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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 5 June 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

JUSTICE

The Secretary of State was asked—

Prison Service Parliamentary Scheme

1. **Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): What assessment he has made of the potential merits of introducing a Prison Service parliamentary scheme. [905577]

The Minister of State, Ministry of Justice (Rory Stewart): I pay tribute to the hon. Lady and, indeed, to my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson). The idea is for a parliamentary scheme focused on the Prison Service, along the lines of the parliamentary schemes for the police and the armed services. This is an exceptional opportunity to show the public, through their elected representatives, the extraordinary work that prison officers do day in, day out. It is a very tough and a very challenging job, so, inspired by the hon. Lady and my hon. Friend, we have asked the Department to develop a scheme of exactly the kind that they have proposed.

Liz Saville Roberts: I am delighted to hear the Minister's response, as, I am sure, are the leaders of the Prison Officers Association who are with us in the Gallery today. I am sure he will agree that this must not be just a stage-managed public affairs exercise, and I ask him to commit himself to working with the POA on the design of the scheme.

Rory Stewart: That seems an excellent idea, and I am glad that the POA representatives are here today. As the hon. Lady—and any other Members who have visited a prison—will know, prisons are rarely stage-managed affairs, but we will work closely with the POA to ensure that the scheme reflects the experience of working prison officers.

Gordon Henderson (Sittingbourne and Sheppey) (Con): I, too, am delighted by the Minister's announcement. Can he give us any indication of how long it is likely to take to get the scheme up and running?

Rory Stewart: Let me again pay tribute to my hon. Friend for having inspired the scheme. The proposal is being put together by the Department at the moment, and I hope that before the end of the year we shall be able to enrol at least a couple of Members of Parliament on exactly such a scheme.

Jim Shannon (Strangford) (DUP): As one of those who has served on the armed forces parliamentary scheme and seen the benefits that it provides in increasing knowledge, I commend the Minister for what he is doing. I suggest that this scheme should be similar to the armed forces scheme, because it has worked extremely well, and I think that the Prison Service should take advantage of it.

Rory Stewart: We are looking closely at the armed forces parliamentary scheme, and also at the police parliamentary scheme, in which my right hon. Friend the Secretary of State took part. Those are quite large and well-funded schemes, so we are looking at them carefully. This scheme may start as a smaller pilot, but we certainly want to model it on those other schemes.

Julia Lopez (Hornchurch and Upminster) (Con): A Prison Service parliamentary scheme would give prison officers an opportunity to flag directly with Members of Parliament wider law and order issues, one of which is the use of separation jail cells to hold Islamist terrorists who pose a national security threat through attempts to radicalise other inmates. Many of those cells are lying empty. What work are you doing to ensure that they are in full operation?

Mr Speaker: I am doing no work on this matter whatsoever, but the Minister may be.

Rory Stewart: My hon. Friend is absolutely right. Managing Islamist extremists in prison means that, as well as identifying them and gathering intelligence on them, it is sometimes necessary to remove them from the general population to prevent them from radicalising other people. We have therefore set up two separation units, one of which is in Frankland Prison, and a third will shortly be set up in a new high-security prison. Such units are a vital element of managing extremists.

Legal Aid

2. **Anna Turley** (Redcar) (Lab/Co-op): What assessment he has made of the effect of the decline in the number of people receiving legal aid for early legal help on access to justice. [905578]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): The hon. Lady is right to draw attention to the importance of early legal help. If a problem can be solved at an early stage, it can be prevented from escalating later. That is why the Department spent nearly £100 million on early legal help last year.

Anna Turley: I appreciate the Minister's response, but the cuts in legal aid are having a devastating effect. One of my constituents is seeking legal aid after leaving a coercive, controlling relationship in which she suffered not just physical but financial abuse. Her former partner left significant debts in her name. She works, but she does not qualify for legal aid now due to her salary. Because the payments are taken out under court order before she receives her pay, she is left with no money for legal costs. He gets legal aid because he works. Surely this is not fair, and will the Minister review it?

Lucy Frazer: The hon. Lady has made an important point. The Government have done a significant amount in relation to domestic violence, understanding that it often involves not just physical abuse but, as the hon. Lady says, coercive control. We have also changed many of the guidelines relating to domestic violence so that people who have experienced such abuse can obtain legal aid more easily. I hope that that resolves some of the problems that the hon. Lady has identified.

Richard Burgon (Leeds East) (Lab): The Government's cuts in legal aid have caused widespread damage to access to justice. The Information Commissioner has now taken serious action against the Ministry of Justice, owing to its refusal to publish in full the findings of its own research, which reveal judges' deep concerns about the damage that is being caused. Would not the Government have spent their time better in trying to fix the broken justice system, rather than engaging in crass attempts to cover up embarrassing research findings showing the failures of their legal aid policies?

Lucy Frazer: As the hon. Gentleman will know, we are currently engaged in an extensive review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. We have met with over 50 organisations or individuals so far this year. I am aware that a complaint has been made to the Information Commissioner's Office, and my Department is working closely with the ICO on this matter.

Richard Burgon: The truth is that our legal aid and wider justice system is in crisis—a crisis created by this Government's reckless cuts agenda—and the Government seem to be trying to bury the truth about the legal aid crisis. The research I referred to that was hidden away said that the judges

“believe unrepresented defendant numbers have increased and this is disproportionately reducing the efficiency of the courts.”

So will the Government today come clean and explain to this House why such evidence from judges about the scale of the damage the Government's cuts are causing to access to justice was removed from the published report?

Lucy Frazer: The hon. Gentleman will know that 99% of people who claim legal aid in the Crown courts are granted it. He will also know that in the report he identified, although there are some unrepresented defendants, most people surveyed said that did not make a difference to outcomes.

Offenders: Housing and Benefits

3. **Grahame Morris** (Easington) (Lab): What steps his Department is taking to help offenders access (a) housing and (b) benefits on release from prison. [905579]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): A home provides a released offender with a stable platform and increases their chances of finding a job, accessing health services and tuning their lives around. The Government aim to eliminate rough sleeping by 2027. As part of this commitment, my Department will work with the Ministry of Housing, Communities and Local Government to pilot initiatives, helping those with a history of offending to access and

sustain suitable accommodation. We are also working closely with the Department for Work and Pensions to explore ways of enhancing the current benefit claim system.

Grahame Morris: I thank the Minister for his response, but I recently supported a constituent who, after six months in prison, had successfully kicked his drugs habit. After being released from prison with no housing or benefits in place, he had to rely on former associates for support. He has now returned to drugs and his chaotic lifestyle—the one he wanted to escape. Does the Minister believe that lack of supervision and support for offenders leaving prison is likely to increase or decrease reoffending?

Mr Gauke: We must work across government to ensure that those circumstances do not happen. It is right that we engage with local authorities, the MHCLG and the DWP to ensure that the support is there, and we also need to make sure that the probation service is working as it should to provide support for those offenders.

Andrew Selous (South West Bedfordshire) (Con): Some local authorities claim that prisoners sent away from their home area have no local connection when they need to find housing. Will the Secretary of State have a word with the Secretary of State for Communities to make sure there is no discrimination among local authorities against ex-offenders; they just need to be treated fairly, the same as everyone else?

Mr Gauke: My hon. Friend makes a good point and we discuss this issue with the MHCLG. We are also working with the Local Government Association in advance of its October commencement of the duty to refer under the Homelessness Reduction Act 2017 to improve partnership working between prisons, probation providers and local authorities.

Chris Elmore (Ogmore) (Lab): Release from prison is particularly difficult for women, and I have raised this issue with the Prisons Minister, the hon. Member for Bracknell (Dr Lee), in Westminster Hall. Will the Secretary of State set out what he will do to support women up for release, not just in respect of when they are released from prison but also in keeping the family link, which is extremely important?

Mr Gauke: That is an important point, and we will publish our women offenders strategy in the near future. We must address reoffending by ensuring that when people are released they are settled in the community as successfully as possible.

Mr Richard Bacon (South Norfolk) (Con): Prisoners who build their own houses and then rent them at an affordable rent are much less likely to reoffend. Will the Secretary of State meet me and members of the Right to Build Task Force to discuss how this excellent initiative can be spread more widely?

Mr Gauke: I congratulate my hon. Friend on managing to raise the issue of right to build in as many forums as possible, and I would be delighted to meet him to discuss the opportunities here.

Sir Edward Davey (Kingston and Surbiton) (LD): Does the Secretary of State accept that the number of ex-offenders ending up homeless has increased significantly in recent years, and will he accept that his Department's policy objectives for reducing reoffending and helping rehabilitation will go nowhere unless this issue is tackled?

Mr Gauke: I accept that if we want to reduce reoffending and to rehabilitate, we have to ensure that we address the issue of housing. I absolutely accept that, which is why I am determined to work with local authorities and the Ministry of Housing, Communities and Local Government to address it.

Youth Justice System

4. **Eddie Hughes** (Walsall North) (Con): What steps the Government are taking to reform the youth justice system. [905580]

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): We are increasing the frontline staff numbers in youth offending institutions by 20%. We have introduced enhanced support units at one location—soon to be two—to improve the behavioural management of very difficult children. We are also introducing secure schools, to fundamentally change the environment in which young people in custody are held.

Eddie Hughes: I thank the Minister for his answer. Perhaps he could tell us what role sport could play in helping to work with people in the youth justice system?

Dr Lee: It is interesting to note that the average person in youth custody spends more time in the classroom per week than I did at grammar school. I am firmly of the opinion that sport should play a bigger part in the typical day of those in the youth system, which is why I have commissioned Professor Rosie Meek to provide a report on the benefits of sport, both in custody and in the community. We should be publishing the report shortly.

Mr Speaker: That insight into the Lee biography was of great interest and enlightenment to the House.

Ellie Reeves (Lewisham West and Penge) (Lab): Worryingly, among young offenders, those aged 10 to 14 have the highest reoffending rate—a rate of 42.7%. Overall reoffending rates among the youth prison population are up between three and four percentage points since 2005. What steps is the Minister going to take to reduce reoffending among young offenders?

Dr Lee: In the past 10 years, the number of young people we have been locking up has decreased from more than 3,000 to under 1,000. As a consequence, we have been left with young people who are quite difficult to manage, which is why we are introducing secure schools to improve the recidivism rates to which the hon. Lady refers.

Robert Neill (Bromley and Chislehurst) (Con): I welcome the work that the Minister has done in this field, but does he agree with the Justice Committee's report published a year or so back, which found that a number of the drivers involve many agencies outside the traditional criminal justice system, including education and health, and that they extend beyond the current statutory definitions of young people and youth justice? Does he agree that

we therefore need a much more holistic strategy for young people, from the moment they enter the criminal justice system up to around the age of 25, at which point all the evidence suggests that maturity tends to have reached its full development?

Dr Lee: My hon. Friend asks a telling question, as ever. Yes, I am persuaded on the question of maturity, and this is something that the system currently reflects. We have youth offender institutions for those aged up to 18, and for those aged 18 to 21. Beyond 21, offenders enter the adult estate. Yes, we need to adopt a more holistic approach to the management of young people. That is why, since I have been in post, I have had meetings with Education Ministers, with Health Ministers and with Ministers in the Ministry of Housing, Communities and Local Government. I continue to pursue this actively.

Richard Burgon (Leeds East) (Lab): Youth offending teams have a crucial role to play in preventing our young people from becoming offenders or victims of crime, but the Ministry of Justice has halved the funding for those teams since 2010. We have now found out that they are facing another real-terms cut this year, despite the spate of knife and gun attacks. Does the Minister believe that the Government's cuts to youth offending budgets leave us more safe or less safe?

Dr Lee: The youth offending team budgets are the same in cash terms this year as they were last year. The issue of ghastly knife crime to which the hon. Gentleman refers is clearly serious and, sadly, it is occupying the news headlines almost on a daily basis. Our approach to this is not just about youth offending teams; there is also a broader issue with regard to serious violence. We need to address the motivation of young people to use those knives. Going back to the previous question, dealing with this will require a cross-Government approach.

Mr Philip Hollobone (Kettering) (Con): What proportion of youth offenders become adult offenders, and is that figure going up or down?

Dr Lee: I do not have the exact figure, but I am pretty sure that it is a large proportion and I wish that it was smaller. We recognise that the performance of the youth system in improving reoffending is not good enough, which is why we are introducing new ways of holding young people, through secure schools. I am under no illusion about how difficult this is, but it is better that we intervene early in a young offender's "career" than letting them go on to have a lifetime of offending.

Mr Speaker: My antennae tell me that the Minister will be writing to the hon. Member for Kettering (Mr Hollobone) with further and better particulars, and I am sure that hundreds of colleagues will eagerly await a copy of that letter finding its way into the Library of the House.

Personal Independence Payment Appeals

5. **Mr Stephen Hepburn** (Jarrow) (Lab): What assessment he has made of trends in the level of personal independence payment appeals that have been successful at tribunal. [905581]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): I am aware of the important issue that the hon. Gentleman highlights. I recently met the Minister for Disabled People, Health and Work to discuss how our Departments can work together, and I was pleased to see that the Department for Work and Pensions is taking several measures to ensure that it gets decisions right the first time.

Mr Hepburn: Does not the fact that two out of three appeals in the north-east are successful prove that the privateers that the Government employ to carry out PIP assessments in the first place are not fit for practice by callously letting down disabled people and ripping off the taxpayer?

Lucy Frazer: The DWP is taking a number of measures to ensure that it gets decisions right the first time. It has recruited an extra 150 presenting officers and is taking feedback from the tribunals to ensure that the reconsideration process is as effective and as right as possible.

Joanna Cherry (Edinburgh South West) (SNP): Yesterday, the DWP yet again decided not to appeal a PIP case for fear of losing, and it owes billions in back payments following successful tribunals. I am pleased to hear that the Minister has had discussions with the DWP, but will she tell us whether she specifically raised the distress that going through unnecessary appeals causes claimants and the waste of public money from the UK Government fighting cases?

Lucy Frazer: The hon. and learned Lady makes an important point. Nobody wants people to go to court unnecessarily and nobody wants the most vulnerable to be put under unnecessary pressure. Many parts of the system are doing their best. We are looking at digitisation to improve the process and to make the system easier to use, and we are also trying to get clearance times down. The judiciary is also working closely with the DWP to try to ensure that people get decisions right the first time and quickly.

Joanna Cherry: In Scotland, the new social security agency has at its heart a culture of dignity, fairness and respect. The Law Society of Scotland has said that the United Kingdom benefit system does not treat claimants with dignity and fails to develop best practice from learning from appeal decisions. What discussions did the Minister have with her DWP counterpart about the need to observe the principles of administrative justice in how the benefit system is administered and about how the DWP will learn from appeal decisions so that it stops making the same mistakes over and over?

Lucy Frazer: I discussed getting decisions right the first time with Minister for Disabled People, Health and Work, and we talked about the importance of getting feedback from the tribunal that can be fed into the DWP's decision makers to ensure that they get decisions right the first time. I also liaise with Her Majesty's Courts and Tribunals Service to ensure that all aspects of the process are managed effectively.

Prisons: Mobile Phones

6. **Robert Courts (Witney) (Con):** What steps the Government are taking to prevent the use of mobile phones in prisons. [905582]

The Minister of State, Ministry of Justice (Rory Stewart): To prevent mobile telephones from getting used in prisons, we need to do four things: we need to prevent them getting into prisons, which is about searching at the gate; we need to detect them in cells; we need to intercept transmissions; and we need to jam those telephones. We are doing all those things.

Robert Courts: I thank the Minister for that answer, but criminals are often ingenious in getting items, such as mobile phones, or drugs, such as former legal highs, into prisons. Will he assure me that prison officers have access to the latest investigative technology to ensure that we can stamp out this trade?

Rory Stewart: I want to take this opportunity to pay tribute both to my hon. Friend and to my hon. Friend the Member for Lewes (Maria Caulfield), who is taking through a private Member's Bill to make it easier to jam and intercept mobile phone transmissions. Technology is changing all the time, and there are some challenges, particularly in heavily built-up areas, but we are absolutely committed to having the appropriate technology in different prisons to jam and intercept those phones.

Mr Ben Bradshaw (Exeter) (Lab): After last week's shocking report on the state of Exeter Prison, including the availability of mobile phones and drugs, will the Minister reassure me that the prison is getting all the support, resources and supervision that it needs to implement the inspector's recommendations as a matter of urgency?

Rory Stewart: I pay tribute to the right hon. Gentleman, whom I spoke to about this issue over the weekend. The director of operations, Phil Copple, is on his way to Exeter as we speak. I have also spoken to the prison's governor on the phone, and we are bringing him up to have another conversation with the chief inspector of prisons. It is vital that we address all the issues within the urgent notification, and the central issue is preventing violent assaults on prisoners and prison officers.

Court Closures

7. **Nic Dakin (Scunthorpe) (Lab):** What assessment his Department has made of the effect of court closures on access to justice. [905583]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): We are looking at a number of ways to reform and improve our justice system through technology, through our court estate and through people. We are spending £1 billion to upgrade our justice system. In 2016-17, 41% of courts and tribunals were used at less than half of their available hearing capacity. In circumstances where money raised from the sale of any court building will be reinvested into our justice system, it is appropriate to ask whether spending on physical buildings is the best use of money.

Nic Dakin: It is hardly surprising that towns like Scunthorpe feel that they are being left behind by this Government when it is our courts and magistrates courts that close. It is always things in our towns that close, even before the new technologies that need to be in place have been properly evaluated and investigated. When will the Minister evaluate the impact of these court closures on communities, and when will she evaluate the effectiveness of new technologies?

Lucy Frazer: I am aware that the hon. Gentleman's court was closed in December 2016, and I have read his detailed response to the consultation from October 2015. I understand that, when courts are closed in a particular area, the people in that area feel particularly affected, but I assure him that, as we bring in video technology, we are assessing the use of that technology and trying to improve it at every stage.

Victoria Prentis (Banbury) (Con): The Minister is aware of my concerns about the closure of Banbury court. What steps has she taken to investigate the use of other public buildings for court services?

Lucy Frazer: My hon. Friend has raised her potential court closure with me on a number of occasions. I have also read her response to the recent consultation, in which she raises a number of points, including the one she has just identified. We will look at using other buildings in the community.

Yasmin Qureshi (Bolton South East) (Lab): The recent National Audit Office report on the courts programme says:

“Expected costs have increased and planned benefits have decreased.”

Given that the National Audit Office says the courts programme will now cost £1.2 billion—£200 million more than the Government previously stated—will it lead to even deeper cuts elsewhere in the Ministry of Justice's budget?

Lucy Frazer: The hon. Lady highlights the ambition of the programme, which the NAO report identifies. It is a very ambitious programme, and it is right to be ambitious about our justice system. The NAO report acknowledges the early progress that has been made and makes recommendations about how we can strengthen the process. We will be taking all those recommendations on board.

No Body, No Parole Law

8. **Stephen Metcalfe (South Basildon and East Thurrock) (Con):** What assessment he has made of the potential merits of bringing forward legislative proposals on a no body, no parole law. [905585]

The Minister of State, Ministry of Justice (Rory Stewart): I pay tribute to my hon. Friend and to the hon. Member for St Helens North (Conor McGinn) for the incredible energy that has gone into this campaign. There is something peculiarly disgusting about the sadism involved when an individual murders somebody and then refuses to reveal the location of the victim's body. There have been delays in framing the right kind of legal response, but I am absolutely confident that we can overcome that.

Officials are now bringing forward advice that I hope will achieve, through a different method, exactly what hon. and right hon. Members have been campaigning for.

Stephen Metcalfe: The introduction of a no body, no parole law, known as Helen's law, is very important to my constituent Linda Jones, as the location of her daughter Danielle's body has never been disclosed by her killer. Can my hon. Friend therefore tell the House what impact assessment has been commissioned or carried out to support this introduction?

Rory Stewart: The Department has now proposed two options, which the Secretary of State and I will discuss over the coming days in order to get a solution. We are clear that refusing to reveal the location of a body is an absolutely disgusting practice, and we ought to be able to use legal methods to impose consequences on individuals who refuse to do so.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Minister aware that many of us would support such legislation, particularly if it were also linked to miscarriages of justice? People who are found to have been wrongly convicted and are released after spending years in prison come out with no compensation and no reintegration into society—surely that cannot be right.

Rory Stewart: Perhaps I could sit down with the hon. Gentleman to discuss that in more detail. It is a very important subject, but I think the issue of miscarriages of justice is slightly different and perhaps we could take that offline.

Mr Sheerman: It was the only way I could get in.

Mr Speaker: It is a phenomenon known in the House, or certainly known in this Speaker's Office, as “shoehorning”: a colleague shoehorning in his own concern wherever he thinks he can get away with it.

Mr Sheerman: Shoehorning Sheerman.

Mr Speaker: Yes, Sheerman-horning!

Prison Officer Safety

9. **Mike Wood (Dudley South) (Con):** What progress the Government have made on improving the safety of prison officers. [905586]

14. **Sir David Evennett (Bexleyheath and Crayford) (Con):** What progress the Government have made on improving the safety of prison officers. [905591]

The Minister of State, Ministry of Justice (Rory Stewart): The safety of prison officers is of paramount importance. We owe them a huge debt of gratitude. I pay tribute to the hon. Member for Rhondda (Chris Bryant), who introduced a private Member's Bill to double the sentence for assaults on prison officers and other emergency workers. There is much more we can do in this area—we are testing pepper spray and looking at body-worn cameras—but fundamentally this is about having the right staffing numbers and a proper, predictable regime in a prison to calm the prison down and prevent these completely unacceptable attacks.

Mike Wood: Despite the number of assaults on prison officers, very few offenders are prosecuted. Will the Minister ensure that anyone who attacks an on-duty prison officer faces the full weight of the law and can expect the punishments that those crimes would attract elsewhere?

Rory Stewart: Absolutely, and this was debated in this House when we discussed that private Member's Bill. At the moment, people are getting a sentence of 22 weeks for spitting at a police officer, but it is rare for such prosecutions to be brought for assaulting a prison officer. We therefore wish to work closely with our colleagues in the police to make sure that prosecutions are brought and that prison officers are properly protected. I have been talking to my right hon. Friend the Minister for Policing and the Fire Service to ensure that we can get more police officers into prisons.

Sir David Evennett: When I recently visited Pentonville prison, I was naturally concerned about reports of a number of attacks on its prison officers. The safety of our prison officers is of paramount importance, so what further steps is my hon. Friend taking to ensure that they have all the support they need to keep themselves safe?

