only really listen before consulting his colleagues as to whether the Government will act further. My primary objective is for this speech to serve as a point of reference for my constituent as he embarks on his post-prison life. This speech is for him, and I know the Minister will not be too distressed if I take most of the time available.

As Daniel Cresswell seeks to provide for himself and his family, he will be able to evidence that his Member of Parliament is convinced that his conviction is wholly unsound. Any putative employer, friend or acquaintance of Daniel Cresswell should be able to use this speech to understand why any assessment of his character should not carry the burden of the state's conviction of him for the serious offence of rape that led to a sentence of seven years in prison.

In summary, Daniel Cresswell was fitted up by the female partner of a major debtor of the company that employed him—a debt he was engaged in pursuing. He allowed himself to be manoeuvred into a position whereby the woman spent the night in his hotel room. She made an allegation of rape from what is alleged to have happened when they woke up the following morning. The investigating officer was entirely focused on obtaining a conviction, not the truth. The defending barrister chose to present a case that was fatally confused by her own view of how to achieve an acquittal, not the defendant's own account. All avenues of appeal and

accountability were either systemically closed off or wilfully obstructed by oversight systems protecting their own.

What was not established in the investigation and trial process, and should have been, was that the claimant had a motive and created the means and opportunity to make a charge against the investigating officer of a company seeking to recover a debt in excess of £80,000. Equally, having made a serious allegation against a previous employer, her character was not introduced in court.

I will not name the complainant as the law requires. However, I will name deliberately and purposefully under the protection of parliamentary privilege the investigating officer: Detective Constable Clare Barran. I am satisfied that there is a *prima facie* case not only that she failed in her duty in the pursuit of truth and justice but that she lied both in the signed documentation that supported her investigation and in her testimony at the trial at Leeds Crown court.

I can only headline the key issues in the time available, but they were the subject of a 29-page submission to the IPCC. All attempts to have West Yorkshire police properly review the investigation were obstructed by that force, including by its chief constable, Dee Collins, and the subsequently elected police and crime commissioner, Mark Burns-Williamson.

I had a meeting and correspondence with the then Police Minister, my right hon. Friend the Member for Great Yarmouth (Brandon Lewis), around December 2016. He encouraged the family and me to engage the police and crime commissioner as offering an improvement on the then current complaints model, which he described as in need of reform. Our experience has been that this PCC has woefully failed to hold his force to account.

The investigating officer was indolent in the extreme when it came to establishing Daniel Cresswell's account and wholly one-eyed when investigating the complainant's. Daniel Cresswell spent 415 days on police bail, and, after a year, the telephone records that would have supported his account, which he sought to hand over to the police—the request was declined—were deleted in the usual way by the telephone company, the police inexcusably having failed to request their protection. The only independent witness was not interviewed for 15 months and, while his recollection will plainly have degraded in that time, the police and CPS between them prevented his statement from being disclosed for a further 3.5 years. The video evidence that my constituent sought to protect as supporting his account of the evening became somehow accidentally and irreparably damaged in police protection.

There is then the issue of the central piece of forensic evidence that involves my constituent's semen appearing on the complainant's knickers. His account is that he awoke to find her artificially inducing it. The forensic examination made clear that,

“secondary transfer cannot be ruled out”,

but DC Barran altered that to,

“there is significantly more than mere transference”.

In the words of the forensic scientist “a trace” amount of DNA is termed by DC Barran as “a significant amount”. The complainant's initial statement that her underwear had been “washed once” is changed by DC Barran to,

“washed a number of times”.

[Crispin Blunt]

DC Barran signed a certification on 3 August 2013 saying that she,

“is not withholding any evidence that will support the defence”,

yet her own notes clearly show that she was aware on 28 May 2013 that the forensic science officer, having received new evidence, had concluded that either party could be telling the truth. Although that shows that DC Barran was aware the forensic science officer accepted that Mr Cresswell could be innocent, she withheld that information from the defence for 13 months, disclosing it only immediately before the trial. I happen to believe that that fatally misled the defence barrister on the strategy she should have employed for the trial. The original statement from the forensic science officer—which DC Barran knew was wrong—was submitted to the CPS and defence along with the above-mentioned certification in August 2013. It was only after 3.5 years that it emerged that she had conducted an interview with Dean Sygrove, the only first-hand witness, which was also not disclosed to the defence.

All the failures of the police investigation served to aid the prosecution and harm the defence. Had the actual evidence as to the course of events that led to my constituent and the complainant being together in the hotel room been disclosed, my constituent’s account would have been supported and the credibility of the claimant would have been undermined. What limited evidence there was from the hotel room received the same biased treatment.

We should at least understand the wider climate in which this police officer was operating: the climate in which DC Barran left my constituent on police bail for 415 days and took 15 months to interview the only first-hand witness, and where, contrastingly, she took one day to seek what she believed was confirmatory evidence for the claimant from the hotel. Ironically, I left office as the Minister for Criminal Justice in September 2012, two weeks after this alleged offence was reported to the police. I was well aware of the public policy anxiety to improve the number of convictions arising from complaints of rape to the police and indeed to support and encourage victims of rape to make those complaints to the police. This was not a climate created by Alison Saunders, the retiring Director of Public Prosecutions, but it was rocket charged under her term of office. Given today’s circumstances, with the discrediting of so many high-profile sexual offence investigations having revealed the one-sided and one-eyed way in which the police and prosecution have sought to deliver convictions and not give the defence the benefit of the information they hold, I personally think it is inconceivable that this case would now pass muster even to arrive at a decision to charge.

Alison Saunders’s recent claim that there are no people in prison today as a result of failures to disclose evidence on the part of the CPS must be nonsense. First, she cannot know, and secondly, the first-hand experience of my constituent plainly suggests otherwise. Daniel Cresswell is another victim of the enthusiasm to improve the conviction rate in rape trials. However, it is the interest of justice that has been sacrificed in the process, along with Daniel Cresswell’s liberty for three and a half years and his future reputation, which this speech is designed to at least alleviate.

Let me turn to Daniel’s representation by his legally aided defence barrister, Fiona Rowling. My review of the case is that her belief was that whatever happened in that hotel room would have been consensual. Therefore, rather than adequately challenging the complainant’s account, or advancing my constituent’s account that he had in fact been indecently assaulted, she attempted to present his account and her belief in parallel. Her performance in front of the jury was described as incoherent and disjointed, and it was muttered and mumbled so quietly and unintelligibly that the disdain and shocked disbelief on the faces of the jurors was conveyed as far as the public gallery. The transcript does not capture the shockingly poor manner of her delivery, which was seen as jaw-droppingly bad, as one member of the jury regarded her with his mouth wide open in astonishment.

Fiona Rowling’s defence strategy had shocked the family when she stated on the first day of the trial that she did not want to make the complainant out to be a liar. Advice was sought from a local Leeds solicitor about whether she could be removed from the case when she refused to follow her client’s instructions. One has sympathy for hard-pressed criminal defence barristers working on legal aid, but that quality of performance cannot be excused or form part of our justice system. Afterwards she asked her client to apologise to his family,

“who may have the impression that that didn’t go very well”.

Her performance was the subject of a complaint to her chambers—unsurprisingly that was rejected—followed by a formal complaint to the legal ombudsman, which bewilderingly found her performance “reasonable”. The legal ombudsman offered a final appeal to the Bar Council, but since the legal ombudsman was put in place because of concerns over the adequacy of the Bar Council as the regulator of professional standards, unsurprisingly that did not result in a satisfactory resolution either, and it was formally out of time. This investigation, and particularly the failure of the legal ombudsman to seek first-hand accounts of the woeful inadequacy of Fiona Rowling’s court performance, was another avenue of accountability that was closed to the family by rules and processes, and I hope that a judge reviewing the entire conduct of this case would seek to investigate that fairly.

In the wake of that one-sided investigation and incompetent defence, my constituent found himself sentenced to seven years in prison. That is when his family sought my help, given the administration of his sentence. Unsurprisingly, he maintained his innocence, and here he fell into a very difficult challenge for the prison service: what to do with myriad offenders—particularly those charged with sexual offences—who maintain their innocence? Among their numbers will be men like Daniel Cresswell, whom I believe to be innocent, yet they are now being doubly punished.

For two and a half years I had the pleasure of working with Michael Spurr, Chief Executive of the then National Offender Management Service, as his overseeing Minister. He said in a letter to me that,

“in prisons running the sex offender treatment programme, priority will be given to those who are willing to address their offending behaviour. Mr Cresswell is maintaining his innocence of the offences for which he is currently imprisoned and he is not ready to participate in a programme solely designed to address his sexual offending”.

As such, Mr Cresswell was detained in a prison much further from his home than would otherwise have been the case. His family visits were impacted as a consequence, and that also appears to have been used as a lever to try to get him to co-operate with his sentence plan—a position that to him was plainly impossible.

In my letter to Michael Spurr of 23 November 2014, I made a suggestion as to how the situation could be improved for non-compliant convicted sex offenders. Regrettably, however, given the litany of different parts of the justice system that need a reference in this time-limited speech, I cannot develop those thoughts further here. However, given the Minister's responsibility, I am sure that he will give the matter the thought it deserves. I believe it is a growing systemic problem, given the number of sex offenders in custody, alongside our enthusiasm—understandable in many ways—to improve the conviction rate in rape trials. Given the way that such trials are now being conducted, the possibility of convictions such as that handed to Daniel Cresswell should give us pause for thought about the administration of justice.

After a wrongful conviction, the usual course would be to go to the Court of Appeal. An appeal must be made on the basis of facts and points of law, but given the circumstances of this case and the finding of facts by the jury, the family were advised—almost certainly correctly—that the chance of success at the Court of Appeal was frighteningly small. Therefore, two routes were pursued: an attempt to hold the investigation to account by seeking an investigation by the West Yorkshire police professional standards department, and what is known as a “non-appeal application” to the Criminal Cases Review Commission.

The formal complaint to West Yorkshire police was made in December 2014, and after five months of no progress, the family sought help from the Independent Police Complaints Commission and the police and crime commissioner. That eventually led to an investigating officer being appointed, and throughout 2015 and into 2016 the inquiry was prodded by Daniel Cresswell's father-in-law, Richard Cordle, who is a retired police officer. It is entirely down to Richard Cordle, who had the expertise to understand the failures in the police investigation system and—happily for Daniel—the time and determination to bring West Yorkshire police to account, that the quality of evidence about the investigation and the rest is so convincing. Indeed, it has completely convinced me of the inadequacy of the entire investigation process.

There is an unhappily fat file on the to-ing and fro-ing between the police force, Mr Cordle and the IPCC, which was occasionally reinforced by letters from me to the chief constable, inviting her to give the matter her personal attention. Any review of the process will demonstrate that this was a police force protecting its own, given that the investigating officer could potentially be facing a trial for perverting the course of justice. That conclusion is supported by the fact that an investigation did not proceed on the basis of such seriousness; it is supported by the failure of the police to interview their officer under caution, and by the delay and obfuscation of the professional standards department and the chief constable. That was topped off by the inaction of the Independent Police Complaints Commission, which culminated in letters from me to Dame Anne Owers that even today remain unanswered.

In parallel to that was the route taken to the Criminal Cases Review Commission. Understandably, the work of the CCRC is of particular interest to those trying to reverse an injustice. Through the United Against Injustice conference, and the claims of the erudite CCRC spokesman, David James Smith, the family gained encouragement about the powers that the CCRC could employ on their behalf to gain access to undisclosed and securely held material post trial—material that they would not otherwise know about or have access to. However 16 months after embarking on the CCRC route, they were told that it would not utilise those powers on a “fishing expedition”. The family feel utterly let down by the CCRC and are left with the belief that its function is to provide closure and to protect the status quo within the justice system.

Meanwhile, the lack of progress consumed almost half of my constituent's time in custody. Every day of delay by the CCRC, the IPCC and the PSD of West Yorkshire police made the practical benefits of a remedy—Daniel's release from his custodial sentence—less meaningful. The family maintain that the CCRC's failings are borne out in the statistics—in its own headline figures. I welcome the newly created all-party parliamentary group on miscarriages of justice, chaired by the hon. Member for Huddersfield (Mr Sheerman), which aims to campaign to improve the lot of the wrongly convicted, and reform the appeal system. Mr Cresswell's family are now involved with that.

Stymied by a police force that will not investigate its own, by a police and crime commissioner who refuses to hold his own police force to account, by an Independent Police Complaints Commission that failed to get another force to investigate West Yorkshire police, by the actions of West Yorkshire police, and by the inability of the justice system as it is currently administered, my constituent has almost no effective remedy left. I understand that consideration is being given to finding out whether an out of time approach to the Court of Appeal might be possible. However, given the advice that has been received and the record of the Court of Appeal in cases such as this, personally I doubt the likelihood of success by that route.

Daniel is now out of prison and trying to rebuild his life. I am delighted that he has started so successfully. It is the purpose of this speech to be a published point of reference to my belief in my constituent's innocence of the charge for which he was sentenced to seven years in prison. It is also my hope that those in a position to help him in future, in employment or in any other way, will pay due attention to this review of the multiple failures of our system of justice. Daniel Cresswell has been poorly served by the justice system, and I hope that this speech will help him to put the experience behind him. He has, however, been incredibly well served by the unstinting love and support of his family, who have enabled me to make this case and this speech for him today.

11.22 am

The Minister of State, Ministry of Justice (Rory Stewart): It is a privilege to serve under your chairmanship, Mr Howarth. I pay tribute to my hon. Friend the Member for Reigate (Crispin Blunt) for a powerful and heartfelt speech. I had the opportunity to meet Mr Cresswell and his family briefly beforehand, and I join my hon. Friend in paying particular tribute to Mrs Cresswell

[Rory Stewart]

and her parents for the extraordinary compassion, faith and energy that they have put into the case over so many years. My hon. Friend raised a number of serious issues and it is difficult for me to go through every one in turn, but serious allegations were made against the police, the lawyer, the court process and the way evidence was used, West Yorkshire police, the police and crime commissioner, the Crown Prosecution Service and, ultimately, the Prison Service.

It is, as you will be aware, Mr Howarth, a very important principle of English law that Justice Ministers do not comment on individual cases. For better or for worse, for 1,000 years the principle of this building has been that judges and juries are independent of politicians, and therefore I am not able in this case to comment on what happened in that courtroom. The grounds for appeal, as my hon. Friend pointed out, cannot be that the jury came to the wrong decision; the appeal can be made only on the basis of new evidence or a legal error. That has been central to this case.

Perhaps I may touch on the broader issue of miscarriage of justice in general and on the all-party parliamentary group on miscarriages of justice that has been set up. There is no doubt that miscarriage of justice does occur, and as the Ministry of Justice, we need to be aware of that. We have seen it in high-profile cases, such as that of the Birmingham Six. Research in the United States suggests that between 2.3% and 5% of convicted people in American prisons are in fact innocent. We need to take that very seriously, in thinking about our entire legal system. Miscarriage of justice can happen for a range of different reasons. It can happen directly through perjury. I am not in a position to comment on the present case, but we must be aware that there are cases of perjury by victims or by police officers. There can be issues to do with insufficient evidence, or with expert testimony. There can be instances of confirmation bias—people's prejudices affecting the outcome of a case. A good, functioning legal system—and the British legal system has for 1,000 years had reason to pride itself on being one of the best legal systems in the world—has to remain ever-vigilant for these dangers of miscarriage of justice. Although Mr Cresswell has now served his term it is very important, for the sake of others who in future might go through such a situation, that we are absolutely rigorous about making sure that miscarriages of justice do not occur.

I take my hon. Friend's speech very seriously. I will circulate it to my colleagues in both the Home Office and the Ministry of Justice, to ensure that everybody dealing with the police, with the Crown Prosecution Service, with the operation of legal aid and ultimately with the prison system, is aware of the very serious allegations that have been made today. I want to conclude with a strong tribute to Mrs Cresswell for all the energy, faith and compassion that she has shown, and to my hon. Friend for the compassion and energy that he has shown in presenting his constituent's case.

Question put and agreed to.

11.26 am

Sitting suspended.

Public Legal Education

[MR MARK PRITCHARD *in the Chair*]

2.30 pm

Mr Ranil Jayawardena (North East Hampshire) (Con): I beg to move,

That this House has considered public legal education.

It is a pleasure to serve under your chairmanship, Mr Pritchard.

I rise today to open the debate on public legal education with the aim of highlighting its importance and supporting its expansion, so that it reaches as many communities across the country as possible. It is great to see the Solicitor General in his place today, knowing how passionate he is about this cause. His enthusiasm and support are especially vital, since successfully reaching as many communities as possible will take a lot of engagement on his part with the voluntary sector and the legal professions, which must themselves drive PLE. Before I get into the substance of the debate, I place on the record my thanks to voluntary organisations such as Young Citizens—formally the Citizenship Foundation—and the Legal Education Foundation, and, of course, to the House of Commons Library for the briefings with which they provided me ahead of this debate.

I believe we should start from first principles, for Her Majesty's Government's first duty, above all else, is to keep its citizens and our country safe from harm—safe from those who wish to do us harm, both within and outwith. To that end, just as in Burke's unwritten social contract between the living, those who have been and those who are yet to come, the Government form an unwritten contract with the population as a whole. In that contract, in exchange for their security and safety, the public agree to follow the rule of law.

The rule of law is one of those four fundamentals, alongside democracy, individual liberty, and mutual respect and tolerance of those of all faiths or none, that are so crucial and central to our lives. It is described by the World Justice Project as,

“clear, publicised, stable and just”

laws that,

“are applied evenly; and protect fundamental rights, including the security of persons and property”.

An important part of that is the word “publicised”; not only must the great British public respect the law, but they must know it and they must understand it. They must understand their rights and, crucially, their responsibilities.

John Howell (Henley) (Con): My hon. Friend makes a powerful point. Does he agree that it is not just those rights that we need to educate people about? The courts are changing. We have online courts and we have online divorces, because of changes that are occurring in the Ministry of Justice. All of that plays to the strengths of young people. I wonder whether we ought to teach them how to access that justice, as well as what that justice is.

Mr Jayawardena: My hon. Friend makes an important point on how the justice system continues to evolve and how young people must be taught about all facets of the legal system, some of which I will deal with later. Indeed, in today's increasingly complex society it is more vital

than ever to equip as many people as possible—young and old—with at least some basic knowledge about our legal system and their legal responsibilities as well as their rights.

Mrs Helen Grant (Maidstone and The Weald) (Con): I congratulate my hon. Friend on obtaining this important debate. As a former family lawyer for 23 years—that takes me back—I recognise the arguments he is making and will make. Does he agree that a public legal education programme should also focus on our diverse communities up and down the country, where language can often be an issue and a barrier?

Mr Jayawardena: I thank my hon. Friend for that point. She has been a champion of greater diversity, and she is of course right that we should not exclude any community from the legal system. I will deal with those points later also. PLE, where it is implemented, provides people of all ages and backgrounds with awareness, knowledge and understanding. As a Conservative, I believe in people—the duty, desire and ability of people to look after themselves, their families and one another. PLE helps people do just that. It gives them the confidence to do it, and to gain the skills they need to deal with disputes and gain access to justice, in consequence improving the accuracy, efficacy and fairness of our justice system.

Equally important, however, is that PLE helps people to recognise when they may need support, what sort of advice is available and how to go about getting it, giving people their independence. In other words, I believe it can create less Government intervention in people's lives, allowing them to get on with living their own good lives where they cause no harm to others.

Above all, PLE enables people to become fully participating citizens in our big society, whether through jury service or by serving as a magistrate, which I am proud to say my father has done for around 15 years, instilling in me the same example of those values of public service and participation in the legal system as colleagues here in Parliament do. PLE increases citizens' knowledge of this mother of all Parliaments, the birthplace of parliamentary democracy, where we make the laws that others implement. It increases political engagement and, I hope, will increase representation.

Without understanding how our legal system works—without understanding actions and their consequences—people cannot live John Stuart Mill's harm principle or understand the realist decisions that politicians must make. Without proper PLE, people vote for—dare I say—wishful thinking policies, borrowing potentially trillions of pounds more on our country's credit card without thinking through what it really means. PLE and public financial education are similar and equally important, but I fear that PLE is often the forgotten half of that important paradigm.

One of the most important groups for us to reach with PLE is young people. Good PLE in schools will develop, by extension, fully participating citizens, who have the tools to confidently engage in our democratic parliamentary system under the rule of law, and therefore citizens who do not respond to views different from their own with violence such as we saw in the 2011 London riots, or by potentially no-platforming public speech as others do, or indeed by demanding a second referendum

to overthrow the democratically expressed will of the British people without any consideration for the other side of the argument. Who knows? Some might even be encouraged to pursue law as a career—I should say that my wife is a non-practising solicitor—helping to expand the capacity of the UK's world-leading services industry and, consequently, our economy.

Organisations such as the Citizenship Foundation have been working in hundreds of schools and colleges for almost 30 years to help deliver an important part of citizenship education. By helping legal professionals to partner with schools and young people and helping teachers to deliver engaging citizenship education, they aim to help

“young people to understand their rights and responsibilities as active citizens”.

Pupils at schools in my North East Hampshire constituency benefit, too. One of the Citizenship Foundation's PLE initiatives is an annual mock trial competition, run in conjunction with Her Majesty's Courts and Tribunals Service, with Hampshire heats, including a magistrates mock trial at Winchester Crown court, a Southampton heat and Bar mock trials at nearby Reading and Guildford. Thousands of pupils take on the various roles involved in criminal cases, such as prosecutors, witnesses, defendants, court clerks and jurors, and learn skills such as advocacy, public speaking, cross-examination and critical thinking, as well as understanding how the court system works.

Jessica Morden (Newport East) (Lab): The hon. Gentleman makes a good point about the experiences of his constituents, but does he agree that while it is a very good thing for people to know their rights, being able to enforce them in a real court is what really matters, and that the Government's cuts to legal aid and court closures have cut people's ability to do that?

Mr Jayawardena: It is a shame that some people have to play politics on a day when we can commend the work of outside organisations that are doing much good work in schools, in my constituency and others. Indeed, by encouraging more young people to understand their legal position, I hope—I have mentioned it already and I mention it again—that more people will be able to take the right action, so that they need not face action in the courts. I think we can actually help people to help themselves to better understand their position in the legal system, and to find where they can get the advice they need.

If the hon. Lady will allow me to continue, I think it is absolutely fantastic that legal professionals, who are the experts in this area, are so involved. The cases in those mock trials are heard in front of real judges and magistrates, who give feedback to the teams. Some 2,000 legal professionals, including solicitors and barristers, volunteer their time to support these events. As Members of Parliament, I think we have a platform to encourage more dedicated legal professionals to get involved and to support those initiatives—indeed, to commend those initiatives and thank them for what they do.

Another example of a great PLE initiative that we need to see more of, and which might help to address the point raised by the hon. Member for Newport East (Jessica Morden), is the legal branch of the Experts in Schools scheme. The scheme trains volunteer professionals from the Citizenship Foundation's 40 corporate legal

[Mr Jayawardena]

partners and matches them with schools, where they deliver sessions on subjects relevant to young people, such as social media or consumer rights.

As well as providing classroom resources for topical legal issues and immersion conferences led by leading barristers, the Citizenship Foundation wants to reach young people directly. It produces a pocket-sized guide to the law—“Young Citizen’s Passport”—which is now on its 17th edition. Millions of copies have been distributed. I put a call out here and now to fellow Members to encourage our generous and fantastically civic-minded law firms up and down the country, and indeed the wider voluntary sector, to consider whether they can help with this in the years ahead.

Other organisations also have worthy PLE initiatives, such as BPP University’s Streetlaw programme. Showing the potential for everyone to succeed, BPP University law students research, design, draft and deliver interactive presentations on the law to community groups that might not have access to legal information or education, or to those groups that may have a negative perspective of the legal system. Those can include basic presentations on civil and criminal rights to primary and secondary school classes in disadvantaged communities, helping children to learn about the legal system, the courts and the people who appear in them in an interesting and enjoyable way, as the group is currently doing across London. At the other end of the spectrum, I would contend, they can be presentations to enhance prisoners’ understanding of the role that law plays in civic society while imparting general legal information, with the aim of equipping prisoners with the skills and knowledge that will facilitate their reintegration into society upon their release. Those are absolutely critical in ensuring that no one is left behind.

BPP University also has a third branch of the scheme that works with several shelters and charities to provide highly practical presentations to homeless people, who are sadly part of the group of people who are largely sceptical of the English legal system. That takes us back to the principles that I voiced at the start: helping people to help themselves, empowering people to become fully participating members of society and allowing people to live their own lives within the law.

These smart initiatives I have highlighted make a great start, but we must do more to provide a legal foundation that stays with people throughout their lives. That is why I regularly speak to pupils at my own local schools about democratic engagement, and why I participate in schools’ citizenship events, such as the model United Nations. I know that many Members do likewise, and I encourage all Members to do so. I also regularly speak to the headteachers of my local schools, and I will raise PLE with them in the months and years ahead to encourage participation in all the great schemes that I have highlighted.

However, I believe that Members of Parliament can go further. We should strongly encourage local schools to make time for initiatives from local charities, even if they do not have time to teach the full citizenship course. Academy trusts, for example, could create the resources to provide such PLE and other citizenship education centrally and then alternate between which of

their schools they direct that resource to. Indeed, they could share those resources with neighbours and vice versa.

Further, the Lords Select Committee on Citizenship and Civic Engagement recommended a statutory entitlement to citizenship education from primary education to the end of secondary education, inspected by Ofsted. I am not here to make the argument that statutory involvement by the state is the way forward, although, as with any instance of major market failure, if the teaching of PLE, citizenship and fundamental British values should fade, the Government should rightly consider the good that they could do by stepping in.

However, we miss the point if we talk only about schools. PLE is not just about schools. It can be, and is being, delivered in all sorts of community settings to interested groups by members of the legal profession, but we must not reach interested groups only. There are a range of vulnerable or at-risk communities for whom a greater understanding of their rights, responsibilities and risks is really important.

For example, with our ever-aging population, the elderly are vulnerable to doorstep, phone or online scams, as are we all. In Hampshire in January, a fake detective sergeant, allegedly from the Met, conned a lady in her 70s out of more than £10,000 after phoning her continuously—harassing her, in effect—and sending a courier to her house to supposedly investigate counterfeit money.

There exist phishing, smishing and vishing, and we expect our vulnerable communities to keep up without providing them with PLE? We can do more. The disabled, those with mental health problems, the isolated and lonely and other vulnerable groups also face risks. We are seeing more instances of cuckooing, where gangs travel to towns and befriend vulnerable people, only to take over their homes. That is not good enough. We must do more.

Educating people and their friends, family and neighbours in the signs to look out for and their responsibilities to help one another would help to protect people and help fulfil the duty I talked about earlier—people looking after themselves, their families and their communities. As Sir Robert Peel said when he founded the Metropolitan Police in 1829, as a Conservative, the founding principles of policing a democracy are that,

“the police are the public and the public are the police”.

Everyone has a role.

I have highlighted a whole range of great voluntary sector PLE initiatives and great engagement from the legal professions—both as part of and in addition to their pro bono community work. PLE has links with the school curriculum, police engagement and scam-awareness initiatives, and I commend the Solicitor General for spearheading important work to co-ordinate and focus PLE, so that it reaches as many communities as possible. I am not alone in doing so; his efforts have been commended by the voluntary organisations that I have heard from. Clearly, better co-ordination of PLE initiatives and goals will ensure that everyone works together more effectively. His working group of professional and voluntary organisations does just that. He is doing good work, and may it continue.

Just as with health education or financial education, the long-term effects of public legal education include: fully participating, responsible and engaged citizens;

better-functioning public services which are under less pressure and are better able to target resources; and potential savings for the public purse. The British justice system is held up as a shining example across the world. If that alone was not a reason to shout about it from the rooftops—educating the public about its benefits—then improving the accuracy and the fairness of its outcomes must be.

Greater PLE would improve our legal system by ensuring better educated and engaged jurors. It would improve our legal system by creating confident witnesses, aware of the importance of their testimony and often supported factually and emotionally by the Citizens Advice witness service. It would improve our legal system by bringing about the wider participation, and therefore better representation, of communities, as a result of citizens acting as magistrates, for example. It would improve our legal system by helping victims to recognise that they need support and enabling them to seek it in the right places, rather than their circumstances going unreported and unresolved. It would also improve our legal system in many, many other ways.

I am very pleased that we have been granted the opportunity to discuss the excellent PLE already going on in our country. However, I believe that it is more important than ever to equip as many people as possible with knowledge about their legal responsibilities—as well as their rights—under our great British legal system.

2.49 pm

Eddie Hughes (Walsall North) (Con): It is a pleasure to speak under your chairmanship, Mr Pritchard. I congratulate my hon. Friend the Member for North East Hampshire (Mr Jayawardena), partly because this debate has been an education for me. When I was growing up, as the son of a bus driver, in a typical Irish community in Birmingham, I aspired to be a JCB driver, largely because the people I saw around me were involved in construction of some sort and it is easy to aspire to be something that we can see.

I managed to spend a considerable portion of my life without interacting with lawyers of any sort, and when I did, I saw that largely as a negative thing. When I was purchasing a house, I clearly needed to use the services of a conveyancing solicitor. Once we have settled on a house that we think we can afford to buy, all of a sudden there are additional costs that need to be built into that model, so the cost increases and I think, “Oh my god, I have had to pay for this service that I didn’t think I needed and I have paid what felt like an unreasonable fee for it, and these posh lawyers are the people who benefit from it.” Little did I know that although good legal advice is expensive, bad legal advice can be very expensive. Only later did I come to appreciate just how brilliant some people in the legal profession can be, and just how necessary.

The next time that I engaged with solicitors was perhaps even less fortunate—it was when I was getting divorced. Again, the process seemed to cost me considerably more money than I had thought it would. It was an already perilous position to be in, but I needed to engage lawyers at least to mitigate the loss that I was experiencing. My point is that, clearly, if people do not engage with the law and solicitors except at a time when they are absolutely necessary to them in order to navigate life, their experience of them might be fairly negative.

Why do I make this introduction? I do so because I believe that I am the Conservative MP who represents the most deprived constituency represented by a Conservative MP. I believe that approximately 25% of my constituents do not have a passport. They certainly do not have high levels of education and they will definitely not be meeting solicitors or other legal professionals as a matter of course, so the law is, I imagine, probably something for them to fear. If people do not know it, do not understand it and are not aware of what their obligations are under it, life is likely to be all the more difficult, so for me, part of the reason for being excited about the concept of public legal education is the opportunity that it will give me, as an MP, to enhance my engagement with schools in my constituency and also, hopefully, to engage with legal practices in Walsall and give them the opportunity to come into schools and educate young people.

The reason for that is twofold. First, if people are introduced to the law and legal professionals and become more familiar with them, their greater understanding will allow them, I hope, to navigate the law more easily on their own and, should they need to engage professional legal services, they are likely to be better informed as to where to find them. Secondly, and perhaps more importantly, is the idea that schools interacting with legal firms will give young people, particularly those in my constituency, the opportunity to aspire to be something brilliant.

Since I have become more engaged with lawyers—let us face it: an awful lot of them end up becoming MPs—I have developed greater respect for the profession. We do not see them as people who are just going to take our money off us; they are actually nice people, deep down inside, and very useful. Many of them have great careers. What a unique thing for people in my constituency to aspire to.

Before I came to the Chamber this afternoon, I was speaking to some people from Lloyds Banking Group about a programme called Women in the Real Economy. The idea is that 10 MPs will be mentoring young people—young women—who otherwise would not have access to the networks and opportunities that might be naturally available to more middle-class families. What a great programme that is. We will be working in pairs—it will be me and a representative from Lloyds bank—to help those young women to develop skills and talents that they might not otherwise have the opportunity to develop. How great, then, that the timely arrival of this debate means that I have learned from my hon. Friend the Member for North East Hampshire about a number of the programmes that are available to schools and that I can engage some of those young women in them, so that they not only can aspire to great careers in professional commerce—as they might do through Lloyds Banking Group—but can be given some introduction to the law and perhaps, therefore, go on to pursue a career in law in future.

I wholly endorse the concept of the programme under discussion—the idea that we might educate people sooner and quicker. Young people will not be frightened of the law, but will have a grounding in it and a basic understanding of it and their obligations under it, but more importantly for me, the idea that some of them may go on to aspire to become legal professionals in the future is a great endorsement of this programme.

2.55 pm

Mrs Maria Miller (Basingstoke) (Con): It is a great pleasure to serve under your chairmanship, Mr Pritchard; I am not entirely sure that I have done so before. It is wonderful to see you in the Chair today.

I thank my geographical neighbour, my hon. Friend the Member for North East Hampshire (Mr Jayawardena), for calling the debate, because it has given me, like my hon. Friend the Member for Walsall North (Eddie Hughes), an opportunity to look more closely at the work that the Solicitor General has been driving forward in this sphere. I shall speak particularly from the experience that I have had over recent years chairing the Women and Equalities Committee, which has given me an insight into things that I would like to draw on today. Of course, with the Solicitor General in his place, I pay tribute to my right hon. and learned Friend—*[Interruption.]* My hon. and learned Friend—soon to be right hon., I am sure. I pay tribute to him for the work that he has done in this area. As a solicitor, he might be forgiven for thinking that all of us know about these things. He has spent years—*[Interruption.]* Sorry, he is a barrister. Apologies; I will get into trouble with the Solicitor General! He has spent years honing his craft and knowing everything there is to know about the law. Then there are mere mortals, such as my hon. Friend the Member for North East Hampshire and me, who have not had that opportunity, although we did have the opportunity to go to the same wonderful university, the London School of Economics; that is something that we share.

Law shapes our lives. We know here, in the seat of democracy, that laws are an important part of the fabric of British society. We also know that the rule of law is integral to the way in which the British system of democracy works. We need look no further than north Hampshire to see the different ways in which we can make the rule of law work to underpin a better understanding of law are working in our community courts. We can look at the peer courts that have been set up. In those, young people sit and look themselves at community cases involving people of their own age, so that they can gain a better understanding of how the legal system works. We should applaud that and certainly applaud the Hampshire community court for pressing forward with it and rolling it out to ensure that young people understand that laws are not something that sits on a dusty shelf, but are put into practice through our courts and the rule of law.

The other critical part of the law is the political will to ensure that laws have the intended effect. Having been a Minister and been privileged enough to take laws through this place, I know only too well how they can sometimes not have the impact that we want them to have. One law that I believe has had a significant impact, although it probably still needs to go further, is the Equality Act 2010. It has had a significant impact, but we need to do much more to ensure that it has the political effect that was intended at the time. I think this is where public legal education can come into play.