Rory Stewart: I pay tribute to my right hon. Friend for visiting Pentonville prison. I was lucky enough to be there two weeks ago, and I pay tribute to its excellent governor for the very good work he is doing. It is one of the most testing, busy London local prisons, and it faces a huge number of issues, but protecting prison officers is fundamentally about having a predictable, stable regime, enough prison officers on the landing, the right kind of training and relationships to calm things down, and, ultimately, protection.

David Hanson (Delyn) (Lab): Given that the number of assaults on prison officers has risen by 23% in the past 12 months, what assessment has the Minister made of new psychoactive substances causing that problem? When does he expect the roll-out of body-worn cameras to be complete?

Rory Stewart: The right hon. Gentleman is a very experienced predecessor in my job. Clearly there is a strong correlation with these new psychoactive substances; it is difficult otherwise to account for the huge rise in violence. The substances seem to drive both self-harming behaviour and extreme violent behaviour. I will give a written answer on exactly when we will fulfil the body-worn camera programme.

Imran Hussain (Bradford East) (Lab): The Minister can dress it up however he wants, but the bottom line is that cutting 7,000 frontline prison officers between 2010 and 2016 has caused prison safety to plummet. Will he tell the House how many more officers are needed to end this emergency in our prisons and when he will recruit them by?

Rory Stewart: This is a very good challenge. Numbers are clearly one of the issues, but there are others, such as psychoactive substances, which have been mentioned. That is why we have recruited an extra 2,500 prison officers. We believe that that gives us the right numbers,

because it allows us to have one prison officer for six prisoners to run our keyworker scheme. We see already in key prisons that that is beginning to have a real impact on violence.

Court Modernisation

10. **Mr Philip Dunne (Ludlow) (Con):** What assessment the Government have made of the effectiveness of their programme to modernise the court system. [905587]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): We are making significant progress on modernising our courts system and upgrading our justice system. We are spending £1 billion on our reform programme. For example, we have recently established the online court for civil claims. Claims of up to £10,000 can now be made via an online claim form, which is an effective and easy-to-use process.

Mr Dunne: The Minister is aware that capacity concerns were expressed about the removal of all remand cases in West Mercia from magistrates courts in Shropshire, Telford, Herefordshire and Worcestershire to Kidderminster. Although that might have created some efficiencies for the courts, it has also created considerable inefficiencies for the other vital elements of the criminal justice system. If somebody on remand misses the 7.30 am van from Telford, they might now have to wait an extra 24 hours in custody, whether they are innocent or guilty. Can that be right?

Lucy Frazer: I know that my hon. Friend is concerned about this issue. I was pleased to meet him and neighbouring MPs before Easter. He has campaigned diligently on this issue on his constituents' behalf and I look forward to meeting him later this week to discuss it. I should also let him know that officials from Her Majesty's Courts and Tribunals Service have arranged a review meeting on 13 June with the principal agencies affected by the change. I know that my hon. Friend has submitted evidence for that meeting.

Offenders: Education and Employment

11. **Bob Blackman (Harrow East) (Con):** What assessment he has made of the role of employment and education in reducing rates of reoffending. [905588]

21. **Iain Stewart (Milton Keynes South) (Con):** What steps the Government are taking to improve access for offenders to education and employment. [905600]

22. **Alan Mak (Havant) (Con):** What assessment he has made of the role of employment and education in reducing rates of reoffending. [905601]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): On 24 May, we launched the education and employment strategy to create a system in which each prisoner is set on a path to employment from the outset. This is vital because reoffending costs society around £15 billion each year. Effective rehabilitation needs prisoners to be willing to commit to change, take advice, learn new skills and take opportunities to work, and if they participate in learning and get a job, they are less likely to reoffend.

Bob Blackman: I thank my right hon. Friend for his answer, and for his earlier mention of my Homelessness Reduction Act 2017 and the duty to ensure that ex-offenders get a decent house when they leave prison, which comes in in October. More widely, will he review education training and reward ex-offenders for participating in such programmes so that they do not reoffend when they leave prison?

Mr Gauke: I pay tribute to my hon. Friend for his work on the Homelessness Reduction Act, which was a significant achievement. In respect of making sure that the incentives in the system are right, my hon. Friend absolutely hits the nail on the head. I am determined to ensure that we have the right incentives in the system to reward good behaviour and to bring down reoffending.

Iain Stewart: Milton Keynes College is a leading provider of offender-learning programmes. I have discussed the New Futures Network with college staff, and while they welcome the Government's new strategy, they and I would be grateful for further details of how employers will be incentivised, and perhaps even mandated, to employ a certain percentage of ex-offenders.

Mr Gauke: Our approach is to encourage employers to take on ex-offenders. Some employers do marvellous work and not only make a real contribution to society, but find that they get very good employees. There are also employers who, frankly, are not engaging at all. There has been a change in public mood on this issue and we want to encourage much more engagement. We all have a role to play.

Alan Mak: Digital and technology skills are now vital in every workplace. They help those released from prison to secure better jobs, thereby reducing reoffending. What support is my right hon. Friend's Department giving for such important skills training?

Mr Gauke: My hon. Friend raises an important point. Information and communications technology forms part of the prison common core curriculum. It will be increasingly important, which is why it is right that we provide training in digital and technology skills. It is worth pointing out that from April 2019, governors will be given increased flexibility to commission the right education mix for their prisons. We expect that digital and technology will feature highly in governors' plans.

Thangam Debonnaire (Bristol West) (Lab): I refer the House to my entry in the Register of Members' Financial Interests.

Domestic violence offenders are particularly prone to repeat offending, so what commitment will the Secretary of State give to ensuring that the mandatory provision of domestic violence perpetrator programmes is made available to domestic violence offenders in all prisons through the domestic abuse Bill?

Mr Gauke: I am grateful to the hon. Lady for raising that point. She is absolutely right about the repeat-offending nature of domestic abuse. She will be aware of the Government's consultation on domestic abuse, which concluded at the end of last month. We are looking at

ways in which we can bring down reoffending, and getting the right courses and training in prisons, including on domestic abuse, is very important.

Mr Gregory Campbell (East Londonderry) (DUP): Education is particularly important in trying to ensure that offenders not only do not reoffend, but get employment post-custody. What steps is the Minister taking to ensure that governors in all prisons right across the regime are aware that prisoners' educational attainment is paramount if they are to find employment once they leave prison?

Mr Gauke: The hon. Gentleman raises an important point. On the prisons for which we are responsible, I have set out the education and employment strategy, and the focus is on ensuring that governors have greater control over how they provide education within their prisons. His point about the link between education and employment is absolutely right. Of course, employment is linked very strongly to reoffending rates.

Chris Bryant (Rhondda) (Lab): May I urge the Secretary of State to look at the correlation and causation between traumatic brain injury and reoffending? The most recent survey that has been done in the prison in Leeds showed that nearly 50% of prisoners had a traumatic brain injury, and that 30% of them had more than five. Does it not make sense to screen every single prisoner when they arrive in prison and ensure that they have rehabilitation for their brain injury?

Mr Gauke: The hon. Gentleman raises an important point, because there is evidence showing links between brain injuries and offending. If I may, I will take away his suggestion about testing across the board to see whether that is the right use of resources—that is something that we would have to look at—but he makes an important point about understanding the link between brain injuries and offending.

Mrs Pauline Latham (Mid Derbyshire) (Con): When there are employers who wish not only to help people when they come out of prison but to train them while they are in prison, will my right hon. Friend ensure that no prison puts barriers in place because of risk assessments so that we ensure that they can actually help prisoners?

Mr Gauke: We do want to encourage employers to get into prisons to work with prisoners before they are released. It is important that there is not a huge cliff edge from being in prison to then being released. We need to look at the best ways in which we can do that.

Imran Hussain (Bradford East) (Lab): We welcome the Government's emphasis on education and employment skills, as they are the best route out of poverty and the cycle of reoffending, but when the Secretary of State made the announcement, he forgot that he had scrapped the National Careers Service in prisons, and presented an employment strategy that omitted to mention the provision of employment and careers advice. Why was that absent from the strategy?

Mr Gauke: I welcome the Opposition's support for our focus on education and employment, but may I say to the House that Dame Sally Coates noted in her 2016 review of prison education that the National Careers

Service was delivering a service in an increasingly crowded environment, with multiple employment advice and support services operating in custody and through the gate? That was why the decision was made to reform this area. It is right that we do so, but I am determined to ensure that we provide the right support to prisoners so that they can get a job when they are released.

Prisons: Rehabilitation Technology

12. **Giles Watling** (Clacton) (Con): What progress has been made on introducing technology to assist with rehabilitation in prisons. [905589]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): As a pilot, we have introduced basic computers and telephones into prison cells in HMPs Berwyn and Wayland so that prisoners can manage some of their day-to-day tasks such as ordering meals, making healthcare appointments and booking social visits. This technology also gives prisoners access to learning opportunities and basic educational content, and enables them to telephone their families in a private environment. Prisoners are not given access to the internet.

Giles Watling: Can the Minister reassure me that digital technology in prisons will allow prisoners to access only educational opportunities, rather than the sometimes murky wider digital world?

Mr Gauke: I can provide my hon. Friend with that assurance. The digital technology currently available in prisons provides strictly controlled access to learning and training facilities. It is also used to provide opportunities for prisoners to access services within the prison environment to enable them to manage their time and activities while inside. There is no access to the internet, and strict security control prohibits access to the wider digital world.

Victims Law

13. **Sarah Champion** (Rotherham) (Lab): What progress is being made on introducing a victims law. [905590]

18. **Jo Platt** (Leigh) (Lab/Co-op): What progress is being made on introducing a victims law. [905596]

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): Supporting victims is a key priority for the Government, which is why we are bringing forward a victims strategy this summer. In compiling the strategy, we have consulted victims groups and academics, and across Government. In doing so, we have concluded that we will need legislative and non-legislative measures to ensure that the strategy works for victims.

Sarah Champion: I hear what the Minister says, but Rotherham Council is today debating the support available to adults who survive child abuse in my constituency. I have now spoken to two Home Secretaries, two Prime Ministers and countless Ministers, and the Ministry of Justice was in Rotherham last week. Still we are not getting the cash we need to enable 1,520 victims—at the current count—to turn into survivors. Will the Minister please give us the cash we need?

Dr Lee: The dreadful incidents in Rotherham, which sadly have been replicated across the country, have proved a challenge both to local government and to the national Government. The ongoing independent inquiry into child sexual abuse—IICSA—is throwing up a significant level of incidents. The Government are clearly engaged with the process of trying to assess what is needed to help these victims of child sex abuse, both as children and as adults. I am under no illusions that this concerns not only the Ministry of Justice but the Department of Health and Social Care and the Ministry of Housing, Communities and Local Government. All Government Departments are going to have to wrestle with this issue in the coming years because there has been significant child sex abuse over recent decades.

Jo Platt: Further to the question of my hon. Friend the Member for Rotherham (Sarah Champion), a new victims law would ensure that victims of crime are supported and can seek closure on their ordeal. Most importantly, it may encourage more people to come forward and report crime safely. Why, therefore, three years on from the Government's manifesto commitment to introduce this important law, are we without any legislation in this House?

Dr Lee: I have just said that the strategy is going to include legislative measures to underpin the victims code. I am interested in legislation that is going to work, not legislation for legislation's sake. Be in no doubt of my determination to improve the offering to victims both at the time of their abuse and in subsequent decades.

Rachel Maclean (Redditch) (Con): Two of my constituents have experienced tragic cases. They have been bereaved after the loss of a close relative, and their distress has been added to by the length of time that they have had to wait for the body to be released for a second post-mortem decision. The Minister has been very sympathetic, but will he commit to reviewing the law and raising this issue again with coroners on behalf of my constituents?

Dr Lee: My hon. Friend and I met to discuss these cases recently. The challenge is that coroners hold an independent judicial position, which is important and invaluable. It is their responsibility to determine the cause of death. I clearly cannot talk about individual cases. The responsibility ultimately rests with the chief coroner. I do understand the deep distress that can be caused by any unnecessary delay, and I have passed this on to the chief coroner.

Leaving the EU: UK Legal System

15. **Lee Rowley** (North East Derbyshire) (Con): What steps the Government plans to take to ensure that the UK legal system operates effectively after the UK leaves the EU. [905592]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): It is right that we provide legal certainty for businesses, individuals and families as we leave the European Union. As the Prime Minister said in her Mansion House speech, we will need to have effective

reciprocal arrangements with the EU to deal with cross-border issues. The Government will shortly publish their White Paper setting out their vision for the future UK-EU partnership.

Lee Rowley: Given that the UK legal industry is worth approximately £25 billion to the UK economy, what steps is the Ministry taking to ensure that this world standing is maintained post-Brexit?

Lucy Frazer: My hon. Friend makes an extremely important point. Our system is highly regarded throughout the world because of our respect for the rule of law, and the quality and integrity of our judiciary. The Department will seek to ensure that we help law firms to get the best post-Brexit arrangements with the EU on recognition and enforcement of judgments, and mutual recognition of qualifications.

Victims and Witnesses

16. **Damien Moore** (Southport) (Con): What steps his Department is taking to improve the court experience for victims and witnesses. [905594]

Lucy Frazer: We want to improve the court experience for everyone, including victims and witnesses. We now have video links in many courts that allow victims and vulnerable people to take part in criminal proceedings without having to meet the defendant face-to-face in court.

Damien Moore: What steps are being taken to ensure that victims and witnesses who give evidence in court are provided with access to counselling and other mental health services?

Lucy Frazer: My hon. Friend is right to identify the fact that we need to support vulnerable people who go through the justice system. That is why we will spend about £96 million this year to support and fund services such as the ones he identifies, including pre-trial visits and funding for police and crime commissioners to commission local services, including rape support services.

Ruth George (High Peak) (Lab): Has the Minister made an assessment of the report by the Justice Committee that raising the small claims limit would represent an unacceptable barrier to justice for victims of road traffic accidents, workplace accidents, and public liability incidents? Will the Department revisit those proposals in that light?

Lucy Frazer: It is important that all people, whether they have small claims or big claims, have access to court. One measure that we have already brought in is the small civil claims court, which enables claims to be brought online very quickly, often without the need for legal representation.

Sir Desmond Swayne (New Forest West) (Con): Notwithstanding Tommy Robinson's gross contempt, does the Minister understand the level of public unease into which he tapped?

Lucy Frazer: That is a very important issue and I am very happy to discuss it with my right hon. Friend.

Mr Speaker: I did not hear that. It would be most helpful if the Minister would look at the House as she answers, because I was looking forward to savouring the reply but unfortunately did not hear it. [Interruption.] You are going to have a chat with the fella about it. That is very useful to know. We are deeply grateful.

I just say to disappointed colleagues who did not get in on substantive questions that they might with advantage stay for topicals. I know they are very busy with many commitments and very full diaries, but if they feel able to hang around, they might find it to their advantage.

Topical Questions

T1. [905602] **Kate Green** (Stretford and Urmston) (Lab): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): Since the last Justice questions, my Department has published an education and employment strategy for adult prisoners. My vision is that when an offender enters prison they should immediately be put on the path to employment on release. To deliver this, we are giving governors powers to tailor education provision to employers' requirements. We are launching the New Futures Network to broker partnerships with employers, and we are consulting on measures to get more prisoners into workplaces on day release during their sentences. Success will mean more prisoners leaving custody ready for work and more employers ready to hire them.

Kate Green: Releasing prisoners immediately before the weekend, when housing offices, benefits offices and other sources of advice are closed, leaves vulnerable individuals without support and more likely to reoffend. Will the Justice Secretary take immediate steps to address this ridiculous practice?

Mr Gauke: I thank the hon. Lady, because I hear exactly the point that she is making. I have asked my Department for the evidence on this issue. If the evidence does point towards worse levels of reoffending and real difficulties for offenders if they are released on a Friday, we will look at that.

T2. [905603] **Alex Chalk** (Cheltenham) (Con): Recent reports emerging from Belgium suggest that the suspect in the alleged terrorist murder of two police officers was a small-time crook who had been radicalised in prison. What steps have been taken to reduce the risk of radicalisation in our own prisons?

The Minister of State, Ministry of Justice (Rory Stewart): This is a hugely important issue. It is not about identifying people who are in prison for terrorism-related offences but people such as that individual who have been put in prison for other offences and have been radicalised in prison. The challenge is first to identify those individuals, then to work with the security services and the police to really investigate them, then to put the measures in place either to change their behaviour or to separate them from the general population.

T4. [905605] **John Spellar** (Warley) (Lab): My local council and police have raised concerns about the impact of court closures on their costs and on their effectiveness, especially with regard to the detrimental effect on good

management of housing and reducing crime, so will the Minister undertake a proper evaluation of whether, across Government, this has been a case of penny wise and pound foolish?

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): As the right hon. Gentleman will know, with any sale of a court, the money is reinvested in the justice system. We have a £1 billion court reform programme, and the sale of any court will go into that investment.

T3. [905604] **Mary Robinson** (Cheadle) (Con): A freedom of information request by the Press Association found that there had been only 11 charges related to the practice of upskirting since 2015. Does the Minister share my constituents' outrage about the upset that upskirting causes victims, and will she provide an update on the Department's review of the current law?

Lucy Frazer: My hon. Friend is right to identify that victims of upskirting are caused a great deal of upset. My officials have met Gina Martin, who has campaigned very hard on this issue. We are also looking at the details of the private Member's Bill on this very important issue introduced by the hon. Member for Bath (Wera Hobhouse).

T6. [905607] **Stephen Lloyd** (Eastbourne) (LD): I was contacted recently by my constituent, Anna Arnone, who was employed as a prosecuting barrister by the CPS. Her work allegedly was removed without notice or explanation, and she was refused any statutory interest on the amount owed. Will the Minister commit to look into my constituent's case if I forward her the details?

Lucy Frazer: If that matter falls within my remit, I am happy to do so. If it is to do with the CPS, it will be for the Attorney General.

T5. [905606] **Sir Edward Leigh** (Gainsborough) (Con): I will repeat the same question as last time, on the grounds that unless one makes oneself a complete bore, nobody listens. What progress has the Secretary of State made on replacing short sentences with alternatives? Short sentences in prison rarely achieve anything, due to a lack of training and rehabilitation.

Mr Gauke: My hon. Friend may have noticed that I made some remarks recently that were very sympathetic to that point of view. He has been effective before becoming a bore; I congratulate him on that. Reoffending rates for those given a short sentence are higher than for those given a non-custodial sentence, which is why we are delivering alternatives.

T8. [905609] **Tonia Antoniazzi** (Gower) (Lab): One of the most upsetting cases I have dealt with over the past 12 months was where my constituent's children were sexually abused by their father. I would like to thank the Under-Secretary of State for Justice, the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), for her co-operation thus far. However, can the Minister explain why the victim's criminal injuries compensation claim was originally turned down due to a lack of

evidence, when the father is currently serving a lengthy prison sentence? How many children are facing that situation?

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): I thank the hon. Lady for her question. I met Hannah Jones at a Westminster Hall debate organised by the hon. Member for Swansea East (Carolyn Harris). That is a dreadful case. I gather that the Criminal Injuries Compensation Authority is reviewing it and that that information will be transmitted to Hannah this afternoon.

T7. [905608] **Craig Tracey** (North Warwickshire) (Con): Does the Minister agree that greater use of release on temporary licence for work placements can play a significant role in helping inmates to transition back into society and, crucially, reduce reoffending rates?

Mr Gauke: I very much agree. Indeed, that is a point we make strongly in our education and employment strategy. Release on temporary licence can help get people into work when they leave prison. If they are in work, they are less likely to reoffend, and that can bring down crime.

T9. [905610] **Mr Jim Cunningham** (Coventry South) (Lab): What assessment have the Secretary of State and the Home Secretary made of the adequacy of the new process for EU citizens who are residents in the UK to apply for settled status?

Mr Gauke: That is a matter for the Home Office, but I am assured that the Home Office believes that the system can deliver what we need for the country.

Mark Pawsey (Rugby) (Con): Futures Unlocked is a Warwickshire charity with a community café called Moriarty's in Rugby, providing work experience and job opportunities for those who have just completed a prison term. Does the Minister agree that locally managed schemes such as that are valuable in reducing reoffending rates?

Mr Gauke: Very much so, and I want to pay tribute to the employers, businesses and charities that do so much in this space. I am pleased that there is a consensus in the House that we need to focus on rehabilitation and reoffending, and one of the best ways of doing that is focusing on employment.

T10. [905611] **Christian Matheson** (City of Chester) (Lab): I have constituents who are close family members of the murdered Fusilier Lee Rigby. They are being taunted by the constant drip, drip of musings from within the Prison Service of his two killers. Can Ministers ask the Prison Service to get a grip on those pronouncements and the ability to make them, and if they are to be made, might the family be informed first?

Rory Stewart: Absolutely. That is disgusting and disturbing behaviour, and I will be talking directly to the governor of the prisons concerned.

Helen Whately (Faversham and Mid Kent) (Con): "This prison gives you the chance to reassess and rebuild your life." Those are the words of one of the women at

East Sutton Park Prison in my constituency. I thank the Under-Secretary of State for Justice, my hon. Friend the Member for Bracknell (Dr Lee), who is responsible for female offenders, for his recent visit to the prison. Will he do all that he can to secure the future of that prison, so that it can continue its good work in preparing female offenders for life after prison?

Dr Phillip Lee: Yes, I was very impressed by East Sutton Park. I have now visited virtually every women's prison in the country, and the response from the women themselves is what I took away from that visit. They had a hope for the future that I had not encountered very much elsewhere. I will be doing my best to go into bat for East Sutton Park.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Given that the Lord Chancellor has said that the timetable for the review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is likely to slip, and the fact that, in giving evidence to the Justice Committee, the Law Society and the Criminal Law Solicitors Association praised as refreshing the whole independent review of Scottish legal aid, is this an opportunity to pause and commission an independent review in England and Wales?

Lucy Frazer: The hon. Gentleman refers to the report on Scottish legal aid. I have looked at the review, which makes some recommendations that my officials will be looking at to improve our legal aid system. It is very interesting to see in the report a number of measures that we are taking—for example, in relation to video links and the online court, which I have already mentioned.

Simon Hoare (North Dorset) (Con): The safety of prison officers in prisons is absolutely pivotal, as my hon. Friend the Minister recognises. May I urge him to give serious consideration to prison officers carrying pepper spray?

Rory Stewart: We are in fact already piloting the use of pepper spray. With the correct training—it needs to be used with the correct training—it can be an important part of reducing violence, and we are working on the lessons of those pilots.