I note the admirable words of my hon. Friend the Member for North East Hampshire, who talked about the importance of young people understanding the law: it should be part of the national curriculum and we should embed an understanding of the rule of law, hopefully to ensure that people can be good and upstanding

citizens, who live their lives within the law. I gently suggest that that needs to go further and embrace those of us who are older, too. The lack of understanding, particularly of equality rights and our equality laws, is quite alarming. I will give a few instances where public legal education can focus in the future.

The first issue is maternity discrimination. Every year, tens of thousands of women feel that they have no choice but to leave their job because of the way in which they are treated in the workplace when they are pregnant or have new children. The Women and Equalities Committee, which I chair, has done an excellent report on maternity discrimination and has proposed some persuasive ways in which we could deal with this, including adopting a model that is in place in Germany, where women are not allowed to be made redundant when they are pregnant or have had small children. I hope the Government will eventually warm to that. As we will perhaps have a shortage of labour in future, we need to ensure that every single person in this country is able to play their part and not be excluded from the workplace for unlawful reasons. Few women understand maternity discrimination; they do not realise that what they might be enduring is maternity discrimination. I hope that the hon. and learned Friend the Solicitor General can talk a bit about some of the work—I believe that his office or the Legal Education Forum may be involved in it—to help women to understand their maternity rights. I think it is critical that any programme he undertakes in future should try to include these equality issues. Perhaps his panel will take some evidence from or listen to some of the organisations that are dealing with these particular issues of equality discrimination.

Secondly, I will briefly draw on some of the issues behind the #MeToo campaign. Again, demonstrating an absolute ignorance of the law, people have perhaps been coerced into signing severance agreements that include gagging agreements—we call them lots of different things and I get into all sorts of trouble for calling them non-disclosure agreements, but we will call them gagging clauses—to stop people speaking out against wrongdoing. The Solicitor General, who is a learned gentleman, knows that these things are completely unenforceable, but the average person, such as me or perhaps my hon. Friend the Member for North East Hampshire, would not be in that position and may believe that draconian measures to keep us quiet are entirely lawful. If the Solicitor General considered how he might use his excellent education programme to look into this further, he would be doing this country a great service indeed.

I could draw on many other areas in equality law, where the lack of understanding is hampering the original intention of the law. Hate crime, disability discrimination, maternity discrimination, which I have discussed, and tackling sexual harassment—the list goes on. I suggest to the Solicitor General that he look at the list of reports that the Women and Equalities Committee has published to see where his topics might lie, because this is a theme that comes up time and time again. I believe that the Equality Act 2010 needs some significant reform to make it work properly, but we also need people to understand it. That is where his programme of legal education comes in.

I wholeheartedly welcome this debate, the concept of public legal education and the excellent work that the Solicitor General is doing. Will he explain how what

he is doing sits alongside the role of regulators, such as the Solicitors Regulation Authority, which has a statutory duty to promote the public understanding of citizens' legal rights and duties? We recently had an opportunity to hear from the Solicitors Regulation Authority in one of our Select Committee hearings. I hope that the SRA will look more closely at this area in the future, particularly given the problems that many people are having with the way in which their employers may be using the law, which is not always as transparent as it should be. Many laws require people to know that they exist before they can come into effect, nowhere more so than when it comes to equality rights. I applaud my hon. Friend the Member for North East Hampshire for bringing this issue to the attention of the House. I will listen carefully to the Solicitor General's response, to hear whether he feels there is more he could do when it comes to the understanding of equality law as well.

3.5 pm

David Morris (Morecambe and Lunesdale) (Con): It is a pleasure to serve under your chairmanship for the first time, Mr Pritchard. I thank my hon. Friend the Member for North East Hampshire (Mr Jayawardena) for introducing this pertinent debate. When I was asked to speak on this yesterday, not having a legal background, I must admit that I found the issue a bit daunting, until I looked into what it was actually about. It is very simple indeed. It is about citizens' awareness of public legal procedures. It turned out—quite remarkably—that I am actually a patron of a public legal education entity, the Mason Hayes Charitable Trust, which is run by Marcus Hayes of Mason Hayes Solicitors. We work with the University of Sussex, placing law students and lawyers in primary and secondary schools, mainly in the midlands. We bring some of the law students into Parliament to learn about how the laws are made in this place and the ways in which we can enhance parliamentary process. We bring them in to show them exactly how laws are made here. We are linked to this issue. It is important that we reach out to the public to show them that the law is not something to be frightened of. The law plays into our everyday lives. All of us will have to use the services of a lawyer at one time or another. It is important that we teach our citizens how to access that market and that part of our society.

My son, Thomas, who is a postgraduate law student at BPP, participates in the StreetLaw programme, run by BPP's pro bono centre. He goes out to schools and teaches young people how to access the law, what the law is about and how it functions in our everyday lives. These are important issues that we have to cover. In my Morecambe constituency, we have many fine law firms—too many to list, and it would be inappropriate to single out any one of them—that do the same thing. It is good to know that the law profession is giving something back to the citizens who support and use them. I ask the Minister, how can we enhance this going forward? It should not be seen as a scary subject, as I thought it was when my colleague approached me to talk about it. It is not a scary subject, as I have explained. I am involved in it and I did not even know I was involved in it, not only as a Member of Parliament, but as a citizen. I wholeheartedly endorse public legal education. We should do this in a fashion that helps the society we are making in this great country.

3.9 pm

Huw Merriman (Bexhill and Battle) (Con): It is a pleasure to serve under your chairmanship, Mr Pritchard. I congratulate my hon. Friend the Member for North East Hampshire (Mr Jayawardena) on securing this important debate. I am fortunate indeed to have been surrounded by the law for the past 30 years, from studying it as a 16-year-old for A-level and going on to study at degree level to becoming a barrister and spending 18 years as a lawyer, and then in the past three years trying to help make the law in this place. In a way, this debate is about how we can help young people ensure that they never have to come across somebody like me. I believe absolutely passionately that young people should be put in a position where they can understand rights and wrongs, rights and responsibilities and the way to settle disputes without the need for them to escalate. That is why I am passionate about the concept of public legal education in our schools. I feel to a certain extent that we are almost there, and this is the bit I want to reference with respect to the Minister.

A year or so ago, I served on the Children and Social Work Bill Committee, and a big discussion was held on personal, social and health and economic education. It came up in a narrow fashion because the discussion was about sex and relationship education and whether that should be a compulsory curriculum subject. In my mind, there was a great opportunity to go broader than that to teach our young people something wider than the citizenship curriculum subject that we have at the moment.

Citizenship is a hugely important subject that covers the rule of law, the ability to articulate debate, volunteering, and how to plan one's life in future, but it could be so much more, and public legal education could easily fold into that. Although it has been confirmed for primary schools that compulsory relationship education will come in—and for secondary schools, sex and relationship education—by September 2019, I think we are somewhat in the dark as to what will occur to the concept of PSHE on a wider basis. I would like to see PSHE established on a compulsory footing, but I would also want to make sure that we do not overload our schools with yet another subject in the curriculum.

Mrs Miller: My hon. Friend is making an extremely important speech. The law is already there; the Secretary of State has put in place a law that can make PSHE compulsory. It just needs to be enacted. I hope my hon. Friend welcomes that, because the Government have actually done something that had been not done for 17 years by Governments of successive colours.

Huw Merriman: It will be down to the Minister to confirm this, but my understanding is that although there has been some form of commitment—we are absolutely clear as to what has been brought in for primaries and secondaries with regard to compulsory relationship education—so far that clarity has not been given for the wider PSHE. I look to the Minister to confirm that, but my research, certainly from February, tells me that that was indeed the case, and that is the commitment I want to see from the Government.

On the current challenges for teachers, I have long taken the view that while it is essential to get the basics of English and maths right in our primary schools—we

[Huw Merriman]

have known for many years that they have failed in that regard—I feel that there is a strong emphasis on those two subjects and they lead to the exclusion in some schools or a lack of attention in others regarding the wider curriculum subjects that will give our young children and pupils the ability to navigate their way through the challenges of life, which is as essential as giving them the basics in English and maths.

I will not delay any further. I know that the hon. and learned Member for Edinburgh South West (Joanna Cherry), who speaks with great knowledge on this matter, has had to cross out part of her speech, so I hope she will get some time back. I look forward to hearing from the Minister as to whether PSHE will be introduced and whether that gives us a golden opportunity to advance public legal education within that sphere.

3.13 pm

Rachel Maclean (Redditch) (Con): It is a great pleasure to serve under your chairmanship, Mr Pritchard, and to follow my hon. Friends, particularly my hon. Friend the Member for North East Hampshire (Mr Jayawardena), who secured this debate. Like others who have spoken, I too had to educate myself on this subject before I came to speak in this debate. It is really important to welcome the work that the Government are doing in setting up a public legal education panel because the law can appear very complex and intimidating, particularly for those from disadvantaged backgrounds who are not as lucky to be as educated as we in this Chamber are.

The trouble with the law, as my hon. Friend the Member for Walsall North (Eddie Hughes) has referenced, is that it tends to affect us at the times in our lives when we are undergoing a lot of stress because of life events that come at us out of the blue, such as divorce or bereavement. It has touched me recently in the case of my mother, who is a dementia sufferer. I have had to apply for a lasting power of attorney and go through an entire process, which has been extremely difficult and complicated. There has been help for me, which I have welcomed, but I think a lot of people struggle with such concepts at difficult times in their lives.

We live in a society where there are still a lot of myths around the law. One area is very important. Women still sometimes believe in the concept of common law marriage, which is a concept with nothing behind it, yet sometimes people believe that they have some rights and protections in a relationship. They find out when it is much too late that they do not have protections and are left in a devastating financial position, sometimes losing access to their property or their children. I very much hope that the concept of public legal education can reach out to all areas of society and help people when they have tragic and difficult life events.

I am delighted, like other hon. Members, to mention some of the organisations that do an excellent job. I have been made aware of one organisation called Big Voice London. One of my daughter's friends has done some work for that organisation, which focuses on the diversity aspect because, when we look at the legal profession, it is still very limited in terms of who comes into it. Unfortunately, social mobility is a real problem. In 2017, despite only 7% of school pupils attending private schools, according to the Sutton Trust 32% of

law firm partners, 71% of QCs and 74% of judges attended private schools. As someone who went to a comprehensive, I do not think that is good enough, so I am delighted that there are organisations such as Big Voice. My friend, who came from a non-traditional background, said that it really helped him in his journey. He has just started as a young barrister and is doing very well. I hope that such organisations can continue to be supported.

I will touch on three issues—I do not think they have been mentioned—where public legal education is critical. The first is social media for young people in our schools. They sometimes do not realise the impact on their future careers of what they post on social media.

Jim Shannon (Strangford) (DUP): Does the hon. Lady agree that it is imperative that, in a world that is increasingly litigious, people are educated from a young age to understand how systems work and, more importantly, understand where they can seek help from appropriate sources without the worry of feeling isolated, uncertain, overwhelmed and vulnerable?

Rachel Maclean: I thank the hon. Gentleman for that intervention; I agree with the point he has made. Social media can sometimes combat isolation, but it can also lead to isolation in and of itself.

Social media is one area where young people need to be more aware of the law and how what they post can affect their future job prospects. The other area is housing, which comes up all the time with constituents in my surgery. Unfortunately, there are very bad landlords out there. The Government have done a lot to protect tenants, but sometimes people lack awareness of their rights and responsibilities and they end up living in absolutely horrific housing conditions that none of us would want to see.

The final area is around employment law, which my right hon. Friend the Member for Basingstoke (Mrs Miller) has mentioned, and she was right to do so. There are many small business employers—I was one myself—who feel terrified of battling with employment law, and better awareness in that regard would help them as well as the employees whom she talked about in detail. I will conclude so that others can speak, and I thank my hon. Friend the Member for North East Hampshire for securing the debate.

3.18 pm

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to serve under your chairmanship, Mr Pritchard. I congratulate the hon. Member for North East Hampshire (Mr Jayawardena) on securing this important debate and on speaking so well in it. I do not want to be a churl, but I have to correct something that he said when he referred to the British legal system. It is not a nationalist point I am making. I can assure him that many of my colleagues at the Scottish Bar who are members of the Conservative and Unionist party would be just as anxious to say that there is of course a separate legal system in Scotland.

Mr Jayawardena: I was, of course, simply waiting for the hon. and learned Lady to call me out on that point.

Joanna Cherry: I should nevertheless declare an interest as a member of the Scottish Bar of some 20-odd years' standing, although I have not practised since I was

elected, almost three years ago. Since I have been in Westminster I have been touched by the friendship and hospitality of colleagues of all parties from the English Bar, and indeed from the Law Society of England and Wales. They have made me very welcome and invited me to many of their enjoyable dinners, which I was pleased to see are just as boozy as the Scottish ones; although perhaps, as I am from a country that has introduced minimum pricing for alcohol, I should not say that.

I am very proud that in Scotland I benefited from a free legal education. That was back in the 1980s, but law students in Scotland still benefit from the fact that there are no tuition fees there. It makes law more readily accessible to people from poorer backgrounds, although there is a lot of work to be done on that. I want to come on to discuss what my profession is doing, in the Faculty of Advocates and the Law Society of Scotland, to encourage people from more diverse backgrounds to enter the profession. In Scotland, public legal education starts at an early age because the study of human rights is part of the curriculum for excellence in Scottish schools. It is part of the core element.

3.21 pm

Sitting suspended for a Division in the House.

3.38 pm

On resuming—

Mark Pritchard (in the Chair): For the sake of clarity, this debate may now run until 4.17 pm, and the sitting as late as 5.50 pm, unless there are more Divisions in the House—that is not currently anticipated, but who knows?

Joanna Cherry: As I was saying, public legal education in Scotland begins at an early stage. Human rights is part of the curriculum for excellence that is taught in Scottish schools, and it is a core element of the health and wellbeing module of that curriculum. Schools in Scotland work in collaboration with organisations such as Amnesty International to deliver the human rights element of the curriculum.

I am a member of the Joint Committee on Human Rights, which is carrying out an inquiry into the enforcement of human rights and attitudes towards them. Last week, we heard evidence from a number of witnesses who said that there is a demonstrably different discourse about human rights in Scotland. They put that down to the teaching of human rights in Scottish schools, as well as to media in Scotland, which are less hostile to the concept of human rights.

Good human rights practice in Scotland flows from that less hostile environment towards human rights. The witnesses giving evidence to our Joint Committee last week gave as an example of that the embedding of human rights in the new Social Security (Scotland) Bill, which I am proud was introduced by my good friend and colleague Jeane Freeman, the Minister for Social Security in Scotland.

The witnesses also spoke of the wonderful work done by the Scottish Youth Parliament on legal education and rights. The Scottish Youth Parliament is a grassroots project—run in conjunction with the Scottish Parliament—that does a lot of good work in the area of human rights principles and children's rights.

I am sure that other hon. Members present will, like me, have in their constituencies schools that are part of the UNICEF Rights Respecting Schools project. I am advised that 1.5 million children across the United Kingdom go to a rights respecting school. I am proud that I have worked with two schools in my constituency, Redhall School and Oxbgangs Primary School, on rights respecting. The children were particularly interested in the importance of respecting the rights of child refugees.

Why teach human rights, and indeed legal education, in school? Scotland's curriculum for excellence aims to enable students to become responsible citizens. As other hon. Members have said, learning about the law, rights, respect for others, and a commitment to participate in all aspects of public life helps children to grow up and aspire to be good citizens.

Students across Scotland, particularly law students, are involved in the delivery of public legal education through the Scottish Universities Law Clinic network. A number of universities in Scotland run free legal advice clinics for members of the public.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): The hon. and learned Lady is making some good points. She is absolutely right that a lot of law students can give their free time to such projects, but is there not a real problem in that some of the bigger law firms do not sign up to pro bono work and do not free up their solicitors to spend time in schools or to do other important pro bono work? What are her thoughts on dealing with that?

Joanna Cherry: I very much encourage those who have benefited from a free legal education in Scotland and beyond, and who are now doing well out of being lawyers, to engage in pro bono work. I am proud that the Faculty of Advocates and the Law Society of Scotland do that and encourage firms and individual advocates in Scotland to do it too. I will return to that in a moment.

The Edinburgh Napier law clinic is in my constituency. Edinburgh Napier University is a relatively recent deliverer of legal education in Scotland, but I am proud to say that staff and students have set up a voluntary clinic to provide free legal advice and assistance. We have a considerably more generous legal aid scheme in Scotland than in England and Wales, but nevertheless people fall through the cracks, and they can benefit from law clinics such as the one established by Edinburgh Napier University. One of the clinic's main objectives is to broaden the concept of access to justice, and that is really what this debate is about, at least in part. Public legal education is about educating people and giving them access to justice.

I am also proud that Edinburgh University, which is not in my constituency but is my alma mater, has a free legal advice clinic, as does Glasgow Caledonian University, the University of Strathclyde, Aberdeen University, Robert Gordon University in Aberdeen and the University of the West of Scotland. Those law clinics are thriving. Many MPs and Members of the Scottish Parliament refer their constituents to them from time to time.

The Faculty of Advocates, which is the Scottish Bar, of which I am a member, also runs a law clinic or a free legal services unit, which is part of its commitment to promote access to justice. That means that members of

[Joanna Cherry]

the public can be referred through certain organisations, such as citizens advice bureaux, to get free advice and representation from practising advocates in Scotland.

Jim Shannon: Has the hon. and learned Lady experienced the issue of local citizens advice bureaux being deluged with personal independence payment and employment and support allowance forms? In a great many cases, they find themselves unable to give that legal advice because of the change in the benefits system.

Joanna Cherry: Yes, I have. My constituency office in Edinburgh South West, on Dundee Street in Fountainbridge, is next door to the local citizens advice bureau in Fountainbridge library. We work closely together on this sort of issue. Citizens Advice provides an amazing service. In my experience, Members of Parliament who work in conjunction with it can have successful outcomes in fighting issues of administrative justice in the UK social security system. That is a much-neglected area; we need to look at how the social security system is functioning or, in my experience, not functioning, and failing to properly respect people's rights. We need to look at all the facts of the case. As in the immigration field, there seems to be a considerable amount of capricious decision making, which is why it is important for people to have access to legal assistance in facing down that unfair decision making.

I am happy to say that on a number of occasions, I have referred constituents to the free legal services unit at the Faculty of Advocates with good outcomes. The Faculty of Advocates also arranges open days to encourage students from schools across Scotland to come and see what life as an advocate is really like.

I am proud that the Faculty of Advocates has done much to increase its diversity since I was called to the Bar in 1995, when I was one of a small number of women advocates in Scotland and there were no female judges on the senior Scottish bench. Now, our second most senior judge is a woman and we have many women on the senior judicial bench in Scotland, but there is still quite a long way to go before we achieve parity with the men.

There is also the issue of trying to encourage more people from working-class backgrounds and from diverse and BAME communities to come into the law. As well as holding open days, the Faculty of Advocates runs a couple of mini trials—or mock trials—initiatives, which are particularly directed at kids from schools and backgrounds from which people would not normally be expected to end up at the Bar, to try to break down the barriers and to show that—if I am allowed to say this—the law can sometimes be fun, and that it is not just for posh people who went to a private school. I hope that my former colleagues are making some progress in that area. They run the mock trials as part of the Citizenship Foundation, which has been mentioned. It is a cross-UK foundation that is supported north of the border by the Faculty of Advocates.

Another way that legal professionals can contribute to legal education is by providing briefings to parliamentarians working on Bills. In the three years that I have been here, I have had invaluable assistance from briefings provided by the likes of the Law Society

of Scotland, the Law Society of England and Wales, the Bars of Scotland and of England and Wales, and organisations such as Liberty, and Justice. I am proud that the Faculty of Advocates actively contributes to law reform north and south of the border under the excellent chairmanship of Laura Dunlop, QC, who was my pupil master, although she is not responsible for any of my mistakes—only for the good parts.

The Law Society of Scotland also provides fantastic briefings. I could not have done my job as an MP properly without its assistance in the last few years, particularly the assistance of Michael Clancy, who is the head of law reform there and is well known to parliamentarians from all political parties. In more general terms, it has also engaged in significant activity in the area of public legal education.

The hon. Member for Morecambe and Lunesdale (David Morris) mentioned StreetLaw. The Law Society of Scotland participates in the StreetLaw project. That involves sending out StreetLaw trainers to teach students and schoolchildren about the law, the legal process and the sort of knowledge and skills that students can use to recognise and prevent legal problems in their lives, and perhaps also to prompt them to consider participating as legal professionals in later life.

All the Law Society of Scotland's StreetLaw trainers are law students studying in Scotland who undertake this work on a voluntary basis. I am very proud to say that they are supported by two major international law firms in doing so—CMS Cameron McKenna Nabarro Olswang, and Pinsent Masons. They have also had support from the Law Society of Ireland and from international leaders in public legal aid education, such as Harvard University, Georgetown University and Penn State University.

As well as participating in the StreetLaw project, the Law Society of Scotland participates in a charitable foundation, which was set up to give bursaries to students and to support summer schools, schools programmes, visits and events. The Law Society of Scotland is also playing an active role in a campaign to increase diversity in professional services in Scotland.

Just before I draw to a close, I will add a note of caution. An awful lot has been said today about the importance of public legal education, but public legal education should never be viewed as an easy way to plug the gaps left by legal aid cuts. Access to justice should always be our paramount concern. Public legal education should be more about developing capacity and not really about answering specific legal problems because of unmet needs due to gaps in the legal aid system.

Recently we saw a leaked Ministry of Justice report that revealed judges in England and Wales are concerned that legal aid cuts are leading to an increase in the number of defendants without legal representation. I think it is fair to say that the extent to which legal aid has been cut in England and Wales has pushed many people out of eligibility for it in crucial areas of justice, meaning that vulnerable people are often left without legal aid and appear in court or before a tribunal without a lawyer. That is not just my view; it is also the view of many of the witnesses who have given evidence to the inquiry by the Joint Committee on Human Rights into the enforcement of rights. It is also the view of Amnesty International, which has said that the cuts

included in LASPO—the Legal Aid, Sentencing and Punishment of Offenders Act 2012—have created a two-tier justice system in England and Wales.

Recently in Scotland, we had an independent review of our legal aid system. It highlighted that, despite the fact that we spend less per capita in Scotland on legal aid than is spent in England and Wales, legal aid is far more widely available in Scotland and covers a wider scope of categories than it does south of the border. As I say, that was not a Scottish Government review but an independent review, chaired by Martyn Evans, the chief executive of the Carnegie UK Trust. It shows that it is possible to have legal aid that is more widely available without actually spending any more money. So, where there's a will, there's a way.

I end by urging the Solicitor General to be cautious about letting public legal education plug the gaps that legal aid should fill, and I urge the UK Government—as I have done on previous occasions—to carry out an independent review of the legal aid system in England and Wales, rather than the in-house Government review that is going on at the moment.

3.53 pm

Nick Thomas-Symonds (Torfaen) (Lab): It is a pleasure to serve under your chairmanship, Mr Pritchard, and I draw attention to my relevant entry in the Register of Members' Financial Interests. I am a non-practising barrister at Civitas Law in Cardiff. Indeed, I practised as a barrister for some years before entering Parliament in 1951.

I begin by congratulating the hon. Member for North East Hampshire (Mr Jayawardena) on securing this debate on a very important subject and I join him in congratulating the many organisations that contribute to public legal education, which includes professional bodies such as the Law Society and the Bar Council, but also many other organisations, within our communities all around the country.

I share the hon. Gentleman's passion for citizenship education, not only as taught in our schools but as part of lifelong citizenship education. He spoke very powerfully about scams and other matters when, of course, knowing your rights is important, whether that is at the age of 20 or much later in life. The hon. Member for Walsall North (Eddie Hughes) spoke very powerfully about a really important point to take from this debate, which is that nobody should ever feel that the legal profession is not for them. We want anyone to aspire to be in the legal profession on merit and not because of background.

[Mr GARY STREETER *in the Chair*]

The hon. Member for Morecambe and Lunesdale (David Morris) raised another important issue, namely the fact that public legal education really should not be an intimidating subject; it should be something that we can all speak about and access. I share the passion of the hon. Member for Bexhill and Battle (Huw Merriman) about public legal education in schools. Giving people the skills to go through life is indeed very important. I thank the hon. Member for Redditch (Rachel Maclean), who drew, in a moving way, on her own personal experience of dealing with her mother's dementia and applying for a lasting power of attorney which, with our ageing society, is something that more and more people will have to apply for in the years ahead.

The right hon. Member for Basingstoke (Mrs Miller) set out well how law shapes our lives and she spoke very powerfully about the issue of maternity discrimination. The only thing that I will say about that is that we all need to be grateful to the Supreme Court for declaring tribunal fees unlawful, because I am sure the right hon. Lady will appreciate that between the introduction of the fees in July 2013 and the date on which they were declared unlawful by the Supreme Court the number of maternity discrimination cases fell significantly.

Mrs Miller: My point was much broader than that. Far more people are affected by maternity discrimination than bring maternity discrimination cases. Although the point that the hon. Gentleman has made is factually correct, I hope he agrees that it is important to think about those women who would never even have understood that they had been discriminated against. That is the point I was making.

Nick Thomas-Symonds: I do not disagree with the right hon. Lady, and she is absolutely right to say that the problem is broader. However, she will appreciate that there must be an ability to enforce the right before a tribunal; otherwise, of course, the right loses its meaning. I think that we all hope that, now those fees are gone, we will get back to a position where everyone who wants to bring such a case is able to do so.

I do not doubt for a moment the Solicitor General's commitment, and I know that he has been at the forefront of efforts to set up a panel that will co-ordinate work in this area. I will quote what he said when he set up the panel, because I agree with it:

"Teaching people about their legal rights and responsibilities, together with helping them gain the confidence and skills to get access to justice, can really make a difference to people's lives—as well as our legal system."

The new Panel will help drive forward Public Legal Education, so more people can reap the benefits."

That is all absolutely right.

Similarly, I do not disagree with what the hon. Member for North East Hampshire said when he maintained that one of the benefits of public legal education might be that more people can settle disputes outside court. That is absolutely right, as well. Of course we all want to see that; we do not want to see unnecessary litigation.

At the same time, although it is not my intention to be unduly partisan in a Westminster Hall debate, I have to record the concern that exists about the ability of people to enforce their rights before a court irrespective of their wealth. "Our system of justice has become unaffordable to most"—those are not my words, but those of the previous Lord Chief Justice, Lord Thomas, who said them in January 2016 in his annual report to Parliament. There is concern that we have to put alongside an absolutely correct drive towards greater public legal education a similar ability for people to enforce their rights before our courts if they need to do so.

The hon. and learned Member for Edinburgh South West (Joanna Cherry) mentioned a concern that exists about people in a very vulnerable position not having access to legal aid to enforce their rights. A very good example of that is state help in benefits cases, when people are indeed in a very vulnerable position and looking for advice as to how they can best enforce their rights and ensure the continuation of their income.

[Nick Thomas-Symonds]

The statistics on this are stark. In 2012-13, 83,000 people had the benefit of state help in those circumstances; by 2016-17, the figure was 440. That is a swingeing cut in help and assistance for those people to enforce their rights, and it is a great concern.

The hon. Member for Henley (John Howell), who is not in his place at the moment, rightly made the point that with the changing dynamics of our courts, with virtual courts and online courts, the idea of public legal education is becoming more important than ever. Far more people are representing themselves before the courts. In one sense, that reinforces the point about more public legal education, but there is a concern about the family courts in that regard. There has been a leap in those representing themselves from 45,000 people in 2012-13 to 64,000 in 2016-17, and the worry is that there is no protection in family courts for perpetrators of domestic violence to cross-examine their victims. Such a measure was included in the Prisons and Courts Bill, which was lost just before the general election of last year—I served on the Public Bill Committee. When will that provision be brought back? It would command wide support across the House, and the sooner it can be brought back and put into effect, the better for everyone concerned.

Legal aid is a huge concern across a number of areas, whether that is immigration, civil legal aid or criminal legal aid. I have looked at the figures, and between 2010-11 and 2016-17 there was a £950 million cut in legal aid. No wonder the legal profession has been driven to take the action it has, but it is about far more than figures; it is also about the idea that early legal advice can save money. I commend to the Solicitor General my noble Friend Lord Bach's report, published in the past 12 months, in which precisely that issue of early legal advice is proposed as something that should be absolutely central in our justice system.

I think there is consensus about the importance of public legal education, and I am grateful to all those who do work in that area. I do not doubt for a moment the Solicitor General's commitment and I am sure that progress will continue, but the means by which people can enforce their rights before the court should not be based on their personal wealth. At the same time as enhancing our public legal education, let us put legal aid back to where it was meant to be when it was introduced in 1949 as the fourth pillar of the welfare state.

Mr Gary Streeter (in the Chair): Order. I remind Members that the debate closes at 4.17 pm. If the mover of the motion were given two minutes to have the final word that would be wonderful.

4.3 pm

The Solicitor General (Robert Buckland): I will do that, Mr Streeter. It is a pleasure to serve under your chairmanship, as it was under Mr Pritchard's. It is almost a challenge for me to fit into the few minutes I have, everything I want to say on a subject I have a long interest in and passion for.

I thank my hon. Friend the Member for North East Hampshire (Mr Jayawardena) for reminding us clearly and comprehensively about the unwritten contract, the Burkean principle that is so important to many of us, and for reaching into the present day by illustrating

some of the excellent initiatives going on around the country. I will come back, if I may, to some of the observations made by the shadow Solicitor General and the hon. and learned Member for Edinburgh South West (Joanna Cherry), but I will begin by reminding everyone what public legal education, or PLE, is.

PLE provides people with vital awareness, knowledge and understanding of their rights and those of their fellow citizens. It builds their confidence and the skills that are needed to deal with the disputes that no doubt encroach on the lives of many of us, and it ensures effective access to justice. I was at the independent Bar for many years before I was elected to this place, and I played my part in the delivery of public legal education in schools and colleges in south Wales. I wanted to bring that experience with me into my role as Solicitor General. It is ever more important to ensure that the people of our country understand the law and their rights and responsibilities within it. Public legal education breaks down barriers of knowledge, circumstance and access. As we have heard, PLE is provided by myriad community-based organisations—youth workers and health workers, for example, and legal professionals themselves—all doing their part to ensure that particularly those people with social and economic disadvantages can still get the support they need.

The shadow Solicitor General made the observation that legal aid is a pillar of the welfare state. It is more than that; it is about access to justice. Both he and I, as practitioners, have seen Governments of various colours take legal aid measures that have resulted in reductions in overall eligibility, and the remarks of the hon. and learned Member for Edinburgh South West were particularly interesting in that regard. Frankly, I do not think that any Government have got it absolutely right. I could go into a long history lesson about how in 1949 only High Court family cases were eligible for legal assistance and that under successive Governments that assistance was enlarged to a point at which under the Thatcher Government—some would think this almost ironic—84% of the population of England and Wales had some form of eligibility for legal aid.

Joanna Cherry: An independent report published just a couple of months ago shows that 70% of the population of Scotland is eligible for legal aid, yet less is spent per capita on that aid than in England. With a bit of imagination, there could be wider availability of legal aid in England. Scotland shows that it can be done.

The Solicitor General: I am always interested in the hon. and learned Lady's observations, but I am not sure whether 70% coverage is the right balance. I will consider with interest what she has said and study the issue more carefully, rather than making remarks that are not based on a full study of the evidence. I will, however, concede the point that public legal education is not some substitute or easy fix for eligibility for legal aid. It is a much more long-term approach, which focuses naturally on children and young people and is designed, above all, to give people the knowledge and the wherewithal to avoid the pitfalls of litigation and court proceedings in the first place. We have a very different aim in mind when it comes to spreading the provision of PLE. I pay tribute to all the organisations in Scotland that do so much work, the law clinics in particular, which the hon. and learned Lady mentioned—we have those in great measure too south of the border.

It is not just motherhood and apple pie; there is a statutory underpinning to public legal education in the Legal Services Act 2007 which, among its regulatory objectives refers to

“increasing public understanding of the citizen’s legal rights and duties”

and

“improving access to justice”.

It is not an option for the Government, or indeed any of the regulatory bodies, to neglect those objectives. I am glad that the Law Society, the General Council of the Bar and the Chartered Institute of Legal Executives here in England and Wales play their part in ensuring that PLE is spread as far and wide as possible within the professions. Both the Attorney General and I, as the pro bono champions of the Government, work closely with those involved in PLE and support initiatives to increase its profile and reach more members of the public.

Dr Poulter: I come back to my earlier intervention, and put the same question to my hon. and learned Friend. There is a challenge, despite the best efforts of the Law Society and the Bar Council in encouraging pro bono work, as some of the big law firms, which are all about billable hours, do not free up enough of their solicitors to do important pro bono work. What does my hon. and learned Friend think the Government or the Law Society could do to encourage a more responsible approach from some of those firms?

The Solicitor General: My hon. Friend makes an important point. For those of us who were in the full throes of private practice, very often the delivery of PLE was a better use of our time than our having to immerse ourselves in often very unfamiliar areas of law, with all the concomitant risks. My message to the big firms is: where there is an issue about availability, allow members of the team to go into schools first thing in the morning. I have seen that in several state schools in London. I have joined employed barristers and solicitors helping to deliver citizenship foundation courses, for example in social media law. To see the engagement and sense of ownership that young people have when talking about issues so close to their everyday lives—when they suddenly understand that law is not some remote, dusty concept, but reaches into their existence and everyday experience—is quite a sight to behold.

I want to outline and underline the work that we are doing with the public legal education panel, which has been formed from leading organisations in the field to promote the importance of that work. It was convened by me last year. It involves the professions and organisations such as the Citizenship Foundation and Law for Life. We are bringing together organisations in a joined-up way to help work out where the need is and what the provision is currently. I have two sub-groups working on those issues.

There are two types of PLE. “Just in case” PLE is all about ensuring that people have skills, information and knowledge about their rights. “Just in time” PLE is all about giving people knowledge and support when a legal issue happens to arise. Both types of provision are equally important, and we are working our way towards getting a better understanding.

Through organisations and such events as National Pro Bono Week, I can champion the importance of PLE through the community, whether it is delivered

in schools, to people who are homeless or those in prison, who really need to understand their rights and, most importantly, their responsibilities. Last year during Pro Bono Week, I took part in a session on social media and the law being delivered by university students to local secondary school pupils in Chester. It gave young people a chance to learn about their rights and the surrounding law. One issue that arose was the increasing problem in schools of young people taking videos of fights and other incidents in the playground. The session was about understanding what the sharing of those videos meant for privacy, the rights of the individuals involved and the problems that we are all familiar with here, but which all too often young people sadly only learn about to their expense after the event. I was proud of and impressed by the commitment of the university students delivering the sessions. That has been backed up in recent months by my experience at the Kent law clinic at the University of Kent in Canterbury. Law students there are not only delivering support and advice to members of the public; they are also helping to spread public legal education more widely.