Mike Kane (Wythenshawe and Sale East) (Lab): My constituent Cairiona McLaughlin, who is a solicitor, was recently paid £255 for seven months' work on a criminal legal aid case. Does the Minister think that this was enough?

Lucy Frazer: It is obviously very difficult to comment on a particular rate in a particular case for a particular individual, but I am very happy to talk to the hon. Gentleman about it. It is very important that criminal legal aid barristers and solicitors are paid appropriately for the amazing work that they do every day, up and down this country, in protecting the most vulnerable.

Several hon. Members rose—

Mr Speaker: If the Chair of the Select Committee can match his legendary distinction with brevity, he will be an even greater man. I call Bob Neill.

Robert Neill (Bromley and Chislehurst) (Con): Will the Secretary of State confirm that the single departmental plan means that greater priority will be given to developing robust non-custodial sentences to divert those whom it is not necessary to send to prison in the first place?

Mr Gauke: Yes.

Mrs Emma Lewell-Buck (South Shields) (Lab): Will the Secretary of State clarify whether, under the Department's vision for secure schools, Ministers will close existing penal facilities, or is this yet another way of incarcerating our children?

Dr Phillip Lee: There is no intention, in the longer term, to increase the number of young people we lock up. Indeed, our intention is to reduce the number of young people we lock up, and that is why we are changing the environment with the introduction of secure schools.

Andrew Selous (South West Bedfordshire) (Con): While we regularly praise the likes of Greggs, Timpson and Halfords for the great work they do in employing ex-offenders, do Ministers agree that the time has now come no longer to allow employers that have made a blanket refusal to employ any ex-offenders to carry on such an approach in secret?

Mr Gauke: My hon. Friend raises a very good point. As I have said before, I think there has been a shift in public mood, and employers should explain themselves if they take such an approach, which I do not think is good for them or for society.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): When I was a councillor, I visited Porterfield Prison many times and learned many things, including how to start a Mercedes without the ignition key. Will the Minister tell us how the splendid new parliamentary scheme will have an impact on the lives of our prisoners, and on their hopes, needs and aspirations?

Rory Stewart: The key target for the parliamentary scheme is of course Members of Parliament, but the idea is to make the public aware through them of what is happening in prisons. Nothing drives change more in an institution than opening it up to public scrutiny, and I hope that that—in addition to learning how to start a Mercedes without the key—will be one of the great benefits of the new scheme.

Mr Philip Hollobone (Kettering) (Con): The EU prisoner transfer directive was meant to enable us to transfer thousands of EU prisoners in UK prisons to a prison in their own country. How many EU prisoners have we actually transferred?

Mr Gauke: If memory serves, it is something like 41,000 over the past 10 years, but I will write to my hon. Friend to confirm the numbers.

Alex Norris (Nottingham North) (Lab/Co-op): Earlier this year, HMP Nottingham was issued with an urgent notification as it is fundamentally unsafe. Will Ministers tell me how many assaults on staff there have been at the prison since this notification was triggered?

Rory Stewart: The urgent notification process was triggered at the beginning of this year, and the report has just been published. I do not have the exact figures for the number of assaults on staff over the past four months, but I am very happy to write to the hon. Gentleman with those figures.

Mohammad Yasin (Bedford) (Lab): The Government have had years to address the safety problems at Bedford Prison following the riot in 2016, but the prison is already back in special measures. When will the Government get a grip on the prison and publish an action plan, so that staff do not have to go to work in fear of their lives?

Rory Stewart: This question and the questions about Nottingham and Exeter reveal a fundamental challenge across the system in terms of assaults on prison officers. The solution has to be to have the right numbers of officers to restore the predictability of the regime, so that prisoners calm down; to have body-worn cameras and CCTV in place; and to make sure that in Bedford and all the other challenged, violent local prisons we bring these measures into place.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What are the Government doing to reduce the ridiculous one-year wait for immigration tribunal appeal hearings?

Lucy Frazer: I challenge the hon. Gentleman on his figures. I am happy to give him the correct figures, but the Government are doing a lot to reduce waiting times for every type of tribunal, by increasing the number of members of the judiciary and bringing in a number of measures to make tribunals work much more effectively together.

Bambos Charalambous (Enfield, Southgate) (Lab): One of my constituents has a brother who has been missing for more than a year. She would like to step in to manage his affairs and protect his property and finances, but she cannot: although the Guardianship (Missing Persons) Act 2017 received Royal Assent on 27 April 2017, it has yet to come into force because the rules of court have not been published. When will the Minister publish the rules of court to allow the Act to take effect, so that my constituent can deal with her missing brother's affairs?

Mr Speaker: I call the Minister—a Minister.

Dr Lee *rose*—

Mr Speaker: I call Dr Lee.

Dr Lee: If this is my responsibility, the hon. Gentleman can by all means write to me about the details of his case.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) *rose*—

Chris Bryant (Rhondda) (Lab) *rose*—

Mr Speaker: Age first: I call Barry Sheerman.

Mr Sheerman: Is the ministerial team aware of the growing concern in some women's prisons about the placement of transgender people in those prisons? What is the Minister going to do about it?

Dr Lee: I am fully aware, and I recognise that I have a significant responsibility for the majority of the women in those prisons, so that they are safe and secure. This is a difficult issue to manage, but I am persuaded that robust guidelines are in place, so that nothing untoward would happen.

Chris Bryant: Will the Secretary of State also look at the issue of acquired brain injury in the youth justice system? One of the most interesting pieces of work being done at the moment shows that we can divert some of the most difficult, troubled children if we bring together psychologists, psychiatrists and prison and probation officers—all the different teams—to transform individual lives.

Mr Gauke: I am grateful to the hon. Gentleman for raising that point, which we will look at very closely. I take this opportunity to say, in answer to my hon. Friend the Member for Kettering (Mr Hollobone), that 41,000 foreign national offenders have indeed been deported since 2010.

Mr Speaker: It is a pity that the hon. Member for Kettering is not here, but I am sure that he will get to hear of it very soon. We are extremely grateful to the Secretary of State.

Airports National Policy Statement

12.38 pm

The Secretary of State for Transport (Chris Grayling): With permission, Mr Speaker, I would like to make a statement about the proposed expansion of Heathrow airport.

The Government have a clear vision: to build a Britain fit for the future and a Britain with a prosperous jobs market and an economy that works for everyone. That is why I come to the House to mark an historic moment. Today I am laying before Parliament our final proposal for an airports national policy statement, which signals our commitment to securing global connectivity, creating tens of thousands of local jobs and apprenticeships, and boosting our economy for future generations by expanding Heathrow airport. It is an example of how the Government are taking forward their industrial strategy.

As you know, Mr Speaker, taking such a decision is never easy. This issue has been debated for half a century. My Department has met local residents and fully understands their strength of feeling. But this is a decision taken in the national interest, based on detailed evidence. In 2015, the independent Airports Commission concluded that a new north-west runway at Heathrow was the best scheme to deliver additional capacity, and in October 2016 we agreed. We ran two national consultations during 2017 and received more than 80,000 responses. All the points raised have been carefully considered, and today we are publishing the Government's response.

To ensure fairness and transparency we appointed an independent consultation adviser, the former Court of Appeal judge, Sir Jeremy Sullivan. Our draft NPS was scrutinised by the Transport Committee, and I thank the Chair of the Committee and her team for the thoroughness of their work. I was pleased that they, like me and my colleagues in the Government, accepted the case for expansion and concluded that we are right to pursue development through an additional runway at Heathrow. We welcome and have acted on 24 out of 25 of its recommendations. Our response to the Committee is also being published today.

This country has one of the largest aviation sectors in the world, contributing £22 billion to our GDP, supporting half a million jobs, servicing 285 million passengers and transporting 2.6 million tonnes of freight last year. The time for action is now. Heathrow is already full, and the evidence shows that the remaining London airports will not be far behind. Despite Heathrow being the busiest two-runway airport in the world, its capacity constraints mean that it is falling behind its global competitors, impacting the UK's economy and global trading opportunities.

Expansion at Heathrow will bring real benefits across the country, including a boost of up to £74 billion to passengers and the wider economy, providing better connections to growing world markets, and increasing flights to more long-haul destinations. Heathrow is a nationally significant freight hub, carrying more freight by value than all other UK airports combined. A third runway would enable it to nearly double its current freight capacity.

In addition—this is crucial—this is a project with benefits that reach far beyond London. We expect up to 15% of slots on a new runway to facilitate domestic connections across the UK, spreading the benefits of expansion to our great nations and regions. As well as new routes, I would expect there to be increased competition on existing routes, giving greater choice to passengers. I say very clearly that regional connectivity is one of the key reasons for the decision we have taken.

I recognise the strong convictions that many Members of this House and their constituents have on this issue, and the impacts on those living in the local area. It is for that reason that we have included strong mitigations in the NPS to limit those impacts. Communities will be supported by up to £2.6 billion towards compensation, noise insulation and improvements to public amenities—10 times bigger than under the 2009 third runway proposal. This package is comparable with some of the most generous in the world and includes £700 million for noise insulation for homes and £40 million to insulate schools and community buildings. The airport has offered 125% of the full market value for homes in the compulsory and voluntary purchase zones, plus stamp duty, moving costs and legal fees, as well as a legally binding noise envelope and more predictable periods of respite.

For the first time ever, we expect and intend to deliver a six-and-a-half-hour ban on scheduled night flights. But my ambitions do not stop there. If the House agrees and the NPS is designated and the scheme progresses, I will encourage Heathrow and airlines to work with local communities to propose longer periods of respite during a further consultation on night flight restrictions. We will grant development consent only if we are satisfied that a new runway would not impact the UK's compliance with air quality obligations. Advances in technology also mean that new planes are cleaner, greener and quieter than the ones they are replacing.

Earlier this year a community engagement board was established, and we appointed Rachel Cerfontyne as its independent chair. It will focus on building relations between Heathrow and its communities, considering the design of the community compensation fund, which could be worth up to £50 million a year, and holding the airport to account when it comes to delivering on its commitments today and into the future.

There has been much debate about the costs of this scheme. Our position could not be clearer: expansion will be privately financed. Crucially, expansion must also remain affordable to consumers. We took a firm step when I asked the industry regulator, the Civil Aviation Authority, to ensure the scheme remains affordable while meeting the needs of current and future passengers. This process has already borne fruit, with the identification of potential savings of up to £2.5 billion. I am confident that that process can and should continue, that further cost savings can be identified and that the design of the expansion can continue to evolve to better reflect the needs of consumers. That is why I have recommissioned the Civil Aviation Authority to continue to work with industry to deliver the ambition that I set out in 2016 to keep landing charges at or close to current levels. That work will include gateway reviews, independent scrutiny and benchmarking of proposals, which I know are of paramount importance to British Airways, Virgin Atlantic and the wider airline community.

[Chris Grayling]

I want to talk now about scheme delivery and ownership. The north-west runway scheme put forward by Heathrow was selected by the Government following a rigorous process. Since then, Heathrow has continued to make strong progress, having already consulted on its scheme design and airspace principles earlier this year. Some stakeholders have suggested that we should now look again at who delivers expansion. While I, and we, will always retain an open mind, my current assessment is that caution is needed at this stage. Heathrow is an operational airport under a single management, and I am clear that it is currently the only credible promoter that could deliver this transformational scheme in its entirety.

I welcome the Civil Aviation Authority's April consultation, which expects Heathrow to engage in good faith with third parties to ensure that expansion is delivered in a way that benefits the consumer. However, that needs to be balanced against the need for timely delivery, and that is why my Department will be working closely with Heathrow to enable delivery of the new runway by its current target date of 2026.

Heathrow is already Britain's best-connected airport by road and rail. That will be further strengthened by future improvements to the Piccadilly line, new links to Heathrow through Crossrail, connections to High Speed 2 via an interchange at Old Oak Common and plans for western and southern rail access to the airport. On 24 April, I met the industry and financial backers who can potentially come forward with plans to deliver the new southern rail access to the airport.

Even with today's announcement, a new operational runway at Heathrow is still a number of years away. The Airports Commission recommended that there would also be a need for other airports to make more intensive use of their existing infrastructure, and we consulted on that in the aviation strategy call for evidence last year.

Apart from Heathrow, I would also like to confirm today that the Government support other airports making best use of their existing runways. However, we recognise that the development of airports can have negative as well as positive local impacts, including on noise levels. We therefore consider that any proposals should be judged on their individual merits by the appropriate planning authority, taking careful account of all relevant considerations, and particularly economic and environmental impacts.

Furthermore, in April we set out our next steps, which will see us work closely with industry, business, consumer and environmental groups to develop an aviation strategy that sets out the long-term policy direction for aviation to 2050 and beyond, while addressing the changing needs and expectations of passengers. It will set out a framework for future sustainable growth across the United Kingdom, how we plan to manage our congested airspace, and how we plan to use innovative technology to deliver cleaner, quieter and quicker journeys for the benefit of passengers and communities. Airspace modernisation has to be taken forward irrespective of the decision on the proposed new runway, and to do so we expect multiple airports across the south of England to bring forward consultations on their proposals on how to manage the airspace around their locations.

Returning to Heathrow, the planning system involves two separate processes: one to set the policy—effectively outline planning consent—which is our national policy statement, and then, if the House votes in favour of it and it is then designated, a second process for securing the detailed development consent that the airport will require. The next steps would therefore be for Heathrow to develop its plans, including details of the scheme design and airspace change, and hold a further consultation to allow the public a further say on the next phase of Heathrow's plans and additional opportunities to have their voices heard. Any application for development consent will of course be considered carefully and with an open mind, based on the evidence provided. The process includes a public examination by the independent Planning Inspectorate before a final decision is made.

Alongside the NPS today, I have published a comprehensive package of materials that I hope and believe will enable Members of the House to make an informed decision ahead of the vote. It is very comprehensive, and I hope that it will provide answers to the questions that Members will have.

I hope that Members will feel that the scheme is crucial to our national interest and that we need to work together to deliver it in order to create what I believe is an absolutely vital legacy for the future of this country. I hope that Members across the House will get behind the plan and support this nationally strategically important project, and I commend this statement to the House.

12.49 pm

Andy McDonald (Middlesbrough) (Lab): I thank the Secretary of State for advance notice of his statement.

Today's statement has been a long time coming. We have had 11 years of consultation and nine years since the expansion was given the green light. The Secretary of State came to the House yesterday to explain the calamitous implementation of new rail timetables. He now stands at the Dispatch Box today and expects the House to accept what he says about the most significant of infrastructure projects. I am sorry, but this Secretary of State has form. The only reason he is at the Dispatch Box is that the Prime Minister is too weak to sack him. I regret that he simply does not enjoy the confidence of the House. [Interruption.] Government Members complain, but I did not hear them shouting their support for him yesterday. In fact, the loudest criticisms came from Members on their Benches.

Labour will consider proposed expansion through the framework of our well-established four tests: expansion should happen only if it can effectively deliver on the capacity demands; if noise and air quality issues are fully addressed; if the UK's climate change obligations are met in their entirety; and if growth across the country is supported. We owe it to future generations to get all those factors absolutely right. If the correct balance is not found, the law courts will quite rightly intervene.

I commend the superb work of the Chair and members of the cross-party Transport Committee. Their report into the airports national policy statement published in March left no stone unturned. Their support for approving the NPS is explicitly conditional upon 25 recommendations being addressed. The Secretary of State says that he has "acted on" 24 of the 25 recommendations. What does

that mean? Are they going to be conditions or simply aspirations and expectations? For example, the Committee concluded that there was a high risk of the NPS breaching air quality compliance. Furthermore, the Department for Transport has not published a comprehensive surface access assessment, so it is impossible to demonstrate that the target of no more airport-related traffic can be met. His statement today takes that issue no further forward.

The Committee highlighted that there was almost no mention of potential cost and investment risk. What guarantees can the Government provide that the high-cost risks will not end up being covered by the public purse? How can the business case for expansion ensure that passenger benefits are met? The Secretary of State says he will keep charges close to current levels. What sort of assurance is that? Further uncertainties remain about the NPS as originally drawn, on noise analysis and flightpath modelling. It remains to be seen whether the revised NPS adequately addresses those and other issues.

The Secretary of State says that he will encourage Heathrow to work with communities on longer respite periods. What teeth are there in any of these proposals or promises? His claims about the benefits of new technologies have to be based on real evidence and not some fanciful expectation of future advances. Some of us have not forgotten his empty promises on dual fuel trains, which we are now told do not exist. He says he intends and expects 15% of slots to be for domestic connections. How will that be secured? Intentions, expectations and encouragements are simply not enough.

It is imperative that the Government provide guarantees to the House that the recommendations and conditions established by the Transport Committee will be embedded in the revised NPS. Yesterday reminded Members across the House that the assurances of this Secretary of State are anything but cast-iron. It is absolutely essential that the Government embed the Select Committee's recommendations in their revision of it. I remind the House that the Committee says very clearly that the planning process should move to the next stage only if its concerns, as detailed in its excellent report, are properly addressed by the Government in the final NPS. It is our task to scrutinise the revised NPS in full detail in the coming days. Labour will faithfully follow our framework tests and follow the evidence across the 25 recommendations. We will not rely on the Secretary of State's assurances, which are sadly not worth the *Hansard* they are printed on.

Chris Grayling: I think you will agree, Mr Speaker, that that was a rather disappointing response. The one thing the shadow Secretary of State did not say was whether he actually supported the expansion of Heathrow airport. I happen to believe that it is strategically the right thing for our country, for business and for jobs. I very much welcome the positive encouragement I have received from Members across the House in the past few months. I regard this project as being vital to Members of Parliament in the north of England, Wales, Northern Ireland, Scotland and the south-west—I see the links to Newquay airport as being one of the real opportunities here.

The shadow Secretary of State raised several detailed points. There is a huge amount of material—thousands of pages—that he and others can read through, but let

me pick up on just a few of the items he raised. He mentioned air quality. The runway cannot be opened if it does not meet air quality rules, but I have been clear all along that the air quality issues around Heathrow are much more than issues of the airport itself; they are typical of the air quality issues that face metropolitan areas in this country and elsewhere in the world, which is why my right hon. Friend the Environment Secretary has brought forward an air quality plan. In addition, Heathrow Airport is consulting on a low emissions zone that would make it impossible, without a substantial charge, to bring a higher-emission vehicle into the airport when the runway is open—assuming that the parliamentary and development processes go according to plan. So that has to be addressed; it is not an optional extra for the airport—it has to happen.

The shadow Secretary of State made a point about night flights. That has to be and will be a planning condition. He also asked about the Select Committee's recommendations. About half have been embedded in the NPS; the remaining half will either happen at the development consent order stage or are requirements for the CAA to follow up on and deliver. We have accepted the recommendations, however, and will follow faithfully the Select Committee's wishes to make sure that its recommendations are properly addressed at each stage of the process. As I said earlier, this is a multi-stage process, and the Committee's recommendations referred not just to the NPS but to the subsequent stages.

The shadow Secretary of State asked about landing charges, which, of course are regulated by the CAA. I have been clear that landing charges have to stay pretty much at current levels in real terms. This cannot be an excuse for the airport to hike its landing charges substantially. That would not work for consumers or our economy. Equally, the commitments on night flights have to be addressed. This project will not have credibility if such promises to the local community are not properly fulfilled.

The shadow Secretary of State asked about investability. We have had the investability and delivery date independently assured. I have also talked to Heathrow shareholders, who have emphasised to me their commitment to this project. I am absolutely of the view that the project can and will be delivered. We simply have to look at the price at which slots for Heathrow airport sell on the open market to realise that this is one of the world's premier airports and enormously attractive to international airlines and that expanding its route network will deliver jobs all around the country.

That is the most important thing for everyone in the House to bear in mind, whether they are in Scotland, the north of England, the south-west, Wales or Northern Ireland, and we should not forget our Crown dependencies and Gibraltar either. They also depend on air links to the UK. This project is a way of making sure that our citizens—the people we represent—and the businesses they work in have access to the strategic routes of the future that they will need. If we are to be a successful nation in the post-Brexit world, we will need advances such as this one that can make a real difference to the future of this country.

I am disappointed, therefore, that the Labour party has not said that it supports expansion in principle. I do support it, as do Members in all parts of the House,

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and in the coming days we will have a vote—we have 21 sitting days before the deadline for that vote. In the time ahead, I and my officials will happily talk to parliamentary colleagues about the details and, I hope, reassure anyone with doubts that this is the right project for the country.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): I welcome my right hon. Friend's announcement—the report that the coalition Government asked Howard Davies to produce was very comprehensive, and he has acted on it—but will he say a little more about how he will ensure that the costs are properly controlled? He is absolutely right to say that at the end of the day Heathrow has the great development opportunity that it wanted, but that development must involve reasonable costs that do not impose ever growing pressures on both operators and passengers.

Chris Grayling: My right hon. Friend has made a crucial point. That is, obviously, a matter of great importance to the airlines. They do not want fares to rise, and nor do we. This should be a development that leads to more choice for passengers, as well as more competition and, as a result, lower fares. One of the benefits of expanding the network will be for the United Kingdom, because we need more operators within the UK, and we may be able to achieve better competition on routes into Heathrow.

I have statutory powers, which I have already used on two occasions, to enable the Civil Aviation Authority to monitor the costs of the project to ensure that they are driven down. I renewed those powers recently, and I will continue to do so whenever necessary.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Secretary of State for giving me early sight of his statement.

This has been another polarising issue, and aspects of the UK Government's approach in the past and the delaying tactics have not helped matters. However, I welcome the progress that is being made, and the fact that a vote appears to be imminent. The option of Heathrow expansion was recommended by the Airports Commission. It was also backed by the Transport Committee, as we have heard, and I pay tribute to its work in scrutinising the national policy statement.

To be fair, Heathrow has engaged fully with the Scottish Government, and has signed a memorandum of understanding in relation to commitments to Scotland. It refers to a construction logistics hub, and, for selfish constituency reasons, I should like that to be based at Prestwick airport. There is also a commitment to a £10 million route development fund, and a commitment to promoting Scotland in the future. I must be honest: for me, supporting expansion at Heathrow from a Scottish perspective was initially counter-intuitive. However, all but one of the Scottish airport operators support it. So do the various Scottish chambers of commerce, because they recognise the business benefits that it can bring to Scotland, including up to 16,000 new jobs. That helped to sway me, and the Scottish Government have reiterated their support.