We have some shining examples of the work that is going on, and I pray in aid the work of His Honour Judge Wildblood, QC at the Bristol family court. He is allowing his court to be used for public debates about the law. He is even using local drama groups to help to educate young people. He is bringing together the legal community in Bristol and the surrounding area in a most effective way. With that sort of leadership, many great things can be achieved but here, Mr Streeter, is where you and other colleagues come into play. As has been said by many Members, including my hon. Friends the Members for Walsall North (Eddie Hughes) and for Redditch (Rachel Maclean), there are opportunities for colleagues to take a lead in their local communities and work with local firms of solicitors or legal practitioners to help to deliver public legal education in our schools.

Nick Thomas-Symonds: I know the Solicitor General has done his fair share of school visits over the years. Does he agree that there is still work to be done on diversity and encouraging more people to apply to the profession? We can all make a difference by visiting our local schools and speaking about these matters.

The Solicitor General: The hon. Gentleman is absolutely right. Only last Friday I was doing that at a school in my constituency, the Ridgeway. I was talking to young people in the sixth form who did not have a background in the law about what opportunity there was for them. Like me, he no doubt has taken on youngsters in chambers deliberately with the knowledge that they did not have a background in law. In fact, I would not take people who had any connection with the law because I wanted to empower young people and give them a chance.

I want to deal with some of the points raised by my hon. Friend the Member for Bexhill and Battle (Huw Merriman) about the curriculum. The position has yet to be clarified because more work is being done, particularly on sex education in schools and the issue of consent and withdrawal. That is not yet a statutory part of the curriculum. Citizenship remains compulsory at key stage 3. We are talking about youngsters in years 7, 8 and 9 who can access that education in school, and it must include

[The Solicitor General]

PLE. It is a matter for schools to determine how to deliver it, but by working collaboratively with professionals, a lot can be achieved.

My right hon. Friend the Member for Basingstoke (Mrs Miller) made some important points about access in the workplace, particularly for women who have no knowledge—I say that with respect; it is not their fault—about their rights. That is why the regulatory objective in the 2007 Act is important. More has to be done to deal with the question of empowerment of our citizens via the regulatory bodies. That would not just include lawyers, even though the 2007 Act has that remit. I will go away and think about her point very carefully. Perhaps we can use it as the start of an important discussion. I thank all hon. and right hon. Friends and Members for taking part today. The law is not some mystical holy of holies and lawyers are not the high priests. We should demystify it, and that is where public legal education is so important.

Mr Gary Streeter (in the Chair): Mr Jayawardena has 20 seconds to wind up.

4.16 pm

Mr Jayawardena: It is a pleasure to serve under your chairmanship, Mr Streeter. I thank all my right hon. and hon. Friends and all Members for taking part. My lasting memory of this debate will be my right hon. Friend the Member for Basingstoke (Mrs Miller) outing me as a mere mortal for not having been a lawyer and for only having gone to the LSE. Sir Arnold from “Yes, Minister” would have said, “Oh, I am sorry.” I am not.

Motion lapsed (Standing Order No. 10(6)).

ADHD Diagnosis and Treatment

4.17 pm

Jo Platt (Leigh) (Lab/Co-op): I beg to move,

That this House has considered the diagnosis and treatment of ADHD.

It is a great honour to serve under your chairmanship, Mr Streeter. A few months ago the enormity of the struggles and barriers that those with attention deficit hyperactive disorder face on a daily basis was brought to my attention by an inspirational woman who approached me in the hope that we could establish an all-party parliamentary group for ADHD. Seven months later, I proudly chair that APPG, along with the hon. Member for Faversham and Mid Kent (Helen Whately). We have held our launch and our first meeting, which was on the economic impact of ADHD, and today we have our first parliamentary debate on the diagnosis and treatment of ADHD.

That inspirational woman is Michelle Beckett, the founder and CEO of ADHD Action, an incredible charity set up to support and offer advice to people struggling with their condition. Everyone on the APPG, some of whom are here today, would agree that we would not be here today without Michelle’s work and dedication to the issue. I would therefore like to place on the record my thanks, and those of the APPG, to Michelle for the incredible work she does.

In the months since we created the APPG, I have become ever more shocked by the stories and experiences shared with us about the diagnosis and treatment process that has been letting people down. It has been doing so in three ways. The first is stigma and attitudes. That is true of mental health more generally, and I am pleased that this debate is during Mental Health Awareness Week, which is a yearly reminder of the progress yet to be made in treating mental health in parity with physical health.

Looking at societal attitudes to ADHD in particular, we see a variety of misconceptions and stigmas. ADHD is often seen as a condition that only affects boys. It is sometimes interpreted as the product of poor parenting or just excused as naughty children playing up. All those ideas are false, but the impact of those misconceptions is enormous. Children may not be offered the correct support, and adults with the condition are often undiagnosed or even unaware that they might have ADHD.

An undiagnosed child in school, without the support they need, will in all likelihood fall behind their classmates and struggle to obtain top grades. Almost half of all school exclusions involve pupils with special educational needs. That is a truly shocking statistic, and it underlines the importance of exploring further ADHD-specific policies, perhaps in the mental health Green Paper or as part of the special educational needs and disability code of practice.

Mike Hill (Hartlepool) (Lab): As my hon. Friend knows, ADHD can continue into adulthood. A constituent of mine is lobbying for it to be given the recognition it deserves. Does my hon. Friend agree that ADHD should be classed as a disability for the purposes of the law, including accessing benefits?

Jo Platt: I thank my hon. Friend for that intervention. He is right that we need more awareness of ADHD. I know that people who suffer with ADHD have called for their own Act—something similar to the Autism Act 2009.

In the midst of cuts to school nursing provision, and a school funding and teacher recruitment and retention crisis, the number of school exclusions of pupils with special educational needs is no fault of our hard-working, dedicated and professional healthcare workers and teachers; it is the product of an underfunded and under-resourced health and education system. We cannot go on treating children with ADHD simply as naughty kids, and being unable to afford the time or resources to help them. Instead, we must support those young people and focus their education around their skill set.

The second way we are letting people with ADHD down is through diagnosis. A recent survey with more than 800 responses revealed that 70% of respondents had waited 18 months or more for an ADHD diagnosis, 9% of whom were, shockingly, waiting for more than three years.

Alex Sobel (Leeds North West) (Lab/Co-op): I recently asked three parliamentary questions on waiting times for assessments for ADHD, and for all three the response was that those figures were not collated. We cannot do anything about it until we have accurate data. Does my hon. Friend agree that the Minister and the Department should be collating that data?

Jo Platt: I thank my hon. Friend, the vice-chair of the all-party parliamentary group for ADHD, for that intervention. He is absolutely right to mention that the lack of data causes a mismatch and a bit of a postcode lottery, which I will address later.

At a recent APPG meeting, we heard stories of people waiting years for a diagnosis—years battling without the support or guidance they need, falling behind in school, or struggling in their occupation. We heard stories like that of my constituent Mick, whose son has suffered enormously, falling into crime before he was diagnosed, which unfortunately is all too common. About 25% of male prisoners are thought to have ADHD.

Bambos Charalambous (Enfield, Southgate) (Lab): I congratulate my hon. Friend on securing this important debate. She mentioned that about 25% of male prisoners are thought to have ADHD. Does she agree that early intervention and diagnosis of ADHD would not only reduce crime and save money, but improve the life chances of people with ADHD who fall into the criminal justice system?

Jo Platt: I completely agree. ADHD in the criminal justice system is an area that evidently needs a lot more investigation. The simple fact that an estimated 24% of the prison population are thought to have ADHD is a cause for concern.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Lady on securing the debate, and I draw attention to my declarations in the Register of Members' Financial Interests. To enable early diagnosis, or any diagnosis at all, having the workforce in place is key. Recruitment of specialist child and adolescent mental

health services doctors is a real problem. Unless we get that right, we will not deliver the service that patients and their families deserve.

Jo Platt: I thank the hon. Gentleman for that intervention. I completely agree that we need to highlight the workforce, but before we do that we need the data to see how many people we need in all workforces. Again, I will come to that point later.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I congratulate the hon. Lady on introducing today's debate. Do they agree that one of the additional complexities in the workplace is the bureaucracy of the workplace assessment? If the Minister takes anything away from today regarding those living with ADHD in adulthood, it should be that that process urgently needs review in terms of its effectiveness and the impact on those with ADHD in the workplace.

Jo Platt: I completely agree. We have focused on young people in school settings, but that affects adults enormously.

I received a message from a constituent, Diane, who felt that she was different at school. Diane's story speaks to the point, made by the hon. Member for West Dunbartonshire (Martin Docherty-Hughes), that adults are affected too. Diane went under the radar as she was high-functioning. She passed her GCSEs but failed at university as she felt that she could not concentrate. Diane developed mental health issues and has spent most of her life on anti-depressants, which she found did not work. She was unable to keep a job or a relationship, and in her 30s she tried to take her own life. It was only when her doctor advised her to be tested for ADHD and she was treated appropriately that her life turned around. That is not an uncommon story.

Since the debate was publicised on the House of Commons Facebook page last week, it has become clear that the scale of the diagnosis crisis is even greater than I could have imagined. The post was seen by 37,000 people and was engaged with by more than 1,000 people, shared right across the country. We saw stories of five-year waits and longer, of people forced to get a private diagnosis costing up to £1,000, and of children in school without the support they need. I urge the Minister to head to the Commons Facebook page and read some of the powerful stories.

After reading those stories, I could not help but wonder how in 2018 our healthcare provision can be so unresponsive to a condition that affects so much of the population. Earlier I quoted from a survey but did not state what the average waiting time is for a diagnosis across the country. That is because such information is not collected by the NHS or the Department of Health and Social Care. We have no idea what the average wait for diagnosis is, and therefore there are no target times.

From the unofficial data that is collected, it seems that we are likely encountering a vast postcode lottery that is unfairly dictating the speed of a diagnosis and the support available. Just take the comment of Sian on Facebook. Her son in Wigan has received excellent care, which she described as "life changing". However, she teaches in a neighbouring constituency where children are waiting more than a year for diagnosis and encounter a far more confusing process. Without the diagnosis

[Jo Platt]

data, we have no way of either assessing the effectiveness of the current diagnosis process or identifying areas of good practice. That data must be collected before we can begin to assess our treatment strategies.

The third way we are letting people down is through the lack of an integrated support strategy for those with ADHD. By looking at each impact of ADHD in isolation—at just the medical impact, just the impact in educational settings, or just the behavioural impact and the social implications of the condition—we, as a society, are failing to offer the whole-system approach to ADHD, and to mental health more generally, that is needed. Tackling ADHD should be about transforming lives; not just responding to symptoms, but working to unlock the full potential of the incredibly creative minds that those with the condition possess.

The current approach to ADHD is not fit for purpose. Too many are falling through the net; too many are still waiting for a diagnosis after years on a waiting list; too many are without the right support; and too many are living undiagnosed with a condition that can have a severe impact on their daily life. I introduced today's debate because of stories such as Becky's, Sam's, Hugh's, Sarah's, Claire's, and the countless others who got in contact with me out of desperation, and who I know will be watching today.

What changes do we need? First, there needs to be more research. A recent Demos report highlighted that ADHD is under-researched, particularly its social and economic impacts. There also needs to be research into the difference made by early access to diagnosis and treatment to the long-term outcomes and costs of people with ADHD.

Secondly, the NHS and the Department of Health and Social Care need to collect data on waiting times. As we have seen, there is a vast postcode lottery across the country that determines the speed of diagnosis and the level of support. The system is grossly unfair and is reducing the life chances of people, based purely on where they live.

Thirdly, we need a streamlined and integrated approach to the support process we offer to children and adults with ADHD. As I have mentioned, those living with the condition are no less able but are often not suited to traditional methods of learning. We must implement a strategy that diagnoses an individual with ADHD speedily and then, crucially, signposts and tracks that individual through a system that promotes educational or employment opportunities suited to their skill set. More broadly, that means that as a society we must be unafraid to promote the untraditional or unconventional routes to success, to promote the creative industries, and to destroy the social stigma that too often forces individuals down the academic route.

In my own borough of Wigan, we have seen the beginnings of such an approach. The local clinical commissioning group has implemented a new joint mental health strategy that is designed to facilitate the seamless interaction of healthcare professionals with support services and education providers. The early signs are promising. Already we have seen the average local wait down from 15 weeks to six weeks, which will help numerous local young people to thrive. However, there is still a long way to go. The strategy addresses

ADHD only in children and its implementation is too recent to see the long-term local impact. The local nature of the strategy also highlights yet again the importance of a national framework to achieve equality of provision across the country.

Bambos Charalambous: Is my hon. Friend aware of the Government's mental health Green Paper? Does it contain anything of substance in relation to ADHD? Is there any strategy? If it does not, does she think it should?

Jo Platt: The Green Paper is a step in the right direction, but it does not go nearly far enough to confront the enormous scale of the challenges we face. In the case of ADHD, it is important to remember that the condition is neuro-developmental and not a mental health issue.

I have a final ask of the Minister: I invite her to a meeting of the APPG to listen to some of the experiences of people with the condition and to understand the barriers they face. ADHD is highly treatable and is, in many ways, a great asset, but only if it harnessed correctly. I hope that in this Mental Health Awareness Week we can commit to the beginning of a fundamental transformation in our approach to ADHD. No longer can people be waiting years, if not decades, for diagnosis; no longer can social stigma form a barrier against success; and no longer can we leave such enormous talent locked, restricted and hidden away in society. Now is the time to act. I hope that we will see from the Government the strategy and the leadership needed to support those with ADHD and break down the barriers to success that thousands across the country face today.

4.33 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): I congratulate the hon. Member for Leigh (Jo Platt) not just on the passionate and articulate way in which she has introduced this important subject, but also on setting up the all-party parliamentary group. I am delighted to accept her invitation to come to a meeting and to hear some of the stories. I would also, through her, extend my congratulations to Michelle Beckett for her work in raising awareness.

The hon. Lady has highlighted that this group of people face quite intense, if unconscious, discrimination, because the way that our education system is set up does not really address their needs. That is something we should all wish to tackle. There are similarities with the way that autism and conditions such as dyslexia were treated in the past. If the abilities to learn are not there, people can fall out of the system. The truth is that they have a very different skill set and we should all be endeavouring to draw that out and, at the very least, not make them feel marginalised or discriminated against. As we have heard from other hon. Members, it is that sort of discrimination that leads them to fall out of the mainstream and perhaps fall into the criminal justice system, which is something that could easily be avoided if we were all more sensitive to it.

The hon. Lady mentioned data. I will take that away and look at it. It is fair to say that it is only very recently that the NHS has started to collect data regarding autism, for exactly the reasons highlighted today—the postcode lottery in terms of how different areas treat

the condition. Quite often, it depends on having somebody in the area who gives a damn to give some leadership on the issue. Clearly, that is not good enough, as it will fail far too many people. I will go away and look at that. We have just introduced a new dataset for autism and I do not see any reason why we cannot extrapolate that methodology to look at ADHD. There is no doubt that we will continue our dialogue on these issues.

Dr Poulter: The Minister is absolutely right to highlight the issue of data, or the lack of it. In the interests of parity of esteem, is it also worth looking at introducing access targets in mental health for access to child and adolescent mental health services, which do a lot of the assessment of people with ADHD? Would that help drive better data collection in the NHS? Measuring against a target forces local healthcare providers to collect the data that is necessary to drive improvements.

Jackie Doyle-Price: I am just about to come on to issues about waiting times. The methodology that my hon. Friend suggests is absolutely right. Although it is Mental Health Awareness Week and we are looking at the issue through that prism, this is not just about mental health; it is about a learning disorder, and goes beyond that. Compartmentalising people who fall out of the mainstream as those with mental health issues is equally discriminatory, but we do have to ensure that we have the right care pathways for them to meet their needs.

Dr Poulter: I did not intend to come across as discriminatory in the point that I made; it is CAMHS professionals—mental health professionals—who tend to do the assessments for ADHD in children. What is the Minister going to do about the recruitment crisis in CAMHS? Without those CAMHS professionals, we shall not be able to provide the diagnosis and delivery of care.

Jackie Doyle-Price: My hon. Friend will be aware that we have addressed those issues in the Green Paper. We are investing in a whole new workforce in support of CAMHS, which will have a direct relationship with schools, where it will be possible for a lot of the wraparound help to take place.

I would like to make some progress on the specifics of ADHD and move on from CAMHS. The hon. Member for Leigh highlighted the massive variation in services across the country. I fully acknowledge that there are long delays for some to see a specialist and secure a diagnosis. That will clearly have a negative impact on those living with ADHD and their families, who can also find the experience confusing.

We are determined to see improvements in the patient journey. There are NICE guidelines. The earlier the diagnosis the better, and the better the chance of getting the right support and better outcomes for the individual. The NICE guidelines were published in 2016 and set out the process for managing ADHD for people aged three years and above. The guidelines aim to improve the diagnosis of ADHD, as well as the quality of care and support for people with an ADHD diagnosis.

An updated guideline was published in March this year, which particularly addresses under-diagnosis and misdiagnosis of ADHD in girls. People think it is just about behaviour, but in girls it does not play out in exactly that way; there is a lot to be done in education

on exactly what this condition is. As the hon. Lady said, people think it is about bad parenting or bad behaviour when it is much more complex. The guidelines advise practitioners to be alert in such circumstances to the possibility of ADHD. We will be failing girls if we do not raise awareness of how that might be playing out.

The guidelines also recommend that people with ADHD would benefit from improved organisation of care and better integration of child health services, CAMHS and adult mental health services. Although NICE clinical guidelines are not mandatory, we expect health and care professionals and commissioners to take them into account fully as they design and put in place services to meet the needs of their local populations. NICE has published a range of tools to help local areas put the guidance into practice, but that is clearly not happening everywhere. I always find that sunlight is the best disinfectant, so the more we can do to ensure transparency, the better. That is why data is so important, as the hon. Member for Leigh said.

The NICE guidelines do not at this time recommend a waiting time for seeing a specialist for diagnosis, but they do recommend that parents of children whose behaviour is suggestive of ADHD should be offered a referral to group-based ADHD-focused support without waiting for a formal diagnosis. That will clearly be helpful, but we should also look at the waiting times.

An issue that I am particularly concerned about—I look forward to engaging with the APPG on this—is support for schools, which the hon. Lady mentioned. Getting the right support package for children with ADHD can be challenging for some institutions. I am concerned that anecdotal evidence suggests that people are being excluded disproportionately, so we really need to tackle that discrimination. Perhaps I can ask the APPG what we can do together to give schools extra support and better advice about how to support children with this condition, rather than simply marginalise them.

The Children and Families Act 2014 and the special needs code of practice set out ways in which care services should join up, and we need to hold them to account. We expect CCGs and local authorities to work together to support children with special educational needs or disabilities, including ADHD. That includes co-ordinating assessments of individual needs and, for those with the greatest needs, providing an individual education, health and care plan. I am interested in hearing evidence from the APPG about how many children are not receiving such plans.

I am not going to stand here and pretend that everything is perfect, because I know perfectly well that it is not, but we have the opportunity to highlight good practice, help local authorities and CCGs to learn from it, and highlight when people are being failed.

Martin Docherty-Hughes: On best practice, I asked the hon. Member for Leigh (Jo Platt) about the Department for Work and Pensions' workplace assessments. Will the Minister speak to her colleagues in the DWP about how effective they are for adults with ADHD in the workplace?

Jackie Doyle-Price: I will be happy to look into that in response to the hon. Gentleman's question. The Government are trying to encourage as many people into work as possible, and we want to get an additional 1 million people with disabilities into work. Employers should treat people sensitively, and people with ADHD

[Jackie Doyle-Price]

can be valuable members of the workforce. I will be happy to have a conversation with my colleagues in the DWP to encourage that. Those people have a skill set that can be extremely productive for enlightened employers who are prepared to make concessions and work with them effectively.

I acknowledge that data is an issue. Without robust and comparable data about waiting times, we do not have the tools with which to challenge local areas, but hon. Members can raise anecdotal evidence in advance of our being able to put together a suitable dataset. I have asked my officials to explore with NHS Digital what data can be made accessible via the mental health dataset. We also need to work alongside the Department for Education, because people with ADHD start manifesting issues in school.

A number of hon. Members said that it is important for employers to improve outcomes for people with ADHD. Unless we get people with ADHD into meaningful employment, there is a risk that they will fall into the criminal justice system, quite unnecessarily. Work is not just about earning a living; it contributes to people's psychological wellbeing and gives them a sense of belonging, purpose, confidence and self-esteem. As I have said many, many times before, work is good for people's health, so we need to ensure that nobody is excluded.

People with ADHD can be well skilled, highly qualified and employable individuals, with exceptional and unique talents, who can bring real benefits to businesses. I am more than happy to bang the drum to encourage more employers to be sensitive to people with ADHD, as they should for people with autism, who also have big skill sets that they can offer to employers.

I do not have much time left. I thank hon. Members for their contributions. This group of people has been poorly served for a very long time. I therefore welcome the establishment of the all-party group and I look forward to having ongoing dialogue with all its members. I hope that, before long, we can achieve some material differences and improved outcomes for all those people.

Question put and agreed to.

Historic Allegations against Veterans

Mr Gary Streeter (in the Chair): We will move directly on to our next debate, which is extremely popular. There will be 20 minutes for the winding-up speeches. After Sir Henry Bellingham has spoken for a smart 10 minutes, that leaves about 30 minutes for eight Back-Bench contributions. My maths tells me that that is just over three minutes each. I will not impose a time limit, but if hon. Members have a voluntary time limit of about three minutes each, let us see how we get on. Let us not have too many interventions in this important debate.

4.47 pm

Sir Henry Bellingham (North West Norfolk) (Con): I beg to move,

That this House has considered historic allegations against veterans.

It is a pleasure to serve under your chairmanship, Mr Streeter. The first and foremost duty of any Government is to protect and defend their citizens from internal threats and threats from abroad—away from the UK. Young servicemen and women put their lives on the line. Parliament and the Government have a duty of care to them at the time and a subsequent duty of care when they become veterans. I will talk mainly about Operation Banner in Northern Ireland, but other hon. Members may well talk about other theatres.

We know that 3,500 people were killed in the so-called troubles. Of that number, 2,000 were killed by republican terrorists, 1,000 were killed by loyalist paramilitaries and 370 were killed by security forces. In total, 722 members of the security services, which mainly comprised serving British soldiers, were killed. No other army in the world would have shown the sort of restraint that our Army showed in Northern Ireland. The very fact that twice as many soldiers were killed by terrorists as terrorists were killed by soldiers illustrates that point.

All those cases have been investigated fully, but there are a few outstanding terrorist cases. I entirely understand and accept the need for closure. I also understand the implications of the Good Friday agreement and the legacy issues, and I feel for the families and loved ones who want some sort of closure. Of course, matters are complicated by the 365 Royal pardons that were granted, by the on-the-run letters and by the 500-plus prisoners who were released on licence between 1998 and 2000. So far, everything has been weighing much more heavily against the former servicemen and in favour of the terrorists. There cannot be any parity or moral equivalence between terrorists and paramilitaries on the one hand and the police and armed forces on the other.

Ian Paisley (North Antrim) (DUP): How can soldiers on duty be equated with terrorists and death squads? That appears to be what is happening here. There is a confusion and a bringing together of those two groups. They are being dealt with as one single group, and we therefore have an amnesty for all. That is, of course, abhorrent and immoral. How do we deal with that?

Sir Henry Bellingham: We have to draw a distinction: the police and armed forces were acting under statute. They showed immense bravery, professionalism and courage, and they were acting in support of the civil code and authorities. They were also acting under the

Yellow Book—which the colonel, my hon. Friend the Member for Beckenham (Bob Stewart), knows only too well—and if they deviated from it, they were dealt with severely.

A number of colleagues present will remember the case involving the four soldiers from the Argyll and Sutherland Highlanders. A farmhouse was broken into and two civil rights campaigners, Michael Naan and Andrew Murray, were shot. There was an investigation; two sergeants were charged with and convicted of murder and another was convicted of attempted manslaughter. All three were sentenced to long prison terms. The officer in charge, who was not actually present—though, to be fair to what happened afterwards, he covered up—was charged and given a suspended sentence, and he resigned his commission. It is fair to say, therefore, that events and incidents such as that were dealt with incredibly firmly.

Dr Julian Lewis (New Forest East) (Con): I would like my hon. Friend to address the point that was raised in the earlier intervention. There is a natural repulsion that one feels about equating the treatment of soldiers with that of terrorists, but that pass, surely, has already been sold because the Northern Ireland (Sentences) Act 1998 provides that anyone—whether soldier or terrorist—convicted of having killed someone unlawfully cannot be sentenced to more than two years in jail. If the price of protecting soldiers against trials so long after the event is that we also have to protect everyone else, is not that a price that we ought to be willing to pay?

Sir Henry Bellingham: My right hon. Friend has done a lot of work on this, and I pay tribute to his work and that of his Committee. I have a way forward, which involves the statute of limitations, which covers the whole of the UK, but I shall come on to that.

Let us look at what the Police Service of Northern Ireland is doing, because that is relevant to the Dennis Hutchings case, which I am coming on to. In 2010 the PSNI set up the Historical Enquiries Team which, as colleagues know, completed investigations into nearly 1,600 cases. The PSNI then set up its legacy investigation branch which, as I understand it from the consultation issued by the Secretary of State for Northern Ireland, will morph into an historical investigations unit.

That unit, I believe, will look at the remaining 923 cases, of which 283 involve members of the security forces. So far, five cases involving them have been or are being investigated, leaving another 278. The cost so far has been £35 million, so if every one of those cases is investigated, we are talking about hundreds of millions of pounds. A number of former members of the security forces have been investigated and charged, as I said, including two retired veterans of the Parachute Regiment now aged 68 and 65, who have been charged with the 1972 murder of the infamous IRA commander Joe McCann.

Another such case is that of Dennis Hutchings. I declare an interest, because I know Dennis and I have had long discussions and meetings with him. However, it is important to look at his case in a bit more detail. The incident took place in 1974, which was an incredibly tough, difficult year in the Province. More than 300 people were killed. There were numerous bomb attacks on the mainland, too. On the day in question, 6 June, Dennis Hutchings was leading a four-man patrol in an area

where firearms and bomb-making equipment had been found two days before. There had been an exchange of fire two days before. Dennis Hutchings had been commended for his bravery and was subsequently mentioned in dispatches for the way in which he had controlled the patrol two days before, when one of his patrol was hit and badly wounded.

On the day in question, Dennis Hutchings and his patrol went back to a village called Benburb. They chanced on John Pat Cunningham, who was challenged to give himself up. He was behaving in a suspicious manner; he had a suspicious piece of equipment on him. He did not answer the challenge. He moved away from the patrol. They thought they were threatened. They opened fire. It was a tragic case of mistaken identity. It was an innocent civilian that was killed.

I want to stress that the case was fully investigated at the time by the regiment, the military police and the Royal Ulster Constabulary. It was investigated over a period of months. All the forensic evidence was looked at, the rifles were looked at, the bullets that were fired were examined in forensic laboratories, and witness statements were made. The men of the patrol were told by the Army legal service that that was the end of the case and they would have no more to fear.

Fast forward to 2011 and Dennis Hutchings was called before the Historical Enquiries Team. He was asked to go to Northern Ireland, where he was questioned over a period of time about the incidents that took place. He co-operated fully. When it became apparent that there was no evidence that would stand up in court, and that obviously no fair trial could take place, he was told by the PSNI investigators that that was the end of the matter—in 2011. He was told it was totally the end of the matter—that he could go back to his grandchildren, back to the constituency of my hon. Friend the Member for South East Cornwall (Mrs Murray), and enjoy the rest of his life, get on with the rest of his life. And that is what Dennis did.

We move forward to April 2015—four years on. There is a dawn raid on Corporal Major Hutchings's home in Cornwall. He is in extremely bad health. He is arrested in a pretty high-handed manner, taken to Northern Ireland for four days' questioning and then charged with attempted murder. The case is ongoing.

Mr Alister Jack (Dumfries and Galloway) (Con): I thank my hon. Friend for securing this important debate. Does he agree these that historical allegations cases against veterans, particularly from the troubles in Northern Ireland, and particularly that of Dennis Hutchings, give little confidence to our school and university leavers when they think about a career in the armed services?

Sir Henry Bellingham: I could not agree more with my hon. Friend. I do not think that any other country in the world would treat its veterans in this way. It is a straightforward breach of the armed forces covenant and is bound to have an impact on morale and, as he points out, on recruitment.

We have heard a number of very encouraging quotes from the Prime Minister and other Ministers. In 2017 the Prime Minister said that,

“we will never again in any future conflict let those activist, left-wing human rights lawyers harangue and harass the bravest of the brave, the men and women of our Armed Forces.”

Leo Docherty (Aldershot) (Con): Does my hon. Friend believe, as I do, that if a statute of limitations is introduced, it should cover all theatres, so that veterans who have served honourably in Iraq and Afghanistan—even those who have faced disciplinary action but been cleared of any charge or wrongdoing—can get on with their lives? Also, does he know anything about the case of Major Robert Campbell, which is an exemplar of the bad justice meted out by the Iraq Historic Allegations Team? Does he agree that a statute of limitations should not be limited to Northern Ireland?

Sir Henry Bellingham: I shall come on to the statute of limitations point in a moment—I shall close my remarks shortly—but my hon. Friend makes an incredibly important point.

As we know, my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) took action when he was Secretary of State for Defence. He wound up the Iraq Historic Allegations Team, which had cost roughly £40 million, but that has not solved the problem. Yesterday I saw that Leigh Day is looking at up to 200 cases involving Iraqi veterans. Indeed, any solicitor anywhere can raise a case against a veteran if they feel like doing so and feel there is enough evidence. This problem will simply not go away.

I believe very strongly that the Ministry of Defence and the Government have that duty of care that I mentioned earlier. They have to draw a line under this situation. The only way I see for us to do so is to deal with all veterans on an equal basis across the UK, across all campaigns and across all theatres. There should be a statute of limitations on that basis, with an override whereby compelling new evidence that became available could be looked at; but otherwise, after five or 10 years or some clear limit—the Armed Forces (Statute of Limitations) Bill, a private Member's Bill introduced by my right hon. Friend the Member for Newbury (Richard Benyon), mentions 10 years—those veterans could at least get on and enjoy the rest of their lives.

In conclusion, I am giving the Minister a way forward. If we do not take that way forward, I think we will have really serious problems. The Secretary of State for Northern Ireland, in her consultation, has made it clear that she will not consider a statute of limitations in the context of Northern Ireland. Therefore, let us have a statute of limitations covering the whole of the UK.

I have given the Minister a way forward but, as I said, our Northern Ireland veterans were sent there when they were young men and women, and they are now a good deal older than most of us. They risked everything. Many of their friends were killed; many were injured. Many suffered the most appalling mental illnesses. What the Government, and this Department in particular, owe to them now is no ordinary duty of care. It is something much more fundamental and profound. In some ways, the duty of care that we owe to current servicemen and women is perhaps more sacred than the duty of care we owe to people who fight in a world war, because the people who fought in Northern Ireland, or who went to various theatres such as Kosovo, Iraq and Afghanistan, had a choice. They could, like Dennis Hutchings, have gone into the Army and risked their lives, or they could have had the easy way out—an easy life in civvy street. They could have had a very different life. But they did not. They risked their lives.

They are not asking for a great deal. They are not asking for an increase in their pension, or for any monetary handouts or further recognition. All they are asking for is not to be betrayed by the Government who they put their lives at risk for.

Chris Davies (Brecon and Radnorshire) (Con): I thank my hon. Friend for obtaining the debate. Only last year I met a constituent who is, sadly, fearful of a knock on the door, or a letter, calling him to court. He served his country and had been retired for nearly 30 years. He put his life on the line for his country; he had taken lives for his country, yet he now feels that his country is not supporting him. Does my hon. Friend agree that that is not right at all?

Sir Henry Bellingham: I am grateful for that intervention.

I shall now conclude. The point is that these veterans are not asking for a great deal; they are simply making a request of this Government of all Governments—a Conservative Government who, at every possible opportunity, stand up and say that they support veterans. I have given the Minister and the Government a way forward. I hope that they will take it. I hope that all these veterans can then get on with the rest of their lives. They deserve a retirement free of the fear of a knock at the door.

Richard Drax (South Dorset) (Con): I shall intervene once, as I know that many Members want to speak, but I need to speak up on behalf of a sergeant-major who served 22 years, including in Aden, Cyprus and Northern Ireland. He sent me an email today in which he said:

“From my side of the fence, it is fair to say that ex-service personnel feel betrayed beyond belief by the fact that the Government has not only failed to stamp this out immediately but has actually pursued the policy of opening even more doors for those who would wish to investigate incidents so that they can lay some form of blame on those who were, quite simply, carrying out orders.”

Does my hon. Friend agree that what is happening is completely wrong?

Sir Henry Bellingham: This problem—this challenge, this crisis—facing these veterans can be solved. We look to the Minister to come up with solutions and give the House this afternoon some hope for the future.

Several hon. Members rose—

Mr Gary Streeter (in the Chair): Order. Winding-up speeches will begin at 27 minutes past 5. There are three minutes for each speech.

5.2 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for North West Norfolk (Sir Henry Bellingham) on bringing the matter forward.

Increasingly, what is to all intents and purposes a private vendetta against the security forces is becoming a witch hunt funded by the public purse, at massive emotional and physical cost. What a world we now live in—while someone like Gerry Adams is taking a legal case attempting to overturn his conviction, the Democratic Unionist party will stand by the men and women in question as individuals who have been attacked merely because they dared to wear a British uniform in Northern Ireland. I declare an interest as one of those who served in the Army and was privileged to wear that uniform.

Emma Little Pengelly (Belfast South) (DUP): Does my hon. Friend agree that, if the country and Parliament put our young men and women in an incredibly dangerous position and, as part of their operational duties, they must make very difficult operational decisions, sometimes with tragic outcomes, it is appalling that they should then be subject to the full rigour of the criminal law, instead of the events being looked at in the light of the context in which they happened?

Jim Shannon: I agree wholeheartedly with my hon. Friend.

General Lord Dannatt, the former Chief of the General Staff, said this week:

“There should be no obligation on soldiers to co-operate because they have previously given evidence on the assurance of no further action being taken when this has proved a false promise.

I think this is an extremely unwelcome, worrying move. I served in Belfast in 1971 and had 25 to 35-year-old soldiers in my platoon who would now be in their 70s and 80s. Asking them to recall shootings from back then is outrageous.”

Hear, hear, I say.