Let me ask the Secretary of State some questions about his statement. He spoke of benefits for nations and regions, and an expected

“15% of slots on a new runway to facilitate domestic connections across the UK”.

However, he has still not explained how he will ensure that that happens. Will conditions be imposed, and will he consider Scotland's needs? How will he ensure that what is proposed for Heathrow will increase passenger numbers at Scottish airports? He said that he had recommissioned the CAA to work with the industry to keep charges close to their current levels, but he did not make it clear how there could be certainty that future charges would be kept under control. What will happen if Heathrow cannot commit itself to the longer period that the Secretary of State has just thrown into the mix, and what will he do to ensure that there is more transparency on new flight paths? Finally, given the UK Government's failures to date and their defeats in court in relation to air quality, what will be done to ensure that air quality impact assessments are robust and that the correct control measures are introduced?

Chris Grayling: I am grateful to the hon. Gentleman, the Scottish Government and the Scottish National party for their support. I think it important for us to ensure that Scotland is well served by the expansion of Heathrow. I think the hon. Gentleman understands, given the support that has come from the Scottish regional airports and the Scottish business community, that by providing more strategic routes for the United Kingdom from Heathrow we will provide links to important new developing markets around the world.

The hon. Gentleman asked about the protection of slots. We are considering what is the best mechanism. It seems that the public service obligation mechanism may be the best, but I want the most robust legal mechanism to operate by the time we reach the development consent order process, in order to protect the allocation of slots to regional connections in the United Kingdom. I do not want, and will not accept, circumstances in which slots somehow disappear and are allocated to a long-haul route rather than a UK route. This must be a project that benefits the whole United Kingdom. As for passenger numbers, our forecasts show that virtually all regional airports will continue to grow, and I expect the hon. Gentleman to see growth at Scottish airports as well as on routes to and from Heathrow.

The hon. Gentleman asked about the setting of charges. The CAA sets the charges, and it has absolute regulatory power to set them at the level that is appropriate for the airport. It has the teeth to deliver that at the moment. He asked about the respite issue. Let me make it clear that the night flight ban is an absolute requirement. We would reconsider that only if both the airport and the local communities agreed that something different should be done. The local communities would have to come back to us, with representatives of the airport, and say, “We would like to do something slightly different.” From the Government's point of view, the ban is a non-negotiable element.

As for the hon. Gentleman's final question, given that there are opponents of the scheme, I think it highly likely that it will be challenged in the courts. We have done exhaustive work, and there is a huge amount of

material for the House to consider. We are following a statutory process, and only if there is a supportive vote in the House of Commons can the project go ahead. I hope that that is enough to set the project on the right path.

Justine Greening (Putney) (Con): This decision is not only wrong for the UK and its competitiveness; it is wrong for the London communities who will be blighted by the pollution from an expanded Heathrow. The Secretary of State says that the runway cannot be opened unless air quality conditions are met. The document “Heathrow Airport Ltd: statement of principles” contains a cost recovery clause for Heathrow in case the project does not proceed following this decision. Can the Secretary of State confirm that taxpayers might have to pick up a bill for billions of pounds?

Chris Grayling: The project cannot pass the development consent order stage unless the airport can demonstrate that it will follow air quality guidelines. We have been very clear about that, which is why Heathrow is consulting on a potential low-emission zone. The whole point about air quality, however, is that it is a broader problem, for London and other cities, which will need to be dealt with well before 2026. That is why the Government have issued air quality proposals, and that is why we are determined to see changes in society that tackle the air quality issue.

Lilian Greenwood (Nottingham South) (Lab): I welcome the statement, and the Secretary of State’s acceptance of the points made by the Transport Committee. We look forward to examining the detail in the final national policy statement. We said that an expanded Heathrow must deliver for the whole of the UK, not just the south-east of England. Can the Secretary of State explain how public service obligations can guarantee that a new runway will result in more domestic routes which will be distributed fairly across the regions and nations of the UK, and can he tell us how this proposal fits in with his Department’s plans for high-speed rail connectivity between cities in the midlands and the north?

Chris Grayling: Let me deal with the last point first. I think that we will need both. Creating a rapid link between our great cities is a necessary part of doing business domestically, and that will mean connectivity to airports as well. However, I think that the real benefit of expanding the runway is the linkage that results from the ability to fly, for example, from Edinburgh to Heathrow to Shanghai if a direct flight is not available. The local market will simply not be big enough for a regional airport to deliver the direct route.

As for the public service obligation process, we will introduce the strongest measures to ring-fence those slots. We will ensure that they cannot simply be taken away, and that should mean that they must be provided at a cost that is affordable for UK domestic aviation. If routes that are strategically necessary for the United Kingdom require PSO support financially, I have no doubt that this Government, and future Governments, will wish to ensure that those routes are provided for as well. We already apply that to some key routes.

Damian Green (Ashford) (Con): I congratulate my right hon. Friend on pushing through a decision that probably should have been made 10 years ago. Does he agree that to gain both the economic and full environmental benefits of this decision a significant increase will be required in the rail links into Heathrow—not just the ones already planned, but some that are still some way off? Will he also expand on what he said in his statement about the new rail lines planned from different parts of the country so that people have proper public transport access to what will be a hugely expanding airport?

Chris Grayling: I absolutely agree with my right hon. Friend and thank him for his supportive comments. On the mix of rail services that will service this new runway, if Parliament gives it the go-ahead, in the short term there will be the arrival of Crossrail services and the upgrade of the Piccadilly line. The HS2 station at Old Oak Common will also open. In the investment plans for control period 6, we have planned funding to develop a western rail access into Heathrow for connections to Reading and the west country. We are in the process of discussing with private sector investors proposals for the southern rail access which will connect the south-western rail networks into Heathrow airport. In addition, we are beginning work on an option that is very relevant to you, Mr Speaker, which would take the Chiltern line into Old Oak Common—there is already a line that connects into Chiltern—and as we see more development on the Oxford-Cambridge corridor, that will provide an additional route into Heathrow from that important growth area. I think this is a pretty holistic package of planned rail improvements.

Sir Vince Cable (Twickenham) (LD): How does the Secretary of State reconcile his claims about regional connectivity with the fact that Heathrow expansion is opposed by all the largest regional airports—Edinburgh, Manchester, Birmingham, East Midlands and Bristol—as well as those in the south-east, Stansted and Gatwick? Since these communities are represented by Members from different parties, does he agree that it would be appropriate to have a free vote on the NPS when it is put before Parliament?

Chris Grayling: It is clearly up to every individual party to decide how they will approach this vote, but my experience is not what the right hon. Gentleman has just communicated to me: my experience is that around the United Kingdom there is huge support from regional airports and, crucially, regional business groups for the expansion of Heathrow airport. We have looked at the projections, and they show growth at almost all of our regional airports, and I do not have the sense of opposition from the regional airports that the right hon. Gentleman is describing.

Sir Roger Gale (North Thanet) (Con): I welcome my right hon. Friend’s statement, but, without wishing to compromise him in any decisions he may have to take in the future, I cannot help noticing that he has indicated very clearly that it will take some years for there to be wheels on tarmac and a new runway at Heathrow. In the interim, we have to make the best use of existing runway capacity, and, in that context, and post Brexit, I hope the Government will look favourably on maximising the use of available existing runways in Kent.

Chris Grayling: I am well aware of my hon. Friend's interest in these issues and look forward with interest to seeing any proposals that come forward.

Ruth Cadbury (Brentford and Isleworth) (Lab): How can the Secretary of State say that the cost of expansion will not fall on either taxpayers or airline passengers when the airport and airlines are not prepared to fund the essential transport infrastructure around Heathrow that is needed to address the air quality and appalling traffic congestion we already have, and when the Transport Committee report in March found that the environmental impacts on London and the south-east have not been fully monetised and need to be addressed?

Chris Grayling: As the hon. Lady will find when she reads the updated NPS document, that latter point is one of several recommendations from the Committee that we have addressed, and we have added additional information to the NPS.

On the hon. Lady's comments about access to the airport, I have just given a firm commitment that we should deliver a package as broad as that to support this. One Select Committee recommendation was to strengthen the wording about western and southern rail access, and that has happened; we are very committed to both of those. This is a broad-ranging package that will transform surface access to Heathrow.

Andrew Jones (Harrogate and Knaresborough) (Con): I welcome my right hon. Friend's statement. Does he agree that as Heathrow is the UK's hub airport and this expansion will bring forward new routes, improved connectivity to Heathrow will bring important benefits to the people and economy of Yorkshire and other parts of the northern powerhouse?

Chris Grayling: I completely agree with my hon. Friend. One of the disappointments recently has been a reduction in the number of flights from Leeds Bradford airport to Heathrow. Creating more capacity at Heathrow will create greater competition and allow new entrants to regional markets, and will allow some of the routes that have not been there in recent years to reappear.

Caroline Lucas (Brighton, Pavilion) (Green): It beggars belief that the words "climate change" did not pass the Secretary of State's lips once during the statement. In his Department's most recent aviation forecast there is no scenario in which expansion at Heathrow is compatible with meeting the Government's own commitments under the Climate Change Act 2008 to limit air passenger growth to 60% by 2050. And those same projections imply that if this runway is approved aviation will take up over half of the UK's entire carbon budget by 2050, which is absurd. Given that the Committee on Climate Change has said "Don't use international offsetting," can the Secretary of State explain how on earth this proposal is compatible with our climate change objectives?

Chris Grayling: As the hon. Lady will know, the Airports Commission looked at this issue very carefully and formed the view that we could meet our climate change objectives and expand Heathrow. Of course in the aviation sector there is a transformation of the

technology that means aircraft are much more fuel-efficient and therefore emit less, so technology is helping us move towards achieving the right approach.

Mr Dominic Grieve (Beaconsfield) (Con): I welcome my right hon. Friend's statement, and many in my constituency will benefit economically and directly from this expansion and are supportive of it. Does my right hon. Friend recognise, however, that the issues around air quality, and indeed pollution generally, are not just confined to aircraft movements, but are also affected by the entire traffic management in the area around Heathrow? He will be aware that parts of my constituency, particularly Iver, are seriously blighted by the existence of Heathrow as it is at present, and if this development is to go ahead there will have to be the necessary infrastructure investment to alleviate that.

Chris Grayling: I absolutely agree with my right hon. and learned Friend. He will be aware that we have had a number of toings and froings over the months about whether it will be necessary to build a depot at Langley; that has now been resolved and that depot is not now happening, which will simplify the process of delivering western rail access, and I hope will ease many of the pressures. One of the factors that will have an impact in my right hon. and learned Friend's constituency and the large number of people who travel to work at Heathrow is that western rail access will not only deliver better connectivity to the west country but will make it easier for staff to get the train to work.

Dr Rupa Huq (Ealing Central and Acton) (Lab): It may be long overdue but this is the wrong decision, and it flies in the face of what the current Prime Minister has previously said, not to mention the last one with his "No ifs, no buts," no third runway comment. So does this U-turn, like the abandoning of the feed-in tariff and like the embrace of Hinkley Point, show that this Government's green dalliance and "hug a husky" phase is now well and truly over?

Chris Grayling: I gently say to the hon. Lady that I appreciate that this is a difficult decision for communities immediately around Heathrow and the Members who represent them. We cannot take a decision like this one without having an impact, and we will do everything we can to work with the airport to make sure that impact is minimised. The hon. Lady talks about previous commitments, and I simply remind her that we fought a general election last year on a manifesto commitment to pursue this process, and that is what we are doing.

Sir Hugo Swire (East Devon) (Con): Having discussed this for almost a decade, it will be almost another decade before the first plane takes off from the new runway, so when the Secretary of State said that the time for action is now it was hardly an overstatement. He is right to claim that this will benefit regional airports such as Exeter in my constituency, Newquay, Bristol and others. I suggest, however, that rather than getting local authorities to come up with expansion plans, this should be the responsibility of the Government if they want a fully integrated aviation system. Also, while Heathrow and Gatwick will see certainly more regional flights using them as a hub, that will again raise the issue of air passenger duty, and I urge the Secretary

of State to talk to the Chancellor of the Exchequer soon about taking this opportunity to revamp the whole APD issue.

Chris Grayling: I have no doubt that the Chancellor will have heard what my right hon. Friend has said about APD, and I am sure he will not be alone in making that point in the run-up to the next Budget.

On the planning process, we think it is better that decisions on smaller expansion projects—typically under 10 million passenger expansions—are taken locally in full light of the impacts on local communities, both positive in terms of the economic generation but also other impacts on communities around them. Where a project is bigger than that, we think we should continue to use the NPS process; we think that provides the right balance, ensuring that local decisions are taken about projects of an appropriate size, but that if a future project is on a much more substantial scale this House continues to play the part it does today.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I welcome this statement, and I support expansion at Heathrow; it is absolutely essential for the national interest and for international connectivity. This plan is supported by Liverpool's John Lennon airport. How can the Secretary of State guarantee that the promised link between the expanded Heathrow airport and Liverpool will materialise?

Chris Grayling: First, I thank the hon. Lady for her clear statement of support. She has a distinguished record in this area. She and I served on the Transport Committee when we were first elected. She is a very experienced person in the transport world, and I am grateful to her for her support and for sharing my view of the strategic importance of this decision. On protecting the right of access, Heathrow has made a number of specific commitments. Ultimately, this will require airlines to be able and willing to fly those routes, but my view is that the opening up of Heathrow to new carriers—some of the low-cost carriers that have done well elsewhere and that dominate the other airports—will ensure that those routes happen. I will have to ensure that the slots are there for those carriers to fly to and that, in places where there is a social need but not an economic one, we continue to provide support through the public service obligation system.

Zac Goldsmith (Richmond Park) (Con): The Secretary of State has already emphasised the preparedness of Heathrow, but the truth is that we do not know how the third runway can be reconciled with air pollution limits or with our climate change targets, as has already been mentioned. We do not know how many communities will be brought under the new flight paths and how many hundreds of thousands of people will be affected by that. We do not know how many tens of billions of pounds of public money will be needed to facilitate access to and from Heathrow, and we do not even know how Heathrow will finance this project. What we do know, following a dramatic revision by the Government of the benefits to the economy and to connectivity, is that Heathrow is now on a par with Gatwick. Can my right hon. Friend understand why, for so many people, this looks not only like a blank cheque being given by this Government to a foreign-owned multinational but like a whole book of cheques signed by our constituents?

Chris Grayling: I very much respect my hon. Friend's view on this. He and I have not shared the same view, but I very much respect the vigour with which he has argued his case, not just over the past few weeks but over a long period. On the economic value of Heathrow versus Gatwick, it has been shown—and as the documentation published today shows—that once we get past the 2060s, the economic case for Gatwick catches up with and overtakes the case for Heathrow. Between now and then, however, the economic case for expanding Heathrow is stronger. We have used the methodology that the Airports Commission chose to use, and it does not factor in the significant strategic importance of freight at Heathrow, which is not counted. Heathrow is the biggest port by value in the United Kingdom, and this element will also deliver a huge economic benefit for the UK.

Mr Kevan Jones (North Durham) (Lab): I welcome today's statement and support expansion at Heathrow. Newcastle international airport is vital for the north-east economy, and the Secretary of State has already mentioned the support in the regions for Heathrow expansion because of increased connectivity from airports such as Newcastle. May I kindly suggest that, before the vote, he publishes the exact details of how those slots can be maintained, because a lot of that regional support is conditional on getting those additional slots?

Chris Grayling: I am happy to provide any further information that hon. Members require, and I am grateful to the hon. Gentleman for his support today. As he will remember, when we first announced our provisional decision last year, I made my first visit to Newcastle airport. It is a very good airport, and the leadership there told me how this project would help them to develop their business and help the economy of the north-east. I will certainly look to provide extra information, but I would say that some of the detail will become clear further along the process. At the moment, the advice I have is that we are probably best to use the public service obligation requirements to guarantee that those slots are available. Of course, the airlines will have to be willing to fly them, but as I said a moment ago, in a more competitive market in which new entrants are able to compete—as they do all around the United Kingdom but not at Heathrow—we will see routes appear that should have been there a long time ago. They are not there now, but they will be in the future.

Sir Paul Beresford (Mole Valley) (Con): I congratulate my right hon. Friend and completely support this decision, which has been a very long time coming. There will be efforts to try to delay the process, and he has mentioned the possibility of judicial reviews. What assurance can he give me that he and the Government will be absolutely behind this project, to overcome the hurdles and ensure that we meet the programme? The European airports are not going to wait, and we do not want to lose the opportunity that this will give us.

Chris Grayling: We have taken careful legal advice as we have been through this exhaustive process, and I want to pay tribute to my team at the Department for Transport for doing a fantastic job of assembling a vast amount of material for the House to study before the vote and to demonstrate the case that we are making

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today. If we are challenged in the courts, it is essential that we can demonstrate that we can make our case, but this is a matter for our elected Parliament. This House will decide whether I should designate the national policy statement, and I very much hope that that will carry weight as we go through the rest of the process.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Such a significant expansion in aviation capacity raises major environmental and ethical concerns, but given the recommendations of the Transport Committee, I believe that this is the right option, provided that it delivers for regional economic growth. Businesses and residents in Newcastle deserve just as much access to direct flights as those in the south, but given that network economics make that impossible, what additional capacity will the Secretary of State guarantee for Newcastle airport and for how long, regardless of how he makes that work?

Chris Grayling: The important thing to say is that the reservation of slots for our regional airports is not a time-limited thing; it is a permanent feature. We would not countenance putting in place a legal mechanism that could be eroded away over time. That is what has happened in recent times: regional connections to Heathrow have diminished in number, and regional routes have been replaced by long-haul routes, but I can give an absolutely categorical assurance to the House that the legal mechanism that will be put in place will prevent that from happening again.

George Freeman (Mid Norfolk) (Con): I congratulate Ministers on finally making a tough decision that puts the national interest, prosperity and business confidence ahead of politics—an approach that I hope will apply in our other big decisions. I echo the views of the former Secretaries of State, my right hon. Friends the Members for Derbyshire Dales (Sir Patrick McLoughlin) and for Putney (Justine Greening), on the importance of cost control. Does the Secretary of State agree that the Heathrow hub proposal, which would extend over the M25 and be cheaper, quieter, quicker and less environmentally damaging, has much to commend it, both at Heathrow, where it was rejected by shareholders who perversely will make more money from a more expensive scheme, as well as at other airports around the country? Would he encourage such a proposal for other airports?

Chris Grayling: A lot of innovation went into the Heathrow hub proposal, and we considered it very carefully when we reached our initial recommendation. There were a number of drawbacks to it. For example, it would give much less respite for people around the airport by operating in the way that was proposed. However, I have no doubt that its promoters, who are smart people and who have developed some innovative ideas, will be using those ideas to encourage change in other places around the world and hopefully building an international business for themselves.

Mike Gapes (Ilford South) (Lab/Co-op): At last! After years being wasted under the coalition Government, we now at last have a Government who are taking a grip on

this issue. This decision should have been taken years ago. With Crossrail coming, my constituents in east London and people in Essex and Kent will greatly benefit from this decision, and I welcome it. Can the Secretary of State assure me, however, that there will be no further delays because of divisions in his Cabinet?

Chris Grayling: First, I thank the hon. Gentleman for that resounding statement of support. This matter was discussed at the Cabinet this morning. The Airports sub-Committee met earlier this morning and reached its view, and the Cabinet was informed of it. I can tell him that the Cabinet gave almost entirely universal support for it.

Crispin Blunt (Reigate) (Con): I welcome my right hon. Friend's statement, particularly his outlining of the five new rail lines that would support Heathrow's expansion, but I contrast that with there being no proposals to support any new rail capacity at Gatwick. It is on the busiest commuter line in the country, and he is only too aware of the problems there today. The Opposition spokesman gave a masterclass in how to avoid making a decision if one is in that political position, but does my right hon. Friend agree that if we are to discharge our duty to future generations, having analysed and consulted on the proposal to death, now is the time to make a decision?

Chris Grayling: Now is definitely the time to take a decision. I agree that transport links to Gatwick need to improve, which is why Gatwick station is one of the projects that we are working on with the airport at the moment, but I am grateful for my hon. Friend's support.

Phil Wilson (Sedgefield) (Lab): The north-east is a global-facing region, and links to an international hub are critical for its economy. A third runway at Heathrow is a strategic necessity and essential to Durham Tees Valley airport, which is in my constituency, and Newcastle airport. The Secretary of State says that 15% of slots will be for domestic connections, but how can he guarantee that? Will domestic slots be ring-fenced? What are the implications for Durham Tees Valley airport?

Chris Grayling: Durham Tees Valley is one of the airports that Heathrow has identified as a potential beneficiary of the expansion, and I am clear that there will be legally binding mechanisms in place to reserve slots for regional airports. That is part of the core rationale for making this decision, and the project would have much less credibility without it, so I have every intention of ensuring that we deliver those protections for our regions.

Mr Robert Goodwill (Scarborough and Whitby) (Con): Although not before time, this decision is great news not only for UK plc but for regional airports such as Leeds Bradford, which have too long been hampered by a lack of slots into our major hub airports, and for customers who have had to connect at airports such as Schiphol or Charles de Gaulle, which plays into the hands of our competitors. I read in the newspaper that there may be some barriers to the actual construction, so may I offer my services as someone with some experience of driving bulldozers?

Chris Grayling: I will speak to Heathrow airport this afternoon and get someone to send my right hon. Friend a job application. However, whether the project will use some of the heavy equipment that he has at his disposal is a different question.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Past polling suggests that my constituents are, on balance, in principle in favour of Heathrow's expansion due to the support that will be provided to small and medium-sized enterprises and the employment that is dependent on Heathrow. However, they are rightly concerned about noise, pollution, respite and night flights—the issues that have been discussed today—and confidence in Heathrow is not high, based on past performance. Flight paths are a significant issue, so will the Secretary of State ensure the publication of any proposals as soon as possible? That information should be available to Members before we vote. Will he also confirm that the criteria on which he will assess southern rail access will consider the regeneration benefits in addition to access from Surrey and from Waterloo?

Chris Grayling: On the last point, my view is that we just need to make the southern rail project happen. That is why we are looking to get the private sector to do it. It is a project that can be delivered by the private sector, and private consortia are interested in doing so. As for flight paths, it is necessary to work off the back of Heathrow's initial design work to consider the requirements for them. That involves setting out the exact geography of our airports and then mapping what we need around them. That is the process, and a major reorganisation of our airspace will happen in the early 2020s. That would have had to happen anyway, and this proposal will bed into that.