I ask Members to picture a 75-year-old gentleman who served his days in Northern Ireland. He lost his friends and saw the unthinkable. Meanwhile, those who literally know where the bodies are buried are the ones pulling the strings, involving themselves in political life and pointing the finger at men and women whom they hate with a passion, as they are British. The man who murdered Ulster Defence Regiment soldier Lexie Cummings in Strabane walked freely around his home town wearing a mayor's chain. Yet a 75-year-old whose only crime was to decide to serve Queen and country is being interrogated. Every single person who voted no to the Belfast agreement on the principle that it was unfair that those convicted of murder were released are now seeing those murderers with a vendetta being validated and having precious funding thrown at them, to seek the prosecution of soldiers. Those who honey-trapped three young soldiers and those who dragged soldiers out of a car and literally beat them to death have the so-called high moral ground about what happened some 40 years ago.

This witch hunt must not be tolerated. The Democratic Unionist party stands for our innocent armed forces and will continue to oppose every media post, newspaper article and motion that seeks to paint the troubles as a freedom fight. It was no freedom fight; it was terrorism no more shocking than 9/11 or the 7/7 attacks. IRA terrorism is no different from ISIS terrorism. In the same way that I stand with our current personnel, I stand with our veterans. I will defend them in this place against the hatred until the very last breath in my body.

5.5 pm

Sir Michael Fallon (Sevenoaks) (Con): In addition to the excellent speech of my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham), I would like to make just three points. First, an amnesty involves difficult issues. It is right that they should be debated here. If there is a line to be drawn, when exactly in time should we draw it? How do we properly distinguish between those who were in the service of the state and those who were trying to undermine the state? That should be debated not only here but in the province. That is why I wanted this issue included in the consultation paper, and I am very disappointed that it has not been.

Secondly, as my hon. Friend said, we should not reopen cases that have not only been investigated previously, but where the suspects have been told that the case has been concluded and that the investigation is over. It is morally wrong that people should have these cases reopened all over again. Thirdly, a number of the potential suspects and interviewees are elderly. They are fearful. They need and deserve the full support not just of the Ministry but of the chain of command. These were people doing their duty: carrying out the orders of others and the guidance that had been given to them by their superior officers. They deserve the full legal, financial and moral support of the current Army chain of command.

Several hon. Members rose—

Mr Gary Streeter (in the Chair): Thank you very much for setting a good example. I call Bob Stewart.

5.6 pm

Bob Stewart (Beckenham) (Con): The Government will maintain that they have no choice but to follow the rule of law with regard to prosecuting historic allegations against veteran soldiers who fought in Northern Ireland. What total twaddle! If so, which rule of law was followed when PIRA terrorists who killed so many people were released, pardoned and given promises that they would not be further prosecuted after the Good Friday agreement and other deals? I am coming to the view that the Government are resorting to craven appeasement of Sinn Féin. They are scapegoating a few old soldiers. Is that a price worth paying? My God, it is not. How can our Government mollify Sinn Féin using old men who ran huge risks for all of us, as collateral? Have we lost our sense of decency?

Not one member of the Cabinet has seen operational service for their country. Not one of them has had to make a split-second decision to open fire when his or her life was threatened, as so many soldiers did. May I mention that the Minister for the Armed Forces, the right hon. and gallant Member for Milton Keynes North (Mark Lancaster), is not a member of the Cabinet—yet?

This seemingly vindictive persecution of veteran soldiers has gone unresolved for too long. Successive Governments' lack of leadership on the matter is appalling. I am very angry about the betrayal of our service personnel. This matter is fixable. I call on the Secretary of State for Northern Ireland, the Secretary of State for Defence, the Secretary of State for Justice and, indeed, the whole Cabinet and the Prime Minister—because we have collective Cabinet responsibility—to grip this and sort it out.

5.9 pm

James Heappey (Wells) (Con): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) on securing the debate.

I served in Northern Ireland at the end of Operation Banner, so I know very well just how politically sensitive these issues are out there. However, the current situation, with ex-soldiers still under investigation, cannot endure. The equivalency being made between the service of members of the British armed forces and terrorists is immoral, and public outrage is entirely understandable.

Ian Paisley: These issues are only sensitive among a very narrow band of people who did not give a toss about the life of any soldier in Northern Ireland.

James Heappey: That may be the case. I will talk about something slightly different in the short time I have available, drawing on my own experiences in Iraq and Afghanistan, rather than getting into the intricacies of Northern Irish politics.

I served in Afghanistan twice, as a platoon commander and then, latterly, as the adjutant of 2 Rifles in 2009, with a tour to Iraq in between. As a platoon commander, I was only too aware that I was training my soldiers to go out on operations in Iraq and Afghanistan, to remove the safety catch and open fire, acting entirely on instinct in the heat of the moment, drawing on everything they had learned in their pre-deployment training and everything they had seen on the tour hitherto. We have to give soldiers the confidence that, on the rare occasions on which they take those decisions—on operations in hugely dangerous situations—and get them wrong, the system will back them up and will agree that they followed the rules of engagement, and that, once all the investigations in theatre are complete, that is them done.

When I was the adjutant of 2 Rifles in Sangin in 2009, arguably on the most kinetic of the Operation Herrick tours, there were lots. Every day I would start shooting incident reports and other sorts of incident report that would go on up to the Herrick taskforce at brigade and would be immediately looked over by lawyers and the Royal Military Police. That process was robust, and when there was any doubt in investigators' minds, the investigation continued beyond the brigade, up to division, and was looked at thoroughly.

Soldiers have to know that that process is complete, and that when it is done the nation will stand behind them. Otherwise, in that split second when the safety catch has to be removed and lethal force has to be applied, they will hesitate. That could cost them their life.

5.12 pm

Mr Mark Francois (Rayleigh and Wickford) (Con): I will briefly make three principal points. First, without the bravery and sacrifice of British troops—supported by the Ulster Defence Regiment and the Royal Ulster Constabulary, GC—there would never have been a peace process in Northern Ireland.

Stephen Pound (Ealing North) (Lab): The right hon. Gentleman is a most distinguished Minister, and I respect him for that. He talks about bravery and sacrifice. He should also refer to discipline. I have never met anyone in the armed forces who ever felt that every single soldier, sailor and airman always acted with total and complete probity. There are some people who breach the code. Does he honestly think that an amnesty, which would exclude every single person, should be allowed? Should he not listen to the words of David Cameron following the Saville report, maybe study Ballymurphy and have a look at some of the incidents that quite clearly have to be investigated? By all means do not penalise the elderly, but also do not try to put everybody into the same category.

Mr Francois: All these cases were investigated at the time. That is exactly the point. They have already been looked into, and the people concerned have already been cleared.

Tony Blair said, "This is not a time for clichés, but the hand of history is upon us". Well, that hand of history, if it were there, was only there because of the tremendous bravery and sacrifice of all those British Army personnel on Operation Banner for three decades in the run-up to 1998.

Gavin Robinson (Belfast East) (DUP): Will the right hon. Gentleman give way?

Mr Francois: I am afraid I will not.

Secondly, the Government consultation was originally going to include an option for a statute of limitations, but that was pulled at the eleventh hour. Why? Was it because of political pressure from Sinn Féin? Why did the Northern Ireland Office suddenly buckle and take that out of the consultation, so that it was no longer a formal option to be considered?

Thirdly, we all want to see the power-sharing Executive restored in Northern Ireland, but not at any price. There will be no equivalence in this system. There is no point in saying, "Oh, but the terrorists will be investigated as well," because they have been given letters of comfort by Blair—they are off the hook. But the letters received by British servicemen who were investigated and told they were in the clear do not count, do they? They are still being investigated by the PSNI. We saw what a farce the Iraq Historic Allegations Team was. It was so bad that it had to be closed down by my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) when he was Defence Secretary.

The proposals from the NIO are morally disgraceful. I have never been so annoyed with my own Government. We need a statute of limitations for Northern Ireland, Iraq and Afghanistan, and we need it soon.

5.15 pm

Richard Benyon (Newbury) (Con): I am delighted to see my right hon. Friend the Minister here—as a Defence Minister, he can reflect this issue right across the Government. As a veteran of Operation Banner who has been involved in this issue for many years, I am angry. We want to hold the NIO to account. I strongly believe that there is a cadre of officials in that Department who can think up a thousand reasons why they should not do something. Just occasionally, they should be encouraged to think about how they can solve a problem that is an affront to every decent person in this country.

I have a solution, which builds on what my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) proposed. It will come before the House on 15 June. Okay, it is a ten-minute rule Bill and it has got to the bottom of the list—we all know how this place works—but the Government should pick it up and run with it. I suggest that there should be a 10-year statute of limitations for all servicemen who serve on operations. I agree entirely that there can be overrides and caveats, and I am happy to talk about the time—I am happy to talk about anything—but we must get the principle in law so that the young men and women currently training with my son in the British Army know that the system in this country will stand by them when they make the awful decision to take somebody's life, under all the constraints we impose on them.

We are in a situation in which a 78-year-old man with kidney failure—a constituent of my hon. Friend the Member for South East Cornwall (Mrs Murray)—is being taken to court. What other country would do that? Why are we so shaming? I know that we have a devolved justice system in Northern Ireland, and that the people who take that case forward will have to be held to account for that, but we have reached the point where we as a society must ask, “Is it right to take an old man who is in poor health away from his family and put him through this?”

I believe that we have a solution. I am desperately keen that we should work constructively with all elements of the Government. If we start from the basis that it is all too difficult, nothing will happen, but we have to find solutions.

5.17 pm

Mrs Sheryll Murray (South East Cornwall) (Con): I will start by reading a message from another of my constituents, a Mr Dennis Blagdon. He wrote to me this weekend:

“I feel ashamed to be British that the government would let this serious lack of justice happen”

to Dennis Hutchings. Mr Blagdon continued:

“He is a man who is ill, who is being hounded for a job which he was employed by the government at the time to do. It was war.”

We cannot put it any simpler than that. Northern Ireland was war. Mr Blagdon added that,

“a shot was fired which, unfortunately, killed a person. TO THIS DAY, NO ONE KNOWS WHO FIRED THAT FATEFUL SHOT. Why should this poor man, who is dying, be held responsible? This guy is a lovely man, who I have met on many occasions. Please just let him live his last days in peace.”

Mr Laurence Robertson (Tewkesbury) (Con): Has my hon. Friend not put her finger on the very problem—that one side, the IRA, called it a war and behaved as if it were a war, whereas the soldiers were expected to work by the book?

Mrs Murray: My hon. Friend is quite right.

I will not take much time to repeat what has already been said, but the Department of Justice in Northern Ireland was originally formed from the Northern Ireland Office and the Ministry of Justice. We do not have an Executive in Northern Ireland at the moment. I am calling on the Secretary of State for Northern Ireland to address this immediately by announcing the consultation paper. As far as I am concerned, my constituent, Dennis Hutchings, has suffered enough. I have been informed that he has been cleared twice and, to be honest, the evidence has since been destroyed—evidence that he could have used in his defence. I agree with the Government when they say that the current process is flawed, and I call on them to do something about it and let Dennis Hutchings, my constituent, go free now. He is a hero who did his job. Let him go free.

5.20 pm

Leo Docherty (Aldershot) (Con): It is a pleasure to serve under your chairmanship, Mr Streeter. I am grateful to my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) for securing this important debate. I will speak very briefly.

The issue is very pertinent to my constituency. Generations of Aldershot soldiers served in the Province and still live in and around the Aldershot area and in the borough of Rushmoor. The savagery and brutality of the troubles were brought home to Aldershot in February 1972 when, through an IRA atrocity, a bomb was exploded outside the headquarters of 16th Parachute Brigade. Seven civilian staff were killed and 19 were wounded. The treatment of Dennis Hutchings has aroused some very strong feelings in and around my constituency. I share that sense of moral outrage. I clearly put on the record my support for the statute of limitations proposed by my right hon. Friend the Member for Newbury (Richard Benyon), and I would like the Ministry of Defence to legislate for that, possibly for 10 years, to cover veterans.

It is important to point out that soldiers do not expect to be above the law. Any legislation would cover those who had already been investigated, just as Dennis Hutchings has been investigated. They expect only natural justice, and that is what we should seek to provide for them.

It is important that the statute covers theatres other than Northern Ireland. Several veterans have been treated very badly in their experience of dealing with the Iraq Historic Allegations Team, and I draw attention to Major Robert Campbell, who has experienced eight different investigations. He has been cleared of wrongdoing and has been abysmally treated by the IHAT process. Although IHAT has been closed down, the danger is that its legacy unit, the Iraq fatality investigations unit, is still prosecuting individuals. That is why those individuals need to be covered by a possible statute of limitations.

The contract between the military and the Government depends on trust. The Government have to deliver on that. That is what Dennis Hutchings, Major Robert Campbell and the veterans of Iraq and Afghanistan deserve, and it is what we in our community and in our society should demand. We should demand natural justice for our veterans.

Several hon. Members *rose*—

Mr Gary Streeter (in the Chair): There are two more Back Benchers to go. They have two and a half minutes each, please.

5.23 pm

Robert Courts (Witney) (Con): It is a pleasure to serve under your chairmanship, Mr Streeter. I rise to speak with a great deal of humility, having heard the distinguished speakers who have gone before me, who have served and who have great experience in such matters. I rise only because I would like to add something from a slightly different perspective. I have not served; I am a lawyer and I approach the debate from a legal perspective, because there is a legal as well as a moral element to it.

By nature, I am very cautious about the increasing role of law in warfare, simply because the mindset of a lawyer is so different from that of a soldier, by necessity. Lawyers are cautious and risk-averse. They explore every option. That avenue simply is not available in circumstances such as those described by my hon. Friend the Member for Wells (James Heapey). The military are all about the can-do attitude that was described by

[*Robert Courts*]

my right hon. Friend the Member for Newbury (Richard Benyon). That is even more the case when we look at cases in retrospect.

As my hon. Friend the Member for Aldershot (Leo Docherty) has just said, nobody is suggesting that the military should be able to act with impunity; all that is expected is natural justice and fairness. If laws of war or engagement are broken, of course they should be held to account, but not years and years after the event. The spectacle of repeated historical allegations is absolutely deplorable, and set against a set of standards that were often simply not available at the time. IHAT is a classic example of that, and Northern Ireland much more recently.

I would like to add one thought on a limitation Act, from a civil law perspective. I used to practise in an area of industrial disease, representing people who had suffered from horrible illnesses such as mesothelioma. In those circumstances there is a statute of limitations—the Limitation Act 1980—so after a certain amount of time companies can expect not to be pursued. There are good reasons for that: memories fade, documents get lost, standards change, and knowledge and attitudes change. Therefore, after a reasonable amount of time, they have a reasonable expectation that they will not continue to be pursued.

Here there is a clear imbalance. For example, the IRA did not keep records, while the British Army does. In civil law we would look at things very differently. I entirely support the suggestion for a statute of limitations simply because we have a similar thing in civil law. We are currently providing assistance and protection to historical industrial companies that are facing only civil claims and not soldiers, who may face serious matters that would turn their lives upside down.

Our veterans should be entitled to know that when they serve, they can go home with gratitude and not have to look over their shoulders for the rest of their lives. The Government should be clear. The public view the spectacle of Britain turning on its own with absolute disgust. We must bring peace to veterans who have worked so hard to bring peace to us.

5.25 pm

Gavin Robinson (Belfast East) (DUP): Thank you for including me in the debate, Mr Streeter. All the contributions have been incredibly thoughtful, not least that from the leader of the debate, the hon. Member for North West Norfolk (Sir Henry Bellingham). There are two aspects to this: can it be done, and should it be done? The lawyers are debating whether it can be done, but those who focus on the negativity of one legal academic who gave evidence to the Defence Committee and on his aspiration that it should apply to terrorists and those who engage in paramilitarism in Northern Ireland are wrong. It can be done. Much more thoughtful legal evidence was given to the Defence Committee as part of the report we prepared seeking a statute of limitations. There has not been enough focus on that.

There has been focus on the rule of law. We set the rule of law in this country. Releasing prisoners in 1998 or in 2000 in Northern Ireland was anathema to at least the 30% of the population who voted against the Belfast agreement, but it was passed in this House and it became

the rule of law. When Tony Blair signed comfort letters secretly and quietly and told individual IRA paramilitaries that they would not be pursued for the crimes they committed in this country against this state, that was notionally against the rule of law, but he did it.

There were no hang-ups in the Northern Ireland Office about the on-the-runs procedure. What happened to John Downey, the person responsible for the Hyde Park bombing here in London? He went to court and the prosecution stalled on the basis of an on-the-runs letter. Therefore, when we hear about the rule of law and practical implications, we should remember that we are sovereign in this country—we set the rule of law and the tone—and having appraised ourselves of the moral implications and the moral imperative that, after 20 years of appeasing those involved in paramilitarism and trying to destroy this country, there is a greater prize in protecting those who serve to defend the principles of this country, it can be done, and it should be done.

Mr Gary Streeter (in the Chair): We come to the Front-Bench speeches. The Scottish National party and Labour party spokespeople have five minutes each and the Minister has 10 minutes.

5.28 pm

Carol Monaghan (Glasgow North West) (SNP): I congratulate the hon. Member for North West Norfolk (Sir Henry Bellingham) on bringing forward the debate. All of us in the Chamber are proud of our armed forces. Our veterans are an asset to our society, deserving of our thanks, respect and support. We support them because we are proud of them, because we know they have been trained to the highest standards and conduct themselves with the utmost integrity and because they operate to bring peace to areas of conflict.

That confidence in the behaviour of our military personnel enables them to continue carrying out their duties with full public support in every theatre of war. However, when the actions of individuals call into question the integrity of our armed forces, we must address that. That is not to say we should not protect ex-service personnel from bogus legacy cases. Members and former members of our armed forces must be treated fairly when accusations of wrongdoing are made. We know about the huge backlog of cases in the Iraq Historic Allegations Team, which means that serving members and former personnel face extended periods of uncertainty over accusations that have been made. The case of Major Robert Campbell has been mentioned today, and I think we would all agree that that is not acceptable.

We must also have confidence in the institutions of the police and judiciary in Northern Ireland to serve the people. Responsibility for policing and justice matters in Northern Ireland is devolved and should be respected as such. The PSNI legacy investigations branch should be given adequate resources for such investigations so that they are not prolonged unnecessarily. In the north of Ireland, we know that few families escaped the suffering and the violence.

This debate is timely, given the actions we saw yesterday from the Israeli military. The callous manner in which civilians, including children, were mowed down, demonstrated to the world a military not operating in a manner that we would consider exemplary, but we

cannot brush over our own past. Events such as the Ballymurphy massacre, into which an inquest is currently taking place, or the Bloody Sunday murders, are a stain.

James Heappey: I am sure that the hon. Lady will want to clarify that. I am sure she is not, but she seems to be saying that whatever happened on the border of Gaza yesterday has perhaps some equivalency with the behaviour of the British armed forces during their service in Northern Ireland, Iraq or Afghanistan.

Carol Monaghan: That is absolutely not what I said. I said that that was a military behaving in a manner that was not exemplary.

We know there were terrorists on both sides in Northern Ireland, but the idea that people can murder with impunity cannot be tolerated. Those carrying out the atrocities we are talking about today were not terrorists. They were sent to Northern Ireland to keep the peace, not to enflame an already volatile situation. We expect the highest standards from our armed forces and that requires them to operate within, not outwith, the rule of law. The actions of a few individual members of the armed forces during those events brought them down to the level of the terrorists. That is something that should cause us all shame.

Several hon. Members *rose*—

Carol Monaghan: Our service personnel should rightly be held to the highest standards of behaviour, but they should also be supported fully by the Ministry of Defence when allegations are made. That certainly means being offered proper legal representation and support. Our armed forces have our gratitude for the difficult work they do on our behalf, in defending us and our values, sometimes in traumatic and highly stressful situations. The hon. Member for Wells (James Heappey) talked of his own experience. He described the very best practice, where he was aware of what was going on.

Several hon. Members *rose*—

Mr Gary Streeter (in the Chair): Order. The hon. Lady is not giving way.

Carol Monaghan: For the public to have full confidence in our military, there must be some accountability when they operate outwith the rule of law, and there must be due process.

5.33 pm

Wayne David (Caerphilly) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I will confine my remarks to Northern Ireland, as the hon. Member for North West Norfolk (Sir Henry Bellingham) did. I congratulate him on securing this extremely important debate. As a young man, I well remember the horrific reports on the television about the troubles in Northern Ireland. At the height of the troubles, there were more than 27,000 military personnel, in more than 100 locations. They were there as part of Operation Banner, the longest continuous campaign in the history of the British Army. Let me place on record my appreciation and my highest possible regard for the professionalism and the commitment of our armed forces personnel in the most difficult of conflicts.

Ian Paisley: I think the point that the hon. Gentleman is emphasising is that so many armed service personnel in Northern Ireland acted to the highest standards and showed massive restraint in the face of being terrorised, whether at Warrenpoint, Ballykelly or Narrow Water. We should look up to our soldiers and be extremely proud of the way in which they conducted themselves over decades of service.

Wayne David: The hon. Gentleman is obviously better aware of the situation in Northern Ireland than just about any Member here. I certainly concur with his remarks, and I hold in the highest possible esteem, as I said, the personnel of our armed forces and the commitment they showed.

There were 3,260 deaths during the troubles. In 2006, the then Government established the Historical Enquiries Team to examine all deaths attributable to the security situation. In September 2014, the Historical Enquiries Team was disbanded, and in its place PSNI set up the legacy investigations branch. As we are only too aware, there have been significant criticisms of the process by which legacy investigations are currently undertaken. The Prime Minister's comments last week are a clear indication of that.

However, it is worth noting that it has been argued that PSNI's statistics indicate that more of its legacy resources are deployed investigating former paramilitaries, and the Public Prosecution Service in Northern Ireland argues that more effort has gone into investigating former republican and loyalist paramilitaries. There are clearly differences of opinion on this, but we should have respect for all opinions that have been expressed on this very emotive issue.

Addressing legacy issues was a key part of the Stormont House agreement of December 2014. It was agreed that principles including the promotion of reconciliation and the rule of law should be upheld, that the suffering of victims and survivors should be acknowledged and addressed, and that there should be a facilitation of the pursuit of justice and information recovery. It was also argued that human rights should be respected, and that all investigations should be balanced, proportionate, transparent, fair and equitable. To that end, the agreement set out the establishment of a new, independent Historical Investigations Unit. I understand that the Government have now produced a consultation document, and that there will soon be a public consultation exercise on the new mechanisms for handling outstanding legacy issues.

The Defence Committee argued in its April 2017 report that there should be a statute of limitations protecting both former members of the security forces and paramilitaries. It was recognised that such a statute had to be equally applicable to all those involved in the conflict, and that there ought to be a truth-recovery process. That was the argument put forward.

At the end of last year, the British Government indicated that a statute of limitations might be included in the consultation. I understand from press reports that that will not now be the case. Personally, I am not persuaded that such a statute is the best way forward. However, I would like to know from the Minister why the Government have seen fit to exclude the suggestion from the public consultation. While I realise that the consultation will be in the hands of the Secretary of

[Wayne David]

State for Northern Ireland, the Government operate on a collective basis, and I would like to know who, and what organisations and bodies, will be consulted. Will the views of the veterans' organisations be sought? I certainly hope that that will be the case.

Finally, I emphasise the need for progress to be made in this difficult area on the basis of consensus. Only by working together, in a spirit of reconciliation and co-operation, will we ensure that Northern Ireland can enjoy a lasting peace.

5.38 pm

The Minister for the Armed Forces (Mark Lancaster):

It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) on securing the debate. I had the opportunity as recently as January to make a speech on this matter. That another debate has been secured so soon speaks volumes about the commitment of the House to the welfare of both serving and former members of our armed forces. I declare my interest as a serving member of the Army Reserve.

I am troubled that my hon. Friend the Member for Beckenham (Bob Stewart) feels that the Government are simply not interested in our veterans. He is probably right that there is no serving Cabinet Minister who has seen operational service—there is, of course, one who serves in the Royal Naval Reserve. Although my own very modest experiences in Bosnia, Kosovo and Afghanistan pale into insignificance compared with those of many who served in Northern Ireland and elsewhere, several Ministers have served. I assure my hon. Friend that many of us in Government have our veterans' interests at the forefront of our minds and are determined to do what we can to support them. I will move on in a moment to underline some of the things that the MOD is doing to support our veterans.

I am second to none in my admiration for our armed forces. They do an exceptionally difficult job in the most challenging circumstances, and we rightly hold them to the highest standards. However, although the overwhelming majority of service personnel conduct themselves professionally and in accordance with legal obligations, a few do not. In such circumstances, domestic and international law requires us to investigate serious allegations, and it is right that we do. We live in a democracy that values the rule of law, and no one, including those in the armed forces, should be above the law. However, let me be clear that that does not mean we should accept lengthy investigations and reinvestigations many years after the event.

Let me turn first to Northern Ireland. It is due only to the courageous efforts of our security forces that we have the relative peace and stability that Northern Ireland enjoys today. The Government are sincere and unstinting in their gratitude to all those who served throughout the long years of the troubles, many hundreds of whom paid a very high price for doing so. We will always salute the heroism and courage they displayed in upholding democracy and the rule of law in Northern Ireland, and we will not tolerate the rewriting of Northern Ireland's history by those who wish to legitimise the actions of terrorists who sought to kill and destroy.

Historical investigations in Northern Ireland currently involve numerous inquests and investigations into the small minority of deaths attributed to the state. Meanwhile, many terrorist murders go uninvestigated. All those involved, not least the victims and survivors of terrorism, along with former members of the security services, deserve a better approach than the current flawed system, which is not working well for anyone. The Government are committed to putting this unacceptable situation right.

The Government believe that the institutions proposed in the 2014 Stormont House agreement are the best way to ensure a fair, balanced and, crucially, proportionate approach to addressing the legacy of the past in Northern Ireland. On Friday the Government published a consultation and draft Bill that set out in detail how the Stormont House agreement institutions could be implemented.

The key institution in the context of today's debate is the proposed historic investigations unit, or HIU. The HIU would be responsible for completing outstanding investigations into troubles-related deaths within five years. Critically, that would include around 700 murders by terrorists that are not currently being investigated. In addition, the HIU would be required to act in a manner that is fair, impartial, proportionate, effective, efficient and designed to secure public confidence.

Mrs Murray: Can the Minister explain to me how this new unit will prevent my constituent, Dennis Hutchings, from being prosecuted, because I do not think that it will?

Mark Lancaster: My hon. Friend is aware that that is an ongoing process. She and I met, at her request, the last time we had such a debate to discuss her constituent in detail, and the ongoing support that he is receiving from the Ministry of Defence.

In delivering our manifesto commitment to consult on how the Stormont House agreement could be implemented, the Government are clear that they will not take forward any measure that could have the effect of targeting, discriminating against or otherwise putting at a disadvantage our veterans. As part of that commitment, the Defence Secretary has asked the Defence Committee to play a role in scrutinising the detail that has been proposed. In particular, he has asked the Committee for its views on whether what has been put forward will meet the Government's aim that any future investigations will be conducted in a way that is balanced, proportionate, transparent, fair and equitable, with no prospect that veterans will be targeted or discriminated against.

Emma Little Pengelly: Is the Minister aware that the issue emerged in parallel with and subsequent to the Stormont House agreement through a decision by the chief constable to refer all state-related deaths to the case load of PSNI's legacy unit, ergo it will go into the historical investigations unit? This is a new and emerging issue since the discussions on the Stormont House agreement.

Mark Lancaster: Of course, there are a number of emerging issues, and this is proving to be one of the difficulties in trying to get consensus on how we move forward. Members will also be aware of last year's Defence

Committee report recommending that a statute of limitations covering all troubles-related deaths involving the armed forces should be established, alongside a non-criminal mechanism for ascertaining the facts surrounding the deaths. That report, and indeed today's debate, demonstrate that there is support for an alternative approach to dealing with the legacy of the past.

In the limited time I have, let me say that Members do not have to take the Government's word on this. I am sorry that the Chair of the Defence Committee is not here, but I encourage all Members to look at that report and the legal evidence given to it over the challenges—that is probably the best way of describing them—about moving forward under the statute of limitations approach. That said, the whole purpose of the consultation is to try to move the issue forward. There is an open question as to how we move forward, and the suggestion of the hon. Member for North West Norfolk is a perfectly reasonable one to be put forward into the consultation. As we have just launched a consultation, it would be premature for me to commit to what that way forward

will be. That is why I encourage everybody, particularly veterans and Members, to contribute to that consultation so that we can attempt to find a sensible way forward.

Leo Docherty: I am grateful to my right hon. and gallant Friend for giving way. Does he agree that theatres other than Northern Ireland, such as Iraq and Afghanistan, should be included in the consultation?

Mark Lancaster: The consultation, as published, is specific to Northern Ireland. However, this is a wider issue that impacts operations in other theatres. I take this opportunity, in the 20 seconds I have left, to pay tribute to my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon), who did so much in his tenure as the Secretary of State for Defence to move these issues forward—not least when it comes to other theatres—by closing down IHAT from 30 June last year.

5.47 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Tuesday 15 May 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Consumer Policy

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): I am today publishing the Department's investigation into the safety of the Hotpoint fridge freezer model FF175B which police identified as being involved in the tragic fire at Grenfell Tower on 14 June last year.

The safety of consumers is a key priority for this Government, which is why the Secretary of State for Business, Energy and Industrial Strategy (BEIS), my right hon. Friend the right hon. Member for Tunbridge Wells (Greg Clark) ordered an immediate examination of the appliance by independent technical experts. Within days the Department had undertaken a preliminary assessment and issued advice following a meeting convened by the Government's chief scientific adviser including public health advisers. The advice to owners of the model concerned—Hotpoint FF175B—was that they could continue to use their fridge freezer as the public health risk of advising not to use the appliance was judged to be of greater risk. Owners were advised to contact the manufacturer to register their appliance so they could be contacted directly should any further action be necessary.

At the same time the Department began a thorough and comprehensive product safety investigation into the model to identify whether there was any wider safety risk to the public. BEIS experts conducted a product safety investigation, examining the Grenfell Tower appliance, commissioning independent examination and testing of example FF175B appliances, undertaking analysis of data and documents and risk assessment. Whirlpool has co-operated with the investigation and has undertaken its own investigation in line with its legal obligations as the manufacturer of the product.

The full investigation has now concluded. It confirmed the advice that was given to consumers in June, that there is no need for a product recall or for any other corrective action for this model, and that consumers can continue using the product as normal. The investigation concluded that the product met legal safety requirements and that the risk associated with the model is assessed as low. The findings have been confirmed by separate and independent tests, under the supervision of the BEIS chief scientific advisor, carried out by scientific and technical experts including the Health and Safety Executive and Intertek.

We have shared the results of our investigation with the Metropolitan police, the Grenfell inquiry, and, of course, with the Grenfell residents through appropriate channels.

The Government continue to place huge importance on consumer safety. This is why, on January 21, 2018, we accepted all the recommendations made by the Working Group on Product Recall and Safety to upgrade the UK system of product safety, and we established the Office for Product Safety and Standards.

A copy of the risk statement and technical reports relating to the investigation have been published and copies of the documents have been placed in the Libraries of both Houses.

[HCWS684]

TREASURY

Counter-Terrorist Asset-Freezing Regime

The Economic Secretary to the Treasury (John Glen): Under the Terrorist Asset-Freezing etc. Act 2010 (TAF 2010), the Treasury is required to prepare a quarterly report regarding its exercise of the powers conferred on it by part 1 of TAF 2010. This written statement satisfies that requirement for the periods of 1 July 2017 to 30 September 2017 and 1 October 2017 to 31 December 2017.

This report also covers the UK's implementation of the UN's ISIL (Daesh) and al-Qaeda asset-freezing regime (ISIL-AQ), and the operation of the EU's asset-freezing regime under EU regulation (EC) 2580/2001 concerning external terrorist threats to the EU (also referred to as the CP 931 regime).

Under the ISIL-AQ asset-freezing regime, the UN has responsibility for designations and the Treasury, through its Office of Financial Sanctions implementation (OFSI), has responsibility for licensing and compliance with the regime in the UK under the ISIL (Daesh) and al-Qaeda (asset-freezing) regulations 2011.

Under EU regulation 2580/2001, the EU has responsibility for designations and OFSI has responsibility for licensing and compliance with the regime in the UK under part 1 of TAF 2010.

A new EU asset-freezing regime under EU regulation (2016/1686) was implemented on 22 September 2016. This permits the EU to make autonomous al-Qaeda and ISIL (Daesh) listings. Once a designation is made under this regime it will appear in the annexed tables.

The annexed tables set out the key asset-freezing activity in the UK during each quarter.

The Sanctions and Anti-Money Laundering Bill currently before Parliament will help ensure that UK counterterrorist sanctions powers remain a useful tool for law enforcement and intelligence agencies to consider utilising, while also meeting the UK's international obligations.

Under the Bill, a designation could be made where there are reasonable grounds to suspect that the person or group is or has been involved in a defined terrorist activity and that designation is appropriate. This approach is in line with the UK's current approach under UN and EU sanctions and would be balanced by procedural protections such as the ability of designated persons to challenge the Government in court.

Attachments can be viewed at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-05-15/HCWS685>.

[HCWS685]

EXITING THE EUROPEAN UNION**UK-EU Security Partnership**

The Secretary of State for Exiting the European Union (Mr David Davis): On 9 May, we published the framework for the discussions with the EU on the UK and EU's future security partnership. These slides have been produced by the UK negotiating team for discussion with the EU, in order to inform the development of the future framework. This framework will set out the terms of our future relationship and will be concluded alongside the withdrawal agreement later this year.

The United Kingdom wants to build a new, deep and special partnership with the European Union, enabling us to protect our shared interests and ensure we act together for our mutual benefit. The threats we face do not recognise the borders of individual nations. The security partnership we are seeking with the EU builds on the breadth and depth of our shared interests and values, and goes beyond any existing third country arrangements.

Copies of these slides will be deposited in the Libraries of both Houses.

[HCWS683]

Ministerial Correction

Tuesday 15 May 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Office for Product Safety and Standards

The following is an extract from the Westminster Hall debate on the Office for Product Safety and Standards on 9 May 2018.

Andy Slaughter: I think the Minister has said that one of the office's duties will be to maintain a recall register. How is that progressing, and will manufacturers be under an obligation to ensure that the register is notified of all recalls?

Andrew Griffiths: I confirm that there is an obligation in place for manufacturers to notify the Office for Product Safety and Standards. I will come on to how the database will work further on in my speech.

[Official Report, 9 May 2018, Vol. 640, c. 314WH.]

Letter of correction from Andrew Griffiths.

An error has been identified in the response I gave to the hon. Member for Hammersmith (Andy Slaughter).

The correct response should have been:

Andrew Griffiths: I confirm that there is an obligation in place for manufacturers to notify the **relevant market surveillance authority**. I will come on to how the database will work further on in my speech.

ORAL ANSWERS

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**not later than
Tuesday 22 May 2018**

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