Mary Robinson (Cheadle) (Con): Manchester airport is a key transport hub, handling almost 28 million passengers a year and driving the economic progress of the northern powerhouse. How will my right hon. Friend ensure that the north feels the benefits of this announcement?

Chris Grayling: Manchester will be in an interesting position, because it will be connected with Heathrow by air and by high-speed rail. The linkage between the two airports will become a strong strategic benefit for the UK. I expect Manchester to have more flights to Heathrow, but I also expect more trains linking the two to provide a real interchange between Britain's two most substantial airports.

Richard Burden (Birmingham, Northfield) (Lab): Connecting the regions and nations of the UK to opportunities and markets abroad has to be about more than how much they can have routes through a national hub in the south-east—however important that national hub is. Does the Secretary of State agree that airports such as Birmingham, Manchester, Edinburgh and East Midlands for freight are international gateways in their own right, not simply regional airports as he described them? While every Minister to whom I have spoken about this has said that they want to support all the UK's international gateways, few of them have said what they will actually do to make that a reality, to utilise existing capacity and to ensure that the potential

of those airports grows in the time it will take, which could be a decade or more, to build the new runway—if indeed that goes ahead. What will the Secretary of State do about that?

Chris Grayling: We have a thriving aviation sector, and I am unsure whether regional airports need ministerial help to grow because they are doing a pretty good job already. Every time I visit a regional airport, I am surprised by the range of international destinations. Cardiff airport has recently launched a route to Qatar, and a whole variety of different European, transatlantic and other international routes have been developed at our regional airports. I expect that to continue, but the reality is that, apart from some of the most strategically important routes, there is often not enough of a market in a regional area to justify the launch of a route. The purpose of a hub airport is effectively to assemble a market to justify such routes and strengthen the whole UK.

Mr David Jones (Clwyd West) (Con): I congratulate my right hon. Friend on his statement today. Given that Heathrow is the UK's biggest port by value for exports outside the European Union, does he agree that its expansion will be crucial to British businesses all over the country in the post-Brexit world?

Chris Grayling: Absolutely. It is important that Heathrow is planning to source services, products and manufacturing from all around the UK. As the hon. Member for Kilmarnock and Loudoun (Alan Brown) said earlier, we want this project to create not just connections for the whole UK but opportunities for businesses around the country.

Wera Hobhouse (Bath) (LD): Why is the Secretary of State so much in support of the unpopular expansion of Heathrow airports when airports such as Bristol are looking to expand, which would make much more environmental and economic sense to my constituents in Bath and to people across the south-west? As the hon. Member for Birmingham, Northfield (Richard Burden) pointed out, regional airports are international airports in their own right, so why the obsession with London airports?

Chris Grayling: This is not about one thing or the other. Bristol airport has done a fantastic job of building up an international network, serving more than 100 destinations, and it is a great airport and a great success story. However, that does not remove the need for a hub airport to deliver strategic connections that only really operate from a single centre, with a market assembled from several destinations within the UK and, indeed, internationally to make such routes viable.

Henry Smith (Crawley) (Con): While I acknowledge the Heathrow runway expansion decision and welcome a decision finally being made, will the Secretary of State assure me that that will not detract from the necessary infrastructure investment at Gatwick airport, particularly, as my hon. Friend the Member for Reigate (Crispin Blunt) said, investing in upgrading the station and rail capacity into Gatwick?

Chris Grayling: My hon. Friend is right. Indeed, as he said yesterday, we have two important pieces of engineering work coming up that I hope will increase the reliability

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of that railway line, which has already seen a big increase in capacity. Gatwick station also needs to be addressed. The proposals that I have announced today about local decisions on smaller expansions will allow airports around the country to enter into dialogue with local authorities about their future without all such decisions being taken at a national level.

Angela Smith (Penistone and Stocksbridge) (Lab): I welcome the Secretary of State's statement. When the expansion proposal comes before the House in the next few days, I will support it not only because it is in the national interest but because Heathrow is committed to a robust UK supply chain built on four construction hubs throughout the country. Will the Secretary of State commit to supporting that supply chain in every way necessary to ensure that the jobs created by expansion benefit my constituents as well as constituents in the south-east?

Chris Grayling: Absolutely. One of the key benefits is that this multi-billion pound project will serve the entire United Kingdom. Both the airport plan and the supply chain that supports it will create thousands of jobs and thousands of new apprenticeships. The supply chain will be across the United Kingdom, and it will create jobs and opportunities, in the Year of Engineering, for a new generation of engineers.

Iain Stewart (Milton Keynes South) (Con): As a member of the Transport Committee, I thank my right hon. Friend for accepting our recommendations. As the champion of the Oxford-Milton Keynes-Cambridge corridor, I am heartened by his proposal to link the Chiltern line into Heathrow. I urge him to bring forward those plans as soon as possible, because that connectivity will help to realise the Government's wider ambitions for Britain's brain belt.

Chris Grayling: I absolutely agree with my hon. Friend on that latter point. I am working with HS2 to make sure that provision is made in the development of Old Oak Common to put in those Chiltern line platforms. The Oxford-Cambridge corridor is crucial to the development of our economy. It will need connections into our premier hub, and this is the best way of achieving that.

Andy Slaughter (Hammersmith) (Lab): This is not even a robust plan for London, and it damages and stunts regional airports. The Secretary of State has given no details about flight paths, and has no coherent plans for air quality, surface access, jobs or controlling public subsidy. He is well known for his reverse Midas touch but, on this issue, should he not listen to the right hon. Member for Putney (Justine Greening)? She said this morning that we need a UK-wide airport strategy, not this expensive and incompetent botch job.

Chris Grayling: I know that the hon. Gentleman has a particular view on this proposal, so I did not expect to find him supportive of it. We will work very hard to ensure that the areas affected by expansion are treated as decently as possible and supported by what will be a

world-leading package of community support, which I hope will mitigate the impact of this project of national strategic importance.

Julian Knight (Solihull) (Con): I support the statement and the Secretary of State's careful, consultative approach. Birmingham airport, which is on the border of my constituency, currently runs well under capacity—by about 30% to 40%. Does he believe that this announcement will improve that situation over time, and if so, how?

Chris Grayling: There is capacity at a number of our regional airports, which continue to grow. Birmingham airport will continue to grow. If we expand Heathrow, there is no doubt Birmingham airport will face greater competitive pressure than many of our other airports, but that does not mean that it will cease to be a success story. Birmingham airport is already a great asset for the west midlands, and that will continue. It has attracted a number of important international routes in recent times, and I have no doubt that that will continue.

Ian Austin (Dudley North) (Lab): For all the talk of balancing economic growth and boosting the regions, it is the same old story—the bulk of investment, spending, jobs and benefits is always in London and the south-east. Why could the Government not show a bit more imagination by expanding Birmingham airport and getting behind the regions? Birmingham airport is actually the best connected airport in the country. It is on the motorway network and, if HS2 were taken to Heathrow, it would be quicker for passengers to get from Heathrow to Birmingham than it now is for them to get from Paddington to Heathrow. That would mean that we in the midlands would get our fair share of the jobs, the investment and the benefits.

Chris Grayling: I make it clear that I expect there to be benefits and jobs all around the country, including in the west midlands. Birmingham airport is a very good airport. I have no doubt that it will continue to attract passengers and routes, and to be a success story for the west midlands—that is the way it should be. There are particular reasons why the United Kingdom needs to build on its principal strategic airport hub, but that will not prevent other airports from growing. The measures I have announced today will enable those airports to do so.

Steve Double (St Austell and Newquay) (Con): I warmly welcome the Secretary of State's announcement of the long-overdue decision to expand our national hub airport in the national interest. I assure him that this announcement will be warmly welcomed across the south-west, particularly in Cornwall.

I thank the Secretary of State for his specific reference to Newquay airport and for his commitment to ensuring that slots are available for regional airports. In that vein, does he agree that a direct link from Newquay to Heathrow would offer huge opportunities for greater exports from Cornwall and for inward investment into Cornwall? I ask for his support to ensure we can achieve that.

Chris Grayling: Newquay is one of the principal future beneficiaries of expansion. There is a real opportunity to increase air links to a part of the country that is quite

distant in existing transport terms. I am strongly of the view, as is my hon. Friend, that Newquay has the potential to flourish with Heathrow expansion, and I will happily work with him to do everything we can to make sure that happens.

Mr Gavin Shuker (Luton South) (Lab/Co-op): The project will likely span multiple Parliaments, and certainly successive Administrations, so does the Secretary of State agree that it would be frankly incredible for a party of government not to have a clear position on this proposal when it comes to be voted on in Parliament? Will he therefore confirm the whipping arrangements for his own party? Can he suggest any mechanisms that might allow some individuals to take a different view while maintaining collective responsibility?

Chris Grayling: It is for each party to decide its own whipping arrangements—I have no doubt that is what will happen. On the timetable, I expect to reach the completion of the DCO process late in this Parliament. I hope we can get going on building this runway in the early 2020s, if the House gives its consent over the next couple of weeks. I hope all parties that aspire to govern this country in the post-Brexit world will unite behind a proposal of vital strategic importance.

Mr Laurence Robertson (Tewkesbury) (Con): I congratulate the Secretary of State on at last moving this issue forward. Does he agree that the delays, which have been caused by successive Governments, have caused the UK to lose a lot of business? For example, Dublin is already getting on with expanding its airport. I know that there are restrictions and difficulties, but may I ask him—so that this country does not continue to lose air business—to move this issue on as quickly as possible?

Chris Grayling: I give my hon. Friend that assurance. Like many other Members, my view is that this decision should have been taken a long time ago. At least we are taking it now, and I want to get on with the job.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Transport for London has estimated that it will cost some £20 billion to link the third runway to London. Will the Department be designating that as UK spend or as England-only spend? If the Secretary of State cannot answer that question now, will he make sure that the Government officially outline their position before we are expected to vote?

Chris Grayling: As I have said before, I do not recognise that figure. We have a well-designed plan to deliver the transformation of surface access to Heathrow—some privately funded and some already in the investment pipeline—such as on Crossrail and HS2, all of which is reflected in the settlements that exist across the United Kingdom for capital spending.

Ben Bradley (Mansfield) (Con): I welcome my right hon. Friend's statement. Does he agree that the chance to promote skills in construction and engineering out in the regions, particularly at the manufacturing hub near my Mansfield constituency, is a massive chance both to provide the kinds of high-quality jobs for which my constituents are crying out and to raise aspiration and social mobility in such areas across England?

Chris Grayling: My hon. Friend is absolutely right. This is the Year of Engineering, and projects such as the expansion of Heathrow and HS2 have the ability to provide opportunity and excitement for the new generation of engineers that we will need if we are to have a successful economy. This project is much more than a transport project; it is about the development of skills and job opportunities for the whole United Kingdom.

Marsha De Cordova (Battersea) (Lab): Londoners, especially those such as my constituents who live under Heathrow flight paths, already face unacceptable levels of air pollution and noise pollution, not to mention the grave risks we all face from climate change. Why does the Secretary of State think that noise pollution, air pollution and climate change are not important enough issues to influence Government policy?

Chris Grayling: We have carefully considered issues such as noise, air quality and climate change, which was why we commissioned the Airports Commission to do its detailed work, and why we have updated that work so that the House has all the information it needs. Of course, the other thing we have to take into account is the potential for our economy, which is why I am grateful—perhaps unusually—to the Unite trade union and Len McCluskey, whom the hon. Lady knows well, who this morning again expressed his support for the project.

John Howell (Henley) (Con): The airspace review is a crucial part of the success of this project. Together they can help to limit stacking, so will the Secretary of State say something about how these reviews dovetail?

Chris Grayling: The CAA and NATS have already started work on airspace changes and the consultation on them. This is vital because it can have two big effects. First, it makes the future management of our airspace possible. At the moment, airspace is extremely congested, with conflicts between airports, and we need to modernise and to use new technology. Secondly, it enables a change to the management of aircraft as they come into the UK's airspace in a way that can substantially affect stacking, which is also a huge benefit. The proposal of the third runway does not change the need for reform; it simply adapts that reform to fit the more detailed design as it emerges.

Stephen Timms (East Ham) (Lab): I welcome the Secretary of State's decision. He referred to local employment and apprenticeships in his statement. What is his Department's assessment of the increase in employment at Heathrow, both during the construction phase and in the long term?

Chris Grayling: The estimates fluctuate somewhat but, in essence, we are talking about the number of additional jobs created being in the high tens of thousands. Obviously this depends on how we measure and estimate them, as well as on the rate of expansion of the airport, but about 100,000 extra jobs should be created.

Justin Tomlinson (North Swindon) (Con): There is strong support for the proposal from Swindon businesses and residents, particularly hard-working families looking

[Justin Tomlinson]

to book holidays. May I also stress the importance of the western rail link, as it would give my constituents direct access to Heathrow in less than one hour?

Chris Grayling: My hon. Friend is right about the importance of the proposal in terms of not only connections to places such as Swindon, Bristol, the south-west and south Wales but, as I said earlier, providing better opportunities for staff who live more locally to get to work on the train. I absolutely accept the importance of the project. It is part of our investment plans for the next control period on the railways, and my expectation is that it will be open in good time for the runway.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): The Secretary of State will know from my questions in the Transport Committee that I wanted his Department and Heathrow to do much more about getting people to the airport by public transport in a two-runway world, let alone in a three-runway world. We need to see the money, not just hear the soundbites, so will he assure us that western rail access is now fully funded? How much of the funding will be contributed by Heathrow?

Chris Grayling: As far as I am concerned, that is fully funded, and we intend to extract as much money as possible from Heathrow for all the improvements—it needs to make a substantial contribution to this, but the project will be delivered.

Jeremy Quin (Horsham) (Con): May I warmly welcome this comprehensive statement? I wish to pick up on a point that my right hon. Friend made about freight transportation, because I believe that was omitted from the otherwise excellent Davies commission. Will he confirm that, and will he also confirm that adding in freight transport significantly increases the economic value of Heathrow?

Chris Grayling: Yes, I was surprised that that was not taken into account, but the Davies commission did not seek to monetise the freight potential of an expanded Heathrow and factor that into its findings. We have carefully followed the same methodology as it used, because we judged it to be wrong to change methodology mid-stream, but the numbers do not include freight. Heathrow is our biggest freight airport by value—it is our biggest freight port by value. It is central to the economy of many parts of the UK, ranging from the north of Scotland, from where smoked salmon products are shipped internationally via Heathrow, to more local businesses in the London area. My hon. Friend is absolutely right to say that freight is a crucial part of this decision.

Kevin Foster (Torbay) (Con): I warmly welcome the statement. Let me be clear that expanding Heathrow is about not just London, but Torbay—it is about businesses getting out to markets, and seafood being shipped out to China every day through this port. Will my right hon. Friend reassure me that we will now get on with this and very quickly have the vote on the Floor of this House so that we show just what support the plan has?

Chris Grayling: The answer to that is most definitely yes. As a result of the statutory process, we have to get on with the vote—it will happen shortly. Clearly the business managers will announce the detailed dates of the business, but I want to get on with this as well.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): On behalf of the businesses and people of the north-east of Scotland, I thank the Secretary of State for his announcement. Sectors including UK oil and gas, as well as economic growth in my part of the world, are reliant on numerous slots to the south-east and beyond, so I thank him. To put this beyond any doubt, will he confirm that the decision will mean a growth in connectivity for Scotland, and for Aberdeen in particular?

Chris Grayling: Absolutely. Aberdeen and the oil industry are clearly one potential beneficiary from all this. The oil industry is to be found in disparate parts of the world, and we have enormous expertise in Aberdeen. The routes that people in the oil industry need to take would not automatically be served by a regional airport, which is why a better hub airport with more international connections is a particular benefit to industries such as his in Aberdeen.

Huw Merriman (Bexhill and Battle) (Con) *rose*—

Tom Pursglove (Corby) (Con) *rose*—

Mr Speaker: I call Huw Merriman.

Huw Merriman: Thank you, Mr Speaker. It is a pleasure to get through your stacking system ahead of Air Corby.

I thank the Secretary of State because, as a member of the Transport Committee, it is a delight for me to see the Committee, across party, collaborating with the Government—I think that this is the best of it. Our recommendation 22 dealt with the Lakeside Energy from Waste plant. Will he confirm that there is still a commercial opportunity for a more up-to-date waste management capability to be purchased? That is the only recommendation that has not been followed by the Government.

Chris Grayling: I had a lot of sympathy with what the Select Committee was saying, but we did not accept that recommendation because the plant is not an asset categorised as strategically important for the UK. Clearly discussions are already taking place between the airport and the owners about what should happen to that plant. Had it been of strategic importance, we would absolutely have accepted the Committee's recommendation, but the truth is that it is not, so this really is a matter for the different organisations involved.

Tom Pursglove: It is always good to get through at last call, Mr Speaker.

What difference does my right hon. Friend think this decision will make to our international trading prospects and to UK steel supply chains? Let me also tell him that in Corby we certainly want one of these new construction hubs.

Chris Grayling: I suspect there will be quite a lot of competition for those hubs. I have no doubt that Corby will do a great job in attracting business as a result of

this project. Its particular importance relates to the events of the past few years. We will shortly be entering the post-Brexit world. If this country is to demonstrate that we will remain an outward and internationally focused trading nation, such a project will be of vital strategic importance to us. Whatever anyone's view might be about the Brexit process, I hope that all Members will accept that we are much better off demonstrating to the world that we want to be connected, involved and trading post Brexit. As a result, I hope that people across the House will get behind the proposal to make sure that it is carried, when it comes to a vote, and that we send a powerful message to the world that Britain is in business.

Justine Greening: On a point of order, Mr Speaker.

Mr Speaker: If the point of order relates to that which we have just been discussing—I think it does—I am happy to take it now.

Justine Greening: Mr Speaker, the statement omitted to mention when the national policy statement debate will be. That is important, because Members will of course want to table written questions to find out more about the copious documents that have been published. I am concerned that there is not much time to table named day questions and receive answers in time for the debate. What would your advice be on that?

Mr Speaker: My advice in the first instance is to see, here and now, whether the Secretary of State can provide any illumination on that matter. Depending on what he says, I might have further advice for the right hon. Lady.

Chris Grayling: Further to that point of order, Mr Speaker. The formal process in statute is that the vote has to take place within 21 sitting days of my tabling the NPS. That took place this morning, so the vote has to take place within 21 sitting days of now. The exact date will be a matter for the business managers, but we will want to ensure that Members have sufficient time to look at the material tabled today. As for written questions, I will make sure that my Department expedites responses to issues raised by Members so that they can study them in good time before the vote.

Mr Speaker: I am grateful to the Secretary of State for that response to the point of order raised by the right hon. Member for Putney (Justine Greening). Flowing from it, my perhaps unsurprising advice to her is that she should press ahead with her tabling of questions with dispatch. In the light of the commitment that the Secretary of State has given, it is to be expected that colleagues interested in this matter, and the Chair, will keenly attend to the speed and comprehensiveness with which ministerial replies to those, in effect, urgent questions are provided.

Proposed Media Mergers

2 pm

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): With permission, Mr Speaker, I shall make a statement about the proposed merger between Comcast and Sky and the proposed merger between 21st Century Fox and Sky. In my quasi-judicial role I have considered the mergers separately, on their own merits, and wish to set out my decisions taken on the basis of the relevant evidence.

First, let me update the House on Comcast's proposed acquisition. On 7 May, Comcast notified an intention to acquire Sky. As Secretary of State, I am required to consider whether the merger raises public interest concerns that meet the threshold for intervention set out in section 58 of the Enterprise Act 2002. As required, I considered the need for a sufficient plurality of people with control of media enterprises; the need for a wide range of high-quality broadcasting; and the need for a genuine commitment to broadcasting standards. Last month, I informed the House that I was minded not to intervene in the merger, on the basis that it does not meet the threshold for intervention. I gave interested parties time to make representations, but received no further representations. As a result, I have concluded that the proposed merger does not raise public interest concerns, so I can confirm today that I will not be issuing an intervention notice.

Turning to Fox's proposed acquisition of Sky, in March 2017, my predecessor issued an intervention notice on public interest grounds, because of concerns about media plurality and the genuine commitment to broadcasting standards. The intervention notice triggered phase 1 investigations by Ofcom and the Competition and Markets Authority. In September, having considered their reports, along with further advice from Ofcom, my right hon. Friend referred the proposed merger to the CMA for a phase 2 investigation on both grounds. The CMA published its interim report in January and provided its final report to me on 1 May. I have published that report today and deposited a copy in the Libraries of both Houses. The report confirms, as previously set out, that the proposed merger does pass the threshold for a relevant merger situation, and provides recommendations on both public interest tests.

On broadcasting standards, the CMA carried out a thorough and systematic assessment, taking into account the approach of Fox and Sky to broadcasting standards, both in the UK and outside, and the approach of Fox and News Corp to wider regulatory compliance and corporate governance. The CMA concluded, in line with its interim findings, that the merger may not be expected to operate against the public interest on the grounds of a genuine commitment to broadcasting standards, and I agree with that finding.

On media plurality, the CMA's final report confirms its interim findings that the proposed merger may be expected to operate against the public interest. The CMA found cause for concern in two areas: first, the potential erosion of the editorial independence of Sky News, which could in turn lead to a reduction in the diversity of viewpoints available to and consumed by the public; and secondly, the possibility of an increase in influence of the Murdoch family trust over public opinion and the UK's political agenda. The CMA used

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a clear and logical approach and took into account Ofcom's media plurality framework. It took great care to obtain a wide range of written and oral evidence, and I agree with its finding, too.

When the CMA finds that a merger is likely to operate against the public interest, it is required to consider what remedy would be appropriate. To address plurality concerns, the CMA considered a range of options, including those proposed by the parties. Specifically, the options were: first, a firewall of behavioural commitments to insulate Sky News from the influence of the Murdoch family trust; secondly, a ring fence, whereby Sky News would be separated structurally from Sky but still owned by Fox, along with the same behavioural commitments; thirdly, divesting Sky News to a suitable third party; and fourthly, prohibition of the transaction as a whole.

I have considered the CMA's detailed assessment and its conclusions on how effective and proportionate the different remedies are. I agree with the CMA that divesting Sky News to Disney, as proposed by Fox, or to an alternative suitable buyer, with an agreement to ensure that it is funded for at least 10 years, is likely to be the most proportionate and effective remedy for the public interest concerns that have been identified. The CMA report sets out some draft terms for such a divestment, and Fox has written to me to offer undertakings on effectively the same terms.

The proposals include significant commitments from Fox, but some important issues on the draft undertakings still need to be addressed. I need to be confident that the final undertakings ensure that Sky News remains financially viable over the long term; is able to operate as a major UK-based news provider; and is able to take its editorial decisions independently, free from any potential outside influence. As a result, I have asked my officials to begin immediate discussions with the parties to finalise the details with a view to agreeing an acceptable form of the remedy, so that we can all be confident that Sky News can be divested in a way that works in the long term.

Under the legislation, I am required to consult formally on the undertakings for 15 days. Subject to the willingness of the parties to agree the details, I aim to publish the consultation within a fortnight. I am optimistic that we can achieve our goal, not least given the willingness that 21st Century Fox has shown in developing these credible proposals. However, if we cannot agree terms at this point, I agree with the CMA that the only effective remedy would be to block the merger altogether. That is not my preferred approach.

We have followed a scrupulously fair and impartial process, based only on the relevant evidence and objectively justified by the facts. I wish to thank Ofcom, the CMA, the parties, my predecessor and my fantastic team at the Department for Digital, Culture, Media and Sport for all their hard work. I hope we can reach a final agreement very soon. I want to see a broadcasting industry in Britain that is strong, effective and competitive. I commend this statement to the House.

2.7 pm

Tom Watson (West Bromwich East) (Lab): I thank the Secretary of State for advance sight of the statement, for which I had a little more time to read than usual;

I suspect that was a benefit of the usual delays caused by Heathrow airport. [Interruption.] I had to get that gag in.

This is a saga which we have been living through for 18 months. In December 2016, when 21st Century Fox announced its bid for Sky, the world looked very different: the Tories were riding high in the polls; the Prime Minister was popular, even among her own Back Benchers; we had a different Culture Secretary; and I was six stone heavier. I do not think that even the Murdochs would have anticipated the changes that have happened since then.

To her credit, the previous Secretary of State, the right hon. Member for Staffordshire Moorlands (Karen Bradley), took her time over the bid. She ensured that it was subject to the full gaze of regulatory scrutiny and did not just provide the rubber stamp that Fox hoped for. During that time, Fox found itself not only covering scandals but embroiled in scandals, with sexual harassment allegations and high-profile dismissals at Fox News. A rival bidder, Comcast, has come forward. The approval of both bids today means that this is not the end of the story.

The Murdochs will be relieved that the old order is at least starting to reassert itself. Even before today, the new Secretary of State was doing what they asked of him, dumping the promises made to the victims of phone hacking by announcing that Leveson 2 would not go forward. Why is that relevant to this announcement? Well, the information that Leveson 2 would have revealed about corporate governance failure on an industrial scale is entirely relevant to the question of whether the merger would be good or bad for Sky's adherence to broadcasting standards. Let us remind ourselves that the most recent allegations in the civil litigation against News Group Newspapers claim that senior executives at the top of the empire were not just culpably ignorant, but knowingly complicit about criminal conduct going on at News Group papers. Leveson 2 would have looked at that. The European Commission raided the London offices of 21st Century Fox just a few weeks ago as part of an investigation into violations of EU anti-trust rules. The Murdochs will be grateful that the Secretary of State is less curious than the officials who raided that building.

We on the Labour Benches understand that there are many commercial and technical elements of this bid to consider, but for us the priority has been to safeguard the future of Sky News. From Kay Burley to Adam Boulton, Sky News has some of the best presenters on TV and has always been a beacon for independent and rigorous journalism. Our priority is protecting that and ensuring that Sky News thrives going forward. The Secretary of State has given his approval for the Fox bid today subject to Fox's proposed remedy that Sky News be divested to Disney or a suitable alternative. We have serious concerns about that, including how we ensure the long-term future of Sky News as a UK-based independent organisation under this option. Were the Fox-Disney deal to fail, it could leave Sky News isolated from Sky and owned by a foreign company with few news interests in the UK. It is hard to see how that would be in the public interest. Does the Secretary of State really think that this proposal of divestment is in the best interests of Sky News, or would it become isolated and at sea? He made it clear that he had no concerns about the broadcasting standards. Is he concerned that the civil cases that are currently being brought

against Murdoch papers such as *The Sun* will reveal corporate maladministration that could have altered his decision?

Fox made many undertakings to get to this stage. Will the Secretary of State take personal political responsibility if Fox's bid is successful and the guarantees that it made are broken, bearing in mind that the CMA opinion, expressed earlier this year, was that this deal was against the public interest? With Comcast now in the ring, the future for Sky is uncertain. A bidding war is on the horizon. That might be good for shareholders, but it is the Minister's duty to protect the interests of the public. Sky is a gem of British broadcasting and is respected worldwide. Its future and global reputation for excellence is at stake in this process, so it is right that, if there is any doubt about whether the proposed solution is workable, it is the duty of the Secretary of State to ensure that this merger is blocked.

Matt Hancock: As I said in the statement, the analysis that I announced today and have put in the Libraries of the House follows a scrupulous process of scrutiny not just by me and Ofcom, but by the CMA. No matter how long debates over Heathrow took, I am sure that the shadow spokesman has not yet had the chance to read the full 410 pages of the CMA report. It goes into great detail in answering several of the questions that he raised. When it comes to the question of Leveson, it does take into account everything that was disclosed during the Leveson process and, of course, that which was made public by the many court cases since and it has looked over this area rigorously. The CMA concludes that what matters most in the broadcasting standards test is that which is most recent, so while it does take past behaviour into account, it ensures that that which is most recent is also weighted. The behaviour that was described and found under the Leveson inquiry was some time ago, as we have debated already.

I agree with the hon. Gentleman very strongly about the value of Sky News. This is very important to the UK broadcasting environment. I agree that we must be confident that the proposed solution and undertakings that have been given are robust. That is what I will be seeking to nail down over the next fortnight before consulting formally on those undertakings.

I am seeking to strengthen the undertakings that were given to the CMA and that have been repeated to me. When I am confident that those undertakings will ensure the long-term sustainable future for high-quality independent broadcasting at Sky News, as we know it now, I will be prepared to consult on those undertakings, take them and live by that decision.

Mr John Whittingdale (Maldon) (Con): May I welcome my right hon. Friend's statement and congratulate him and his predecessor on their handling of this matter? He will be aware that it is 16 months since the regulatory process got under way. Does he agree that it would be infinitely preferable if the future of Sky was determined by its shareholders and by the market, rather than by the regulatory timetable? Will he therefore give us an assurance that he will do his utmost to resolve the regulatory process before the summer recess begins?

Matt Hancock: Absolutely. My goal on the timeline is to consult within a fortnight. That consultation is required by law to take 15 days, which means that,

hopefully, within a month, I will be able to get undertakings in which I have full confidence and can then consult on and conclude this process.

Hannah Bardell (Livingston) (SNP): I thank the Secretary of State for an advance copy of his statement. I wish briefly to pay tribute to my predecessor in this role, my hon. Friend the Member for Argyll and Bute (Brendan O'Hara). He will continue his excellent work on the Digital, Culture, Media and Sport Committee and I feel sure that we will make a formidable team.

The primary concern of the Scottish National party and the Scottish Government was always around the potential impact of the proposals on media plurality. We firmly believe that it is unhealthy for too large a proportion of the media to be under the control of one single group. It is interesting to note that the CMA findings specifically cite public interest and the concern that there will be an erosion of Sky's editorial independence as well. I am interested to hear the Secretary of State's views on that issue, particularly on jobs at Sky. As the hon. Member for West Bromwich East (Tom Watson) has said, the Sky News brand is well known, particularly in Scotland and the other devolved nations, so I would like to hear about any impact on jobs. The Secretary of State will know, I am sure, that Sky is one of the biggest private employers in my constituency of Livingston, so I would be very keen to discuss any impact on the call centres there.

I welcome the statement. It has taken some time to get to this point. The concerns that have been raised, including over consultation, must be addressed robustly. Given the scandals that have happened and the families that have been damaged, it is in the public interest that the behaviour of these organisations is considered in this process and in this merger.

Matt Hancock: I agree with the hon. Lady about the importance of Sky News and about making sure that it remains financially viable over the long term. I want to ensure that we can have confidence in that in the final undertakings that are given. Of course Sky News has an excellent record for broadcasting. I am talking about its formal broadcasting standards and, as every Member in this House knows, its ability sometimes to reach the news faster than anybody else. Its interviews with those of us in public office are probing and invigorating. We thoroughly enjoy the service and I want it to be viable for the long term.

Michael Fabricant (Lichfield) (Con): My right hon. Friend is absolutely right to praise Sky and Sky News. He will recall that it opened in 1989 and almost bankrupted, through its costs, the Murdoch family. What concerns me and the shadow Front-Bench spokesman is the long-term viability of Sky News. Ten years is a long time, and we are seeing a changing atmosphere and environment in broadcasting. How can he be assured that, over a 10 year period—and I hope many more years after that—Sky News will survive?

Matt Hancock: We have been given encouraging assurances thus far—not only in the bid directly before us, but in other bids associated with this takeover—that there will be long-term undertakings on the financial viability of Sky. I want to ensure that the organisation is robust, and that Sky News continues to do the brilliant

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job that it does now. I know that others have raised concerns about broadcasting standards within companies owned or part-owned by the Murdoch family trust, but Sky is an example of a brilliant broadcaster with incredibly high broadcasting standards, on a par with the BBC, ITV and Channel 4. That is why ensuring its long-term viability has so much resonance in the House, and it is also the reason why it matters so much to me.

Chris Bryant (Rhondda) (Lab): The thing is, I can see exactly what is going to happen. The Secretary of State is going to accept any assurances that come in over the next few weeks and it will all be signed off. Then, in a few years' time, Sky will be starved of money by whoever buys it and the broadcaster will end up coming to the next Secretary of State, or maybe even the same Secretary of State—I know he loves the job—to say, “Terribly sorry; it didn't work out. Can we please now be subsumed back into Fox, or can we just let Sky die?” Kay Burley will then be out of a job, so she will stand in West Suffolk and defeat the Secretary of State, because most people in this country would prefer diversity of media ownership and want to keep Sky as independent as possible.

Matt Hancock: I relish the prospect of a contest against anybody in West Suffolk. I am not sure that the path set out by the hon. Gentleman, who is normally an optimist by nature, is the most likely one, not least because I will seek undertakings to ensure that Sky News remains viable over the long term and independent so that it can pursue us politicians without fear or favour.

Mr Nigel Evans (Ribble Valley) (Con): Nobody could accuse the Secretary of State's Department of rushing this decision; it has been made very carefully and cautiously, as it should, because Sky is well loved. I fought the Pontypridd by-election in 1989, which was the first by-election to be broadcast on Sky TV, so I have great fondness for the organisation. Sky has clearly weathered better than I did at the Pontypridd by-election. None the less, there is great plurality out there with the changing way in which people are accessing news these days. Given the diversification of Sky News and these guarantees, surely now is the time for the decision to be made so that the shareholders can make their decision.

Matt Hancock: I recognise the amount of time that has passed since we were first notified of this proposal. That is why I want to reach an agreement on the undertakings within a fortnight. I am absolutely certain that the parties will stand ready to meet that deadline, as my team and I also stand ready. We must then have the 15-day formal consultation, but I hope that will mean that the formal approval process from the Government side can be concluded within a month from now. There is a merger battle closer than on the horizon.

Christine Jardine (Edinburgh West) (LD): Liberal Democrats have been consistent in expressing our concern about the Sky-Fox deal should it have gone ahead in its entirety. I therefore welcome the Secretary of State's assurances that Sky News will be protected and sold off. Will he also reassure us that there will be similar undertakings about the future of Sky News in the event that Comcast is the buyer?

Matt Hancock: Undertakings and assurances have been made by Comcast. By law, I was required to look at the Comcast bid because it is also of material size. We have done that and, as I set out, it does not raise the public interest concerns. I have therefore confirmed today that we will not be issuing an intervention notice. I know well the Liberal Democrats' concerns in this area, having worked with the right hon. Member for Twickenham (Sir Vince Cable) in government. I hope that the resolution we come to over the coming weeks will be one that demonstrates with confidence that Sky News will be independent and viable, and that we can therefore be content with the media plurality.

Justin Tomlinson (North Swindon) (Con): Although it was right that we had a thorough and transparent process, may I echo the comments that we need swiftly to come to a conclusion? The UK is a proud hub for investment in broadcasting and production, creating high-skill jobs. We need to demonstrate that the UK is both open to and welcoming of further investment.

Matt Hancock: I very much agree with the sentiment that my hon. Friend expresses. In coming to the House with this decision a week before the deadline and being clear about the rapidity of the next phases, I hope that we have demonstrated not only that we will be thorough and do this by the book, but also that we will get on with it.

Ian Paisley (North Antrim) (DUP): I refer to my entry in the Register of Members' Financial Interests.

I welcome the Secretary of State's statement, particularly his most welcome comments about protecting Sky News. Will he assure us that Comcast will be put through the same rigorous tests that others have been put through? Will he also assure us that we are going to see not more tunnel but some light at the end of the tunnel, and that there will be a final and conclusive decision before the summer recess?

Matt Hancock: On the latter question, yes; I very much hope so, and I am optimistic, presuming that the parties engage in full and rapidly. I have deployed my team to take forward immediately after this statement the work that is needed to finalise the procedures.

On the hon. Gentleman's first point, we have subjected Comcast's bid to the law in exactly the same way. The truth is that Comcast's existing UK media footprint is very small, so it simply does not raise the same concerns over plurality. The Murdoch family trust has very significant other media interests—not least in newspapers—whereas Comcast does not, so it is in a different situation, but we have applied the law in the same rigorous way.

Rebecca Pow (Taunton Deane) (Con): Having been a journalist and broadcaster for most of my life, I was prompted to speak because I think we should speak up for maintaining the high-quality news and journalism that Britain is famous for. That should be at the heart of this decision. We need competition, and we need Sky News still to be giving a professional service, especially in these days of fake news. That is essential. I am sure that the Secretary of State is taking this to heart, because it is important.

Matt Hancock: It is an incredibly important point on which to end. You will know, Mr Speaker, as my hon. Friend does, that I am absolutely committed to high-quality journalism in the UK. The decisions that I have announced today, along with decisions—sometimes controversial ones—to protect the future of high-quality journalism are at the cornerstone of my approach to media policy. It is vital to have a free press and free media to ensure that we have high-quality journalism underpinning our high-quality political debate.

Mr Speaker: I entirely accept that the Pow moment was a magnificent one, but the Secretary of State erred in suggested that it was the conclusion of our proceedings, for it would be a very considerable deprivation to the House if we were denied the opportunity to hear the voice of Strangford; and we will hear the voice of Strangford, I am sure, in full force and now. I call Jim Shannon.

Jim Shannon (Strangford) (DUP): Thank you, Mr Speaker; you are always very generous. It is always a pleasure to speak on behalf of the people of Strangford. I thank the Secretary of State for his statement. Avaaz has won permission to have its case for a judicial review of Ofcom's decision heard in court on 19 and 20 June, so this statement is not the last word. Does the Minister accept that if Avaaz were to win the case, Ofcom would have to go back and reinvestigate the Fox-Sky bid, adding even more uncertainty to the outcome?

Matt Hancock: There are a number of ongoing court cases in this space, and they have all been taken into account up to their most recent stages. Everything relevant has been taken into account and we have followed the process scrupulously. Nevertheless, the decision that I have set out today is based on a thorough assessment of the relevant evidence. I hope that that means that we can now proceed with getting firm and final undertakings that secure the future of Sky News and allow this to go ahead.

DiGeorge Syndrome (Review and National Health Service Duty)

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

2.29 pm

David Duguid (Banff and Buchan) (Con): I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to conduct a review into DiGeorge (22q11 deletion) syndrome; to require the National Health Service to publish a strategy after the review is complete; and for connected purposes.

This Bill would, as its long title says, place a duty on the Secretary of State and the Department of Health and Social Care, in consultation with the national health service and key stakeholders, to conduct a review into the diagnosis and treatment of DiGeorge syndrome. Those stakeholders should include sufferers from DiGeorge syndrome and their families. The Bill would also require the NHS to develop and publish a strategy for DiGeorge syndrome after that review had concluded.

For the purposes of the Bill, I have referred to this condition as “DiGeorge syndrome” with “22q11.2 deletion” in parentheses, as “DiGeorge syndrome” is the name most commonly used by the NHS. However, because the signs and symptoms of this syndrome are so varied, different groupings of its features have historically been regarded as separate conditions under a variety of different names. Those conditions are now understood to be presentations of a single syndrome with the universally accepted nomenclature of “22q11.2 deletion syndrome”. For brevity, Members will be glad to hear, I will refer to the condition as “22q” from now on.

22q is a genetic disorder caused by the deletion of between 30 and 40 genes in the middle of chromosome 22 at a location known as 22q11.2—hence the name. 22q is often referred to as a rare genetic condition. However, as the second most common chromosomal syndrome after the much more familiar Down's syndrome, it is unfortunately not as rare as the little-known name might suggest. Estimates have ranged between one in 4,000 and one in 2,000 live births, although due to the lack of familiarity with the condition, that is expected to be an underestimate. In fact, recent estimates suggest that it is as common as one in 1,000. 22q is often described as “the most common genetic syndrome you have never heard of.”

Everyone with 22q is affected differently. Most children with the condition survive to adulthood and enjoy a relatively normal lifespan and an independent life. However, 22q can lead to a range of health issues that can affect quality of life and even shorten lifespan. Congenital heart disease is a common concern, as well as defects in the palate and a range of learning difficulties. Worryingly, children who are born with 22q and present with learning difficulties are often misdiagnosed as being on the autistic spectrum. Studies have shown that although some of the developmental symptoms may be similar, the causes of the symptoms are quite different. That common misdiagnosis often leads to 22q patients receiving the wrong kind of care and support, with potentially disastrous effects.

Because the different treatments offered can be as varied as the root causes themselves, children with 22q often develop other medical issues, particularly concerning

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mental health, that could otherwise have been avoided if diagnosed correctly. Mental health issues are very common among patients living with 22q, particularly if diagnosis is missed early on. In 22q patients, mental health issues often present themselves at a much earlier age than in the general population. Schizophrenia, for example, normally has an occurrence of about 1%, whereas in the 22q population it is estimated at closer to 25%.

When I first became aware of the condition, one of the concerns that surprised me the most was the relative lack of familiarity of 22q among not only parents and educators but those in the medical profession, particularly in general practice. Because of that, many symptoms go unnoticed until they have already progressed considerably. This blind spot not only means that the NHS incurs additional costs in the long term but has a terrible impact on the patient, their family and their carers, as well as affecting employment, quality of life and mental wellbeing. Early detection of 22q provides the opportunity for early intervention and management of the condition, which can significantly improve the quality of life of patients and their families.

At this point I would like to pay tribute to the charity Max Appeal, which does a huge amount of very valuable work on 22q. It has produced a paper that argues for the introduction of a screening programme for 22q that provides earlier diagnosis of affected individuals, in turn reducing morbidity and possibly even mortality. For a relatively small cost, such a screening programme would help to keep overall healthcare costs down due to the early detection of potential related issues and the complications that I have mentioned.

22q can be detected through a simple heel-prick test that the NHS already offers to babies around five days after birth. The test entails pricking the baby's heel and collecting four drops of blood that are then tested for a total of nine conditions, including the more well-known sickle cell disease and cystic fibrosis. At the moment, no screening for 22q is performed routinely on the blood collected through heel-prick testing. Any blood tests to check for 22q are done only to confirm a diagnosis when another symptom prompts clinicians to do so, such as in the case of a cleft palate or heart defect. Clearly, that approach cannot be relied on to catch all cases, partly due to the surprisingly low awareness of the condition among GPs and other medical professionals not specialising in the field of rare genetic conditions.

The UK national screening committee does not currently have a recommendation on screening for 22q, although

some work has been done on it in the United States. For example, a 2014 study published in the journal *Clinical Chemistry* found that blood spot tests would be a promising approach for newborn screening for 22q. A 2017 study in the *Journal of Clinical Immunology* looked primarily at screening for severe combined immunodeficiency, or SCID. That study discussed the potential introduction of newborn blood spot testing for 22q. The authors of the study concluded:

"Assays which screen for 22q11.2 Deletion Syndrome using dried blood spots have been developed and proven to be effective and efficient...Population-based studies should be completed to demonstrate the efficacy of these assays on a larger scale...However, the clinical characteristics, diagnosis, management, and treatment of 22q11.2 Deletion Syndrome have been shown to meet the criteria for new-born screening programs and support the need for earlier diagnosis."

Screening for SCID is currently being trialled in the UK, and it is believed that it could be extended to a "two birds with one stone" approach by trialling screening for 22q. As I mentioned, Max Appeal has produced a paper that argues the case for that. I hope that the Secretary of State and the relevant Ministers at the Department will consider reading it.

I know that Ministers and fellow Members will be as concerned as I was to learn of the struggle facing 22q patients and their families. It is for that reason that I am asking the House that leave be given to bring in a Bill to require the Secretary of State and the Department for Health and Social Care to conduct a review into 22q, and to require the NHS to publish a strategy after that review is complete. Whatever the outcome, that would be of real value and of real reassurance to the thousands of families around the UK who are affected. There is so much that we can do to help those families in a sensible, proportionate and cost-effective fashion.

Finally, I would like to invite the Secretary of State, his Ministers at the Department and any hon. Members who would like to hear more about this issue to attend the next meeting of the all-party parliamentary group on 22q11 syndrome, of which I am the chair, on 26 June. I know that Max Appeal and the families that it represents, who are spread across the country in many colleagues' constituencies, would be very grateful to see them there.

Question put and agreed to.

Ordered,

That David Duguid, Heidi Allen, Mr Robert Goodwill, Alex Sobel, Norman Lamb, Jack Lopresti, Vicky Ford, Melanie Onn and Jim Shannon present the Bill.

David Duguid accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October and to be printed (Bill 218).

Offences Against the Person Act 1861

Emergency debate (Standing Order No. 24)

Mr Speaker: We now come to the emergency debate. Before I call the opening speaker, I should point out that no fewer than 22 Back-Bench Members are seeking to contribute, and there will have to be a time limit. How strict it is depends on the early part of the debate.

2.39 pm

Stella Creasy (Walthamstow) (Lab/Co-op): I beg to move,

That this House has considered the role of the UK Parliament in repealing sections 58 and 59 of the Offences Against the Person Act 1861.

I want to start by thanking you, Mr Speaker, for granting this debate and all the Members who have given their cross-party support. I have always believed that abortion is a non-partisan issue, and I want to pay tribute to the hon. Members for Totnes (Dr Wollaston), for East Dunbartonshire (Jo Swinson), for Dwyfor Meirionnydd (Liz Saville Roberts) and for Brighton, Pavilion (Caroline Lucas) for their work on this issue, and in particular my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), who has led the efforts on decriminalisation.

There are many issues ahead of us today: decriminalisation, devolution and domestic abuse, but above all, it is about a particular “d”—dignity: the dignity of women to be able to choose for themselves what to do with their own bodies. I am proud to have been able to work on this issue with the Alliance for Choice, the London Irish Abortion Rights Campaign, the British Pregnancy Advisory Service, the Family Planning Association, Marie Stopes and Amnesty International. We have not stopped planning for this since last year’s vote to secure access for Northern Irish women to abortion here on the NHS. The truth is that we knew that that solution did not answer the test that Arlene Foster herself has set, to ensure that the men and women of Northern Ireland are not treated differently by the United Kingdom Government.

But it is the impact of the Irish referendum that brings us here today. The Irish Taoiseach Leo Varadkar welcomed the yes vote in Ireland a week ago, saying that Ireland will no longer say to women, “Take the boat” or “Take the plane” when they need an abortion. Instead, he said, Ireland will say, “Take our hand.” It is now time for us to offer our hands to the women of Northern Ireland in the same way. They are women who face a situation where if they are raped and seek a termination, they will face a longer prison sentence than their attacker; women who, when they have a heartbreaking diagnosis of a fatal foetal abnormality, have to go abroad to seek treatment; and women who are currently on trial. Indeed, the mother of a 15-year-old girl who was in an abusive relationship is currently being prosecuted for buying her daughter misoprostol online.

Paula Sherriff (Dewsbury) (Lab): I thank my hon. Friend for giving way and for securing this very important debate. Does she agree that because abortion has not been decriminalised in Northern Ireland, women are still going for abortions, whether that involves travelling

to the UK at great expense or, in the worst-case scenario, getting backstreet abortions, which I am sure we all want to avoid?

Stella Creasy: My hon. Friend makes a key point. Stopping the provision of abortion does not stop abortions happening; it simply increases the risk of a woman either having to make that degrading and lonely journey to another country or risk buying pills online and the problems that come with them, including the threat of prosecution if something goes wrong with the pills and she seeks medical help.

Caroline Lucas (Brighton, Pavilion) (Green): Will the hon. Lady give way?

Stella Creasy: I will happily give way to one of the co-sponsors of the debate.

Caroline Lucas: I am grateful to the hon. Lady for giving way and pay tribute to her for all her work in securing this important debate and much more besides. She will know that the United Nations Committee on the Elimination of Discrimination against Women has said that the situation in Northern Ireland constitutes “grave and systematic violations” of human rights. Does she agree that it is essential that we send a message from the Chamber today to any woman or girl in Northern Ireland, saying, “We are with you. We will continue to stand up for your human rights, and we won’t stop until you get them”?

Stella Creasy: I thank my hon. Friend for her intervention. Yes, the UN has criticised us. So too has the Northern Ireland Human Rights Commission, which this week brought an appeal to the Supreme Court, so that it can rule on whether the situation in Northern Ireland breaches the European convention on human rights.

It is worth remembering when we talk about Northern Ireland that the UK committed alongside Ireland in the Good Friday agreement to uphold the human rights of all citizens in Northern Ireland. It is that commitment that we are asking the Government to honour. The Good Friday agreement was the basis for institutions being obliged to comply with those obligations under the Human Rights Act 1998, but without the institutions that exist in Northern Ireland, those rights are not being upheld.

Michael Fabricant (Lichfield) (Con): I am grateful to the hon. Lady for giving way, and I too congratulate her on securing the debate. Does she agree that it is surprising but rather wonderful that the Republic of Ireland is leading the way on this and also on gay marriage, and that, notwithstanding devolution, Northern Ireland should look now to the south and say, “They are leading the way, and we should follow”?

Stella Creasy: I would like to join my colleague in his remarks. I hope he was a supporter, as I was, of the wonderful work that my hon. Friend the Member for St Helens North (Conor McGinn) did on making the case for equal marriage in Northern Ireland—a case that I wholeheartedly supported, and I hope the Government will too. Devolution, even when it is

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functioning, does not relieve this place of our responsibility to uphold human rights, whether in Northern Ireland or elsewhere.

Carolyn Harris (Swansea East) (Lab): My hon. Friend will know that, as a Welsh MP, I respect devolution more than most, having to live it every day of my life, but this issue and that of equal marriage in Northern Ireland deserve to be tackled in the here and now, and devolution should not be used as an excuse to deny women the right to abortion and to prevent equal marriage. This is 2018. Both these issues are contemporary, and they are about equality and basic human rights.

Stella Creasy: As ever, I agree completely with my Welsh comrade.

This outdated legislation is not just having an impact in Northern Ireland, and that is why this is a matter for the whole House. Women across England and Wales are also buying pills online rather than seeking repeated visits to doctors. One study showed that in a four-month period last year, 500 British women attempted to access abortion pills from one online supplier alone and so would be liable to prosecution under this archaic rule. This situation is not simply about Northern Ireland. It is about legislation that this House has passed, and that is why this House must act.

I want to be very specific today about what I am proposing, because I understand that there are concerns.

Lady Hermon (North Down) (Ind): I am very grateful indeed to the hon. Lady for giving way. This is of course a very, very sensitive and controversial issue, particularly in Northern Ireland. I need to reflect to her the fact that I have received a large number of emails from constituents who feel that MPs at Westminster are usurping the powers and responsibilities of the Northern Ireland Assembly during a period when we have not had a functioning Assembly—I wish we did have one, and I look to my colleagues on the Democratic Unionist party Benches and urge them to get the Assembly up and running again. How can the hon. Lady reassure my constituents that today's very important debate does not undermine the devolution settlement in Northern Ireland?

Stella Creasy: I thank the hon. Lady for her question and absolutely wish to take up the challenge that she presents, because I completely respect the point of view that she puts forward. Let me therefore make some progress and set out precisely what we are proposing.

The Offences Against the Person Act 1861 puts abortion in the same category as homicide, destroying or damaging a building with the use of gunpowder with the intent to murder, child stealing, rape, and defilement of women. Abortion might be the most common procedure that our constituents who are women of reproductive age undergo, but even today, in 2018, we do not let them make the choice themselves to have that procedure.

We would like to repeal sections 58 and 59 of OAPA. Letting sections 58 and 59 stay on the statute book does not address many of the challenges that we see today in abortion provision. For example, extending the Abortion Act 1967 does not address the impact of the

pills I mentioned, or indeed the paternalism that says women are not to be trusted to make choices about their bodies.

I also want to be clear about what we are not doing in repealing those sections of OAPA. This is not an attempt to remove the criminal charges that come after 24 weeks—let me make that explicitly clear, because I have seen briefings from some anti-choice organisations that suggest otherwise. We are not intending to amend or repeal the Infant Life (Preservation) Act 1929, which covers and still has the power to criminalise abortions after 24 weeks of pregnancy. Decriminalising abortion up to 24 weeks of pregnancy would mean that the Abortion Act 1967 became redundant before 24 weeks of pregnancy. As abortion before 24 weeks of pregnancy would no longer be a crime, we would no longer need the 1967 Act to act as a defence for women who had sought such an abortion. However, the exemptions that the 1967 Act provides for termination post 24 weeks would remain, and the 1967 Act would provide exemptions to prosecution under the Infant Life (Preservation) Act—for example, in cases of severe foetal abnormality or where the mother's life is at risk. That might seem complicated, so let me put it as simply as possible: the time limit would not change, nor would the important role of medics in this matter.

I respect and recognise that some people do not consider abortion a human right and so think a criminal approach is the right response. I recognise that for many more, it is not that that worries them, but the constitutional issues at stake. Even though the Good Friday agreement explicitly retained human rights responsibilities for this place, let me reassure those MPs who want to uphold the role of devolved Assemblies that repealing OAPA would not write a particular abortion law for anyone, but would require them to act. This proposal would respect devolution; it would not reject it.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I just want to be absolutely clear. I think the hon. Lady is suggesting that Northern Ireland has UK abortion at 24 weeks, not Republic of Ireland abortion at 12 weeks. Is that correct?

Stella Creasy: Let me reassure the hon. Gentleman: I am not proposing any particular law. What we are talking about is repealing the existing UK legislation that requires Northern Ireland law to act in a certain way. Doing so, unlike imposing a referendum or extending the 1967 Act, would be in line with our human rights responsibilities, which is why the United Nations has asked us to do this, and it would not impose a specific outcome on Northern Ireland.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Will the hon. Lady explain how, and does she agree with me that, repealing these provisions in the Offences Against the Person Act would actually give more powers to the devolved bodies?

Stella Creasy: Absolutely. The hon. Lady—my colleague in writing this proposal—is absolutely right. It simply means that the Northern Ireland Assembly, if it is reconstituted, cannot ignore this issue, because there would be a gap that then had to be filled by medical regulation.

Wera Hobhouse (Bath) (LD): Will the hon. Lady give way?

Stella Creasy: If I may, I would like to make a little progress, because I realise some of this is quite technical.

I want to set out very clearly why a referendum would not be the right approach. Those who are suggesting it need to be clear about what the question would be. What would they consult the public on, and who would write the question? If the law were passed, who would then implement it? Indeed, if we had a referendum on bringing abortion rights or a particular form of abortion to Northern Ireland, would we also allow a referendum on other contested issues, such as the Union itself?

I may not share the views of my colleagues from the DUP about a woman's right to choose, but I find myself in agreement with the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson), who wrote to one of his constituents saying, "inevitably it is" Westminster "politicians who have to make the call on this".

He recognises that

"this law applies across the whole of the United Kingdom and not just Northern Ireland",

so it is right for MPs in this House to consider whether repealing sections 58 and 59 of OAPA is the right thing to do. I also note that he recognises and acknowledges that

"there is no substantive support among the local political parties"—in Northern Ireland—

"for extending the 1967 Abortion Act",

because people would like to be able to write their own legislation. By repealing these provisions in OAPA, we will make that a possibility, and we will therefore make that a possibility in England and Wales as well.

Wera Hobhouse: Just to be absolutely clear, does the hon. Lady agree that repealing the provisions in the 1861 Act allows us to adhere to the devolution settlements and to respect women's right to choose? They are not contradictory.

Stella Creasy: Absolutely. Indeed, this is in line with respecting the work that has been done in the Northern Ireland Assembly, when it was constituted, on abortion rights. Working parties had started to look at the kind of medical regulation that might be required. Because there is no Assembly at the moment, those rules cannot be taken forward. However, even if there was an Assembly, OAPA—unless these provisions are repealed—would define that conversation.

Ian Paisley (North Antrim) (DUP): The hon. Lady will of course know that when the Assembly debated this matter in 2016, it totally rejected the proposals she is making to the House. Does she agree with me that removing sections 58 and 59 means there would be no regulatory framework whatsoever in Northern Ireland to govern legal abortions. A massive hole would be left in the law in Northern Ireland, and there would be no right for medical practitioners to exercise their conscientious objections.

Stella Creasy: I thank the hon. Gentleman for his intervention because it is helpful for people to understand how the DUP interprets the situation. I obviously interpret it differently. I look to what happened in the Assembly, when the DUP argued that the idea, in relation to fatal foetal abnormality, required proper consideration—the DUP did not reject it—and, indeed, set up a working

party, which has just issued a report on how conditions leading to access to a medical abortion may occur. I therefore do not think that the idea that this was rejected out of hand by the Assembly is fair.

I would gently highlight to the hon. Gentleman that there have been two Assembly elections since then, so there is no guarantee that the view of the Assembly would be the same as the view in 2016. The argument he is making is precisely for the Northern Ireland Assembly, or indeed for the civil servants, to fill the gap, rather than against the gap being created, by repealing this UK legislation.

Let me be clear to other Members in the Chamber who may have heard the suggestion that there would not be any safeguards—

Karen Lee (Lincoln) (Lab): Will my hon. Friend give way?

Stella Creasy: If I may, I will continue—

Karen Lee: It is one sentence on that point.

Stella Creasy: Then I will happily give way, because I would love to hear what my hon. Friend has to say.

Karen Lee: Directly before entering the House, I actually worked for two years in gynaecology clinics, one of which was for terminations of pregnancy. If a doctor has a conscientious objection, they do not have to sign certificate A; they can come out of the process and not do so.

Stella Creasy: I thank my hon. Friend for her contribution to this debate, which is much welcomed.

Let me reassure Members that, as for every other medical procedure, there are safeguards that are not in OAPA or even in the Abortion Act, but in existing medical regulation. Therefore, these safeguards would not change with decriminalisation. Indeed, the 1967 Act, which is supposed to safeguard women, says nothing about informed consent and is entirely silent on these issues. Clinicians are required by law to obtain informed consent before performing any medical procedure, or risk criminal sanction. We are asking for abortion to be subject to exactly the same medical regulations as all other procedures. By repealing these provisions in OAPA we, as the UK Parliament, can show women across the UK that we trust them with their own healthcare, wherever they live. We can also show that we trust every legislature, including in Northern Ireland, to create modern abortion laws. The crucial issue for those of us who support decriminalisation is: when can we do this? For me, that is the question for Ministers today.

David Simpson (Upper Bann) (DUP): Will the hon. Lady give way?

Stella Creasy: I will happily give way one more time, but then I really want to make some progress.

David Simpson: The hon. Lady has mentioned that this is very technical and that there is a lot of legislation to go through, but may I ask her one small question? In her aims and objectives in all this, where do the rights of the unborn child and the life of such a child come in?

Stella Creasy: If I may, I will happily come on to the question about rights and to the moral debate on abortion. I recognise that there are different opinions within the House and indeed within Northern Ireland on this issue, which is why this is not a partisan issue. If I may, I will finish my point and then come on to exactly that.

The Government are currently consulting on the domestic abuse legislation. Indeed, I previously met the former Home Secretary to discuss this and the opportunity that Bill presents for us to make progress. I understand Ministers' concern to stop abortion being used to control women, so their interest in OAPA in relation to this legislation was perhaps different from mine. I would also highlight to Ministers that the Serious Crimes Act 2015 criminalises controlling or coercive behaviour in family or intimate relationships. I would argue that the men prosecuted under OAPA for intentionally causing the loss of a wanted pregnancy could well have been prosecuted under the existing assault law.

Furthermore, organisations like Women's Aid and End Violence Against Women both support decriminalisation, because they recognise that current criminalisation puts vulnerable women at risk. A study has shown that one in five women who bought pills online did so because they were in a violent or controlling relationship. We do not protect women by criminalising them. That is why so many medical bodies are also calling for decriminalisation; the royal colleges and the British Medical Association are just some of them. Indeed, the president of the Royal College of Obstetricians and Gynaecologists has argued that the legal situation in Northern Ireland means its healthcare professionals "struggle to provide" the support they would like to give women who need an abortion or to manage any post-abortion complications safely. We also know that this is the view of the Northern Irish public. The majority—whether individuals from any particular political background, religious background, age or ethnicity—would like abortion to be managed as a medical rather than a criminal issue.

I have respect for people who hold a different view on abortion itself and the role that it plays in equality, but I see abortion as an equalities issue, because men and women will never truly be free while one cannot control what happens to their own body. Indeed, as the residents of Gilead have shown us, that is fundamental to human rights. I therefore make no apology for putting the safety and dignity of women first, as part of equality between the sexes.

I know I will get abuse online for saying so because, frankly, women get the blame whatever we do in such situations. Indeed, judging by the emails I have had today, it is either my or my mother's fault. I made the mistake that many MPs make of actually reading my emails today:

"Your views are a disgrace to humanity and the betrayal of the truly innocent. Woman can always say no or keep their clothes on!!"

"You madame were once an Embryo, You madame were once a fetus in your mother's womb; You were once a PRE-BORN baby."

"I wonder what decision you would have wanted your mother to make about your life or death had she been given the opportunity in the months before you were born?"

I respect those who disagree with abortion on all grounds as a matter of faith, and I make this simple point to those who think only of the extremes: if they

support access to abortion only in cases of rape, incest or fatal foetal abnormality, in essence their concern is more about the manner in which a woman became pregnant than about abortion. Why does it matter if we trust women and give them the chance to control their own bodies rather than being forced to continue an unwanted pregnancy? Because it is about freedom. So shout at me all you want—this is not Gilead, and we should not be frightened to speak up for the equal rights of women. Not to do so is to put women's lives and liberation at risk.

The truth is that, in 2018, we still do not trust our own women. This is the one healthcare decision that no UK woman can make on her own. That is why the UN has called on us to repeal these specific sections of law; no Assembly, nor indeed this place, can make any progressive law for itself on this subject without doing so. In supporting this proposal, every Member can send a message that, in 2018, all the women of the UK deserve to be treated as equal citizens.

Jo Stevens: Will my hon. Friend give way?

Stella Creasy: I am just about to finish, so I will not.

One hundred and fifty years is a long time to wait for social justice, so let us not wait anymore. Today we ask the Minister to commit to a timetable for when the will of the House can be tested on this issue, so that rather than waiting 150 years, we wait at most 150 days before we see change—so that we truly get, in the 21st century, 21st century laws. The "d" today is for the debate, but we must have time for the other "d": decision making, to bring dignity to all our constituents. I ask the Ministers: give us a date.

Several hon. Members *rose*—

Mr Speaker: Order. On account of the heavily subscribed character of the debate, I am afraid that it will be necessary to begin with a limit of six minutes on Back-Bench speeches.

3.1 pm

Mrs Maria Miller (Basingstoke) (Con): I apologise to the House for the fact that I have to leave this debate early, but I could not resist the impassioned call of the hon. Member for Walthamstow (Stella Creasy) for a debate yesterday and the opportunity to take part in it today.

The issue deserves a debate. We should never be afraid to say what we think in this place, particularly on issues of conscience. We need a change. In 2016, 724 women from Northern Ireland travelled from there to England for abortion care. I think that it is wrong that women in Northern Ireland do not have the same access to abortion as my constituents do. I would like to thank Annette Service, the manager at the British Pregnancy Advisory Service in Basingstoke, for writing to me with her impassioned plea for change in this area.

I believe that the situation should not exist. The fact that the same rights are not available in one of the four parts of the UK—not even when it comes to fatal foetal abnormalities, rape or incest—is difficult to understand. Why, oh why was it decided in 2003 to devolve this sensitive matter, which relates to international obligations, mentioned by the hon. Member for Walthamstow, such as the convention on the elimination of all forms of

discrimination against women and the Istanbul convention? It is difficult to understand, even from the *Hansard* report, the rationale behind why that was done in this way. In many ways, it feels as though the rights of Northern Irish women were traded as part of the devolution settlement.

People in Northern Ireland want change. The Northern Ireland Assembly has acknowledged that and the Department of Justice report, issued in 2015, stated clearly that there was a pressing need to change the criminal law to provide terminations in clearly defined circumstances. The general public want change. The latest Amnesty International poll suggests that 68% of Northern Irish people feel that people should not be punished if they have an abortion. Professional bodies want change, including the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists.

Michael Fabricant: Does my right hon. Friend think the time has come for a referendum on this subject in Northern Ireland, just as there has been in the Irish Republic?

Mrs Miller: My hon. Friend has brought up an important issue, to which I will come in a moment. There may be a way for people in Northern Ireland to express their views at a time when they do not have a functioning Northern Ireland Assembly.

I was talking about people who are calling for change—whether at the Northern Ireland Assembly, at the Department of Justice, among the general public or in professional bodies, or, as the hon. Member for Walthamstow mentioned, in the courts, which are also considering the need for change; a case before the Supreme Court will be decided shortly.

Ms Angela Eagle (Wallasey) (Lab): The right hon. Lady is making a powerful case for change. What does she now believe to be the best course for her Government to take to facilitate a decision in this area?

Mrs Miller: I thank the hon. Lady for her intervention. I will come to that issue in the short time that I have left.

I commend the hon. Member for Walthamstow for bringing this issue before us today, but the House must understand—and she made this clearer today than during her intervention yesterday—that repealing sections 58 and 59 of the Offences Against the Person Act 1861 would have profound impacts for the whole United Kingdom. I am not saying that those changes could not be strongly argued for, but I believe that today's debate is about the situation facing women in Northern Ireland. We need to make sure that we are focusing on that in particular, because although decriminalisation is an option—the hon. Lady is right—it is not the only option for improving the situation for women in Northern Ireland. I want to draw on three particular issues.

First, is there a disconnect between public opinion and the policies being pursued in Northern Ireland? What progress has been made on the ground and what action, if any, can the Government take to make sure that, if progress is lacking, things can be done to rectify that? When I read the research—I also read the consultation, which was extensive and thorough—I thought that a strong argument could be made for a call for change to be inherent in the community in Northern Ireland. I do

not represent that community; as I look at Northern Ireland Members, I hope that in their contributions they will explain why there is an apparent difference between the public opinion being offered to us and the approach being taken to date by the devolved Administration. I deliberately tread carefully and respectfully on this matter. I truly believe that we should not start any changes here that would make people feel disfranchised as part of this process.

Secondly, we have to recognise that a great deal of progress has already been made; there has not been much detail about that so far in this debate. There was the consultation in 2014 and the report in 2015 mentioned “a pressing need”

for

“change to the criminal law...to provide for lawful termination of pregnancy...in...clearly defined circumstances”.

That has already been called for. In 2016, legislation was introduced by the then Minister for Justice to bring about some of those changes. In 2018, just last month, a report from a working group on fatal foetal abnormalities again recommended that change should come in.

Change is called for. What can we do today to try to make sure that the absence of an Executive and an Assembly does not stand in the way? There are clearly opportunities with the case that is going through the Supreme Court, and I hope that the Minister is able to share with us more about the Government's feelings on that. Perhaps the Minister can also talk about the action that can be taken in the absence of an Executive, to continue the deliberations and the important detailed work needed in this place.

Joanna Cherry (Edinburgh South West) (SNP): Will the right hon. Lady give way?

Mrs Miller: I will not, if the hon. and learned Lady will forgive me.

I simply do not believe that no action will be taken when the Northern Ireland Assembly is formed again, but if none is, what can the Government do to ensure that there are no potential breaches of international conventions such as the ones I have already talked about?

This place legislated to devolve powers on abortion to Northern Ireland. We cannot ride roughshod over that, and we have a responsibility to uphold the law. Equally, the lack of a functioning Assembly hampers progress. Westminster has a right to disagree with the Assembly and the actions that it has taken, and this debate should be a vigorous exploration of all those arguments. But we have clear international responsibilities to outlaw discrimination against women. We need to make sure that we, as Westminster parliamentarians, are doing for that for women in the four corners of the United Kingdom.

3.9 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I welcome the opportunity to speak in this debate as a Member of Parliament, having represented my constituency for 21 years. Listening to debates in this place, I sometimes think that when people look at me they think I have a disconnect with the people I represent. Frankly, I would not have been returned to this House for my sixth term

[*Sir Jeffrey M. Donaldson*]

in Parliament if I was so disconnected from the people I represent. I am their voice in this House and I respect the voices of others, but the voices of the elected representatives from Northern Ireland should be heard in this debate.

This issue is one of great sensitivity, which deeply divides opinion both in this House and beyond, including in Northern Ireland. The subject of abortion incites strong and passionate responses for understandable reasons. I take part in this debate with that reality firmly in mind. My party has been from its very inception a pro-life party. We believe that law and policy in Northern Ireland should affirm and uphold the rights of both mothers and unborn children.

We have not been alone in Northern Ireland in upholding that stance. Politicians across the political divide and religious spectrum in Northern Ireland—as in other parts of the United Kingdom—have, and continue to hold, a similar view to the DUP. This includes both Unionists and nationalists in Northern Ireland, and people of all faiths and none. The nationalist parliamentarian, the former hon. Member for Foyle, Mark Durkan, spoke eloquently in this House in defence of the pro-life position. Some of the best proponents of the pro-life position in Northern Ireland have come from the republican tradition, such as Francie Brolly, a former Member of the Legislative Assembly, and his wife Anne, a former mayor of Limavady. Both are Sinn Féin representatives who hold a pro-life position. The idea therefore that the only party in Northern Ireland that is pro-life and holds this view is the DUP is a nonsense that betrays an ignorance of the political situation in Northern Ireland and of the views of political parties that I encourage Members to acquaint themselves with more closely.

Liz McInnes (Heywood and Middleton) (Lab): Is the right hon. Gentleman aware that in countries where abortion is legally restricted there are 37 abortions per 1,000 women and that where abortion is regularly available there are 34 abortions per 1,000 women? Restrictive abortion laws do not prevent women from seeking abortion; they only endanger women's health and lives as they seek unsafe procedures. That is not pro-life.

Sir Jeffrey M. Donaldson: I beg to differ with the hon. Lady. Research in Northern Ireland shows that since the introduction of the Abortion Act 1967 here, 100,000 people in Northern Ireland are alive today because we in Northern Ireland did not accept that law. That research has been backed up with proper scientific fact. I am proud of that pro-life position. I am proud of the fact that there are so many people alive in Northern Ireland today because we have a law that respects the rights of both women and the unborn child. We will maintain that position.

Contrary to some of the claims made by some in favour of liberalising the law in Northern Ireland, the law in Northern Ireland has been shown to reduce the number of abortions in our jurisdiction. That is a fact. The Both Lives Matter campaign, which has been very effective in Northern Ireland, demonstrated with its research that that is the case. For that reason, I am very thoughtful about any change in the law in Northern Ireland. Furthermore, we have long argued that it is for

the people of Northern Ireland, through the Northern Ireland Assembly, to decide what the law on abortion should be. I very much respect the points made by the right hon. Member for Basingstoke (Mrs Miller) in that regard and we thank her for that acknowledgement.

This House made a decision in 2008 to devolve to Northern Ireland policing and justice powers, as the right hon. Lady reminded us. This House took that decision, which included the power to decide what the law on abortion in Northern Ireland should be. The Labour party was in power at that time and took that decision. I remind Labour Members that they do not contest elections in Northern Ireland. If they want to test the waters on this issue, we invite them to come and put their views forward and to contest elections in Northern Ireland. We are a functioning democracy. I might point out that its sister party in Northern Ireland is a pro-life party.

For our part, the DUP stands ready to take its place in both the Assembly and Executive today and without preconditions. We are ready to take on responsibility for governing Northern Ireland. We stand ready to work with the other parties to take decisions on sensitive issues like abortion, to arrive at an outcome that reflects the will of the people of Northern Ireland, respecting the rights of both women and unborn children and upholding the principle that both lives matter.

Emma Little Pengelly (Belfast South) (DUP): Does my right hon. Friend agree that although there are deeply sensitive issues we must consider in Northern Ireland, such as life-limiting conditions also referred to as fatal foetal abnormality, this proposal would impose on the people of Northern Ireland one of the most liberal abortion regimes anywhere in the world: abortion on demand up to 24 weeks in the absence—this is a fact—of a regime or guidelines? Currently, they do not exist, and if this measure went ahead, there would be nothing there apart from legality and decriminalisation up to 24 weeks.

Sir Jeffrey M. Donaldson: I thank my hon. Friend for that intervention. In truth, if what is proposed under this motion was to actually happen, it would have dramatic consequences for Northern Ireland. That is absolutely clear and I think even the mover of the motion acknowledged there would be a very significant gap. We need to have this debate in Northern Ireland: a reasoned debate that engages the political parties and civil society, so we can collect the voices and come to a decision on how best to proceed with regard to the law on abortion. In the Northern Ireland Executive, the DUP supported the establishment of the expert working group, which has now published its report specifically on the question of unborn children diagnosed with a life-limiting condition. We are considering that report, which has recently been published, and the key recommendations it makes.

This is a very sensitive area and women in receipt of such devastating diagnoses deserve our utmost sympathy and our support. No one could fail to be moved by the harrowing cases of those who have found themselves in such tragic circumstances. We want to develop a new Northern Ireland-wide service for women in those circumstances to ensure that they receive the best information, advice and co-ordinated care and to ease

their journey through our healthcare system. I am keen to ensure that we enhance our perinatal palliative care, with a view to Northern Ireland becoming an exemplar in this area.

We want to listen to the voices of civil society. We want to listen to what people have to say—the voices of women like Sarah Ewart, who has spoken passionately about her own experience of pregnancy and abortion in the most difficult of circumstances and has argued for change in cases involving unborn children with life-limiting conditions. I also refer to the voice of my own constituent who wrote to me last evening on hearing about this debate:

“Apparently there is to be a discussion in the Commons on our abortion laws. As the daughter of a rape victim and an unrepresented Catholic I would ask that you take a positive pro-life stance and protect the most vulnerable in our society.”

There are strong voices on both sides of this debate. This is a devolved issue. It should be left to the people of Northern Ireland.

Mr Speaker: Before I call the Secretary of State for Northern Ireland, I remind colleagues that inexorably the time limit on Back-Bench speeches will fall if there are huge numbers of interventions—there will inevitably be interventions; they are part of the debate—and if Front Benchers, not so constrained, were inadvertently to dilate at excessive length. I know that they will not, because that would be uncollegiate and they will not want to be uncollegiate.

3.19 pm

The Secretary of State for Northern Ireland (Karen Bradley): I start by welcoming the opportunity to take part in a debate on this incredibly important issue. I pay tribute to all hon. Members who secured the debate, and particularly the hon. Member for Walthamstow (Stella Creasy). She has campaigned on this issue for many years and I know that she will continue to do so. I always welcome the opportunity to hear her incredibly passionate and moving contributions.

I also apologise, Mr Speaker, because, as you know, I will need to leave the Chamber before the end of the debate. The Under-Secretary of State for Northern Ireland, my hon. Friend the Member for North West Cambridgeshire (Mr Vara), will be here throughout the whole debate, as will Ministers from Departments that cover a whole spectrum of the issues that we are debating today. If specific points need a response, I will ensure that I respond personally to those Members who make them.

I—and you, Mr Speaker—have listened very carefully to all the different views on this matter that have been expressed today and previously. It is clear that there is a range of views across the House. I am also aware of the personal stories that lie behind this issue. Abortion is a very sensitive issue, regardless of where people’s views lie. It is therefore important for us to debate this issue with due care and sensitivity, and that was why I stood yesterday to support the hon. Member for Walthamstow in securing the debate.

It has long been the case that abortion has been a matter of conscience in this House. It has been, and will continue to be, subject to a free vote. While I appreciate that the recent referendum in Ireland has undoubtedly reinvigorated the debate in Northern Ireland and throughout the rest of the United Kingdom, we have to be careful not to react without careful consideration.

Ian Paisley: Is the Secretary of State travelling to the point in her speech at which she acknowledges that what we are debating is not about Northern Ireland, because what is in front of us is a proposal that would fundamentally change forever the rules governing abortion across the whole United Kingdom? That should not be done in the heat of the moment following something that happened in a foreign jurisdiction—the Republic of Ireland.

Karen Bradley: The hon. Gentleman makes an important point. It is important to note that the proposals that we are debating would have an implication for the whole United Kingdom, but I will restrict my remarks to Northern Ireland, if he will forgive me.

Diana Johnson (Kingston upon Hull North) (Lab): I am grateful for the tone that the Secretary of State is adopting.

In the previous Parliament—in March 2017—the repeal of sections 58 and 59 of the Offences Against the Person Act 1861 was debated after I brought in a ten-minute rule Bill. There was a vote in this Parliament, and it was successful—the proposal had the support of the House. This issue has therefore been around for some time; it is not something that we are rushing to in haste.

Karen Bradley: I pay tribute to the hon. Lady. I know she brought forward her ten-minute rule Bill and that she feels passionately about the issue. I am merely making the point that, as Northern Ireland Secretary, I am looking at this in the context of Northern Ireland. There is a wider debate—that is why Ministers from the Departments affected by the issue of abortion are in the Chamber—and it is extremely sensitive. There are many strongly held views across all sides of the debate, and particularly across all sides of the debate on abortion reform in Northern Ireland.

Let me turn to the referendum in Ireland. It was undoubtedly a significant moment in the history of that country, but its read-across to the situation in the United Kingdom has to be treated with care. On 25 May, Ireland voted to repeal the relevant article of its constitution, commonly known as the eighth amendment, which since 1983 has given unborn fetuses and pregnant women an equal right to life. The referendum followed many years of debate and discussion in Ireland, and the process is not yet over. Although a significant majority supported repeal, the proposal now needs to be debated and passed by both Houses of the Irish Parliament to determine what type of reform works best for Ireland. It is important to be clear that what we witnessed was specific to Ireland, where a change to its written constitution requires a referendum.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Is not the experience in Ireland a perfect example of what this proposal would do? It proposes removing the bar—the criminal offence—and then allowing a debate in this place and other devolved areas about how abortion could be regulated. Is that not where we should be going, rather than restricting?

Karen Bradley: Today’s debate is undoubtedly about whether that is the right approach, but I want to be clear that, in the Republic of Ireland, a referendum is required for constitutional change. That is not the situation

[Karen Bradley]

in the United Kingdom, including in Northern Ireland. I want to be clear that there are very significant differences. We do not know what the Irish law will look like. That has to be debated and then taken through both Houses of the Irish Parliament. We cannot simply read across from the vote. The referendum was decided by the people of Ireland, and the process is now to be taken forward by the Irish Government. It is clearly a matter for the Irish, and it should not be implied that that should automatically extend to the people of Northern Ireland.

Karin Smyth (Bristol South) (Lab): Will the right hon. Lady give way?

Karen Bradley: Of course I will give way to the hon. Lady, who I know has a great interest in this area.

Karin Smyth: I am interested in the Secretary of State's thoughts. She is of course right that the situation is very different in the Republic, but the situation across the island of Ireland is now very important. What has happened has massive implications for Northern Ireland. Has she spoken to the Irish Government about the implications of women travelling from the north to the south, and about the relationship now, in the spirit of the Good Friday/Belfast agreement, regarding this issue on the island of Ireland?

Karen Bradley: I have of course spoken to the Irish Government, as I do regularly, and as I do with all the main parties in Northern Ireland. However, let us be clear: this referendum was to allow a change in the law. The law has not changed in the Republic. In Ireland, there is still a prohibition on abortion, as there was previously, and it is now for both Houses of the Irish Parliament to debate what the law should look like. I make the point that this is not a simple process. It takes time, and the matter will need consideration in the Irish Parliament.

Andrew Selous (South West Bedfordshire) (Con): Does the Secretary of State agree that the legal effect of repealing sections 58 and 59 of the Offences Against the Person Act 1861 would be to allow terminations right up to the point of birth?

Karen Bradley: There are a number of interpretations of what that might or might not mean, but I suggest that that is part of a separate debate. Today we are debating the matter in Northern Ireland, and I wish to return to that and make some progress.

Stella Creasy: Will the Secretary of State give way?

Karen Bradley: Of course I will give way to the hon. Lady.

Stella Creasy: It is worth pointing out that we are talking about the repeal of OPA across the United Kingdom. We are not talking about getting rid of the Infant Life (Preservation) Act 1929, which criminalises abortion after 24 weeks. Nobody is talking about changing the time limits in England and Wales, or imposing this in Northern Ireland. Clearly in this debate it is fact not fiction that matters.

Karen Bradley: I will now make some progress, but I did want to hear from the hon. Lady, given that she secured the debate.

Turning to the situation in Northern Ireland, I am aware that a number of voices are calling for reform, including those of the women and girls most affected, but it is clear to me that there is currently no consensus on what that reform should be, even among those who want to see change in Northern Ireland. For example, there are those in favour of extending abortion in cases of fatal foetal abnormality, or of rape and incest, but others want to extend the laws that apply here to Northern Ireland. There are a number of views, and we have to consider them all respectfully. Of course, all sides in the debate need to be listened to with courtesy and respect.

Abortion has been a devolved matter in Northern Ireland since it was created in 1921, and it would not be appropriate for Westminster to seek to impose its will, or to be the arbiter of an issue that has long been devolved to the people of Northern Ireland. The Government believe that the question of any future reform in Northern Ireland must be debated and decided by the people of Northern Ireland and their locally elected, and therefore accountable, politicians.

Lady Hermon: I am listening attentively to the Secretary of State. She says that change takes time—it does—but I ask her to think carefully about the number of women who are compelled to leave Northern Ireland and to go to Scotland and England for an abortion, and who might in the future be able to go to the Republic of Ireland for an abortion. There are also women who access desperately dangerous pills online. What is she saying to those women? How long must we wait for change?

Karen Bradley: The House determined that we should provide support for women to travel to Great Britain to receive abortions. Personally, I want to see reform in Northern Ireland, but it is a matter for the people of Northern Ireland.

Joanna Cherry *rose*—

Karen Bradley: I am going to make progress, but I will hear the voice of Scotland.

Joanna Cherry: This is not a Scottish-specific point, but a point about the Supreme Court, which is due to rule on Thursday. My understanding is that if it rules that the situation in Northern Ireland is incompatible with the European convention on human rights, it will be the responsibility of the UK Government to act under section 26 of the Northern Ireland Act 1998 because it is the UK Government who have the responsibility for fulfilling international treaty obligations. Is my understanding correct?

Karen Bradley: I apologise. I realise the right hon. Lady is not the only voice of Scotland—we will hear many others today. I will not prejudge the Supreme Court decision. We will receive the judgment on Thursday, we believe, and when we have it, we will consider it carefully.

I will return to the question of Northern Ireland. This is a matter of conscience. A free vote will be afforded if the matter of abortion comes before the

House again, and the same applies in Northern Ireland. That is why this Government, like their predecessors, believe that the best forum in which to debate and resolve these and many other matters is the locally elected Northern Ireland Assembly. The Government's priority therefore remains to urgently re-establish strong and inclusive devolved government at the earliest opportunity. As Secretary of State for Northern Ireland, I want to ensure that any future reform is handled with due care and consideration, with locally elected and locally accountable politicians having the opportunity to consider and debate the issues, and the people of Northern Ireland being able to contribute to the debate on the devolved issues that affect their lives.

Stella Creasy *rose*—

Karen Bradley: I will give way, but only because it is the hon. Lady, and then I will make progress.

Stella Creasy: I agree with everything the Secretary of State has just said. Will she explain why she thinks that repealing sections 58 and 59 of the Offences Against the Person Act would not allow that to happen? We think that it would.

Karen Bradley: As I have said, this is a matter that would affect the whole United Kingdom, so a debate should be had in the context of the whole of the United Kingdom, with all those matters looked at.

Just as we have debated in this House the laws that ought to apply here, so the democratically elected Assembly in Northern Ireland must continue to consider this fundamental issue, listening to the views of the people of Northern Ireland. Otherwise, as my right hon. Friend the Member for Basingstoke (Mrs Miller) suggested, we will be in danger of disfranchising 1.8 million citizens of the UK.

Several hon. Members *rose*—

Karen Bradley: I am sorry, but I want to make some progress. Many Members wish to speak and I want to make sure that everyone has the chance to do so.

My focus is therefore on working closely with Northern Ireland's political parties to restore the devolved government that the public want. That remains my top priority. I also want to continue to hear from those in civil society on all sides of the debate, as I am deeply sympathetic to the cases being made.

My right hon. Friend the Prime Minister has been clear in her support for women's rights in respect of access to safe abortions. She welcomed the referendum result in Ireland. We agree that the best way forward for Northern Ireland is through locally accountable politicians making important decisions through devolution, and the people of Northern Ireland having their say on the devolved issues that affect their daily lives.

3.33 pm

Tony Lloyd (Rochdale) (Lab): I congratulate my hon. Friend the Member for Walthamstow (Stella Creasy) and other hon. Members on both sides of the House who sought this debate. I would also like to mention my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), who has campaigned on this issue for many years.

Like the Secretary of State, I will concentrate on the situation in Northern Ireland. The referendum in the Republic 10 days ago has not altered the constitutional situation anywhere in the UK, including Northern Ireland, but it has most certainly changed the conversation, and we have to take that into account. One thing I want to establish is this: yes, we can discuss the legalese of sections 58 and 59 of the 1861 Act and talk esoterically about human rights—I do not mean to trivialise those points—but in the end this is about people. It is about women such as Sarah Ewart, to whom the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) referred. She had the most immense difficulty on discovering that the baby she was carrying would be born with no skull and could not survive the birth. Having received chronically bad support from the medical profession in Northern Ireland, she had to travel to England in the most difficult circumstances for a safe and lawful abortion. Cases such as that ought to condition the way in which we see this issue. It is about people. It is about women in distress.

Like many other Members, I have seen the joy of happy pregnancy. I have seen it in my own family: one of my daughters gave birth earlier this year. What a great moment that is. However, I have also seen the downside—the tragedy of people who know that the foetus that they conceived in hope is born to die, and the situation of women who have become pregnant as a result of rape. We must take those elements on board and recognise the humanity involved. I do not doubt the legitimacy of the arguments that anyone else presents and wishes to pursue, but I am determined to stress that there is a human being behind every one of these situations. We must remember that as we debate these matters.

The hon. and learned Member for Edinburgh South West (Joanna Cherry) mentioned the Supreme Court's decision. That decision will make a profound difference, but my party's position has been very clear. In our manifesto at the last election, we said that we would seek to provide, in conjunction with the Northern Ireland Assembly, a legislative framework for safe, legal abortions for women in Northern Ireland who made that choice. That is where we want to see things happen—we want to see legislation introduced in the Stormont Assembly, and nothing that my hon. Friend the Member for Walthamstow said contradicted that. The legislation would demand change, but the Stormont Assembly would have the opportunity to create the necessary legislative framework for the people—particularly the women—of Northern Ireland.

That is important, but there is a challenge behind it. I think I heard the right hon. Member for Lagan Valley say that members of the Democratic Unionist party would return to the Assembly without precondition. I hope that that is the case, because there is now a real challenge for all the Assembly politicians. They must go back to the Stormont Assembly if they want to be taken seriously in this debate and on other issues. We cannot see a situation in which civil servants without an electoral mandate make decisions, so it is incumbent on the Northern Ireland Assembly Members to go back to the Assembly.

Nigel Dodds (Belfast North) (DUP): The hon. Gentleman is someone whom I hold in high esteem and for whom I have the greatest respect, but, as he knows—he does not have to hope; he knows—the Democratic Unionist party

[Nigel Dodds]

would go into government tomorrow on the basis of what we agreed previously, and I understand that the Ulster Unionists, the Social Democratic and Labour party and the Alliance party would do so as well. The members of Sinn Féin do not want to do that without a precondition, but there is no doubt about our commitment to going into government, having the Assembly up and running, and debating all these issues. We no longer have a petition of concern veto in the Assembly. Those who shout loudest about wanting this issue to be resolved should get the Assembly up and running. We agree with that—they should get on with it.

Tony Lloyd: I am not sure whether the right hon. Gentleman has just undermined the “no precondition” point made by the right hon. Member for Lagan Valley. However, I think that in that context it would be very helpful if the Secretary of State now said to all the parties in the Assembly, “Let us get around the table and discuss abortion law reform.” If this issue matters, it must transcend some of the other issues that have caused blockage in the recent past. That, I know, is a challenge for Northern Ireland Members, in this Westminster Parliament as well as in the Assembly, but it is a challenge that politicians must take up. We must see the Assembly up and running: that is fundamental.

I mentioned the case that is before the Supreme Court, and the hon. and learned Member for Edinburgh South West was absolutely right to ask the question that she put to the Secretary of State. I cannot anticipate how the Supreme Court will respond to the case, but it turns on the question of whether it is compatible with our obligations under the European convention on human rights for women who are bearing children as a result of rape or incest, or children with fatal foetal abnormalities or extreme malformations, not to have access to legal, safe abortion in Northern Ireland. Depending on the direction the Supreme Court takes in its decision, I think the Secretary of State and her Cabinet colleagues will have to consider very seriously how we could begin to address that at the Westminster level; it will be a Westminster issue, not a Stormont issue.

Ian Paisley: Does that not identify a huge flaw in this entire debate? Some 98% of all abortions carried out in the United Kingdom are carried out on pregnancies that could continue to full term. They are not inconvenient—or rather, they are not foetal abnormality cases or crisis pregnancies. They are unwanted pregnancies, and the provision that the hon. Gentleman is now saying should be introduced to Northern Ireland is not about the minority of difficult cases; it is about opening up termination of life to all. That is the fatal flaw in his argument, because that was rejected out of hand by all the parties in Northern Ireland.

Tony Lloyd: I am sorry, but I have to say to the hon. Gentleman that he was not listening to anything that I said. What I have said has been very clear: in the case of the Westminster Parliament having to respond to the Supreme Court, that would be in a very limited and restricted number of cases that are very clearly defined. I also said that it would be incumbent on the Stormont Assembly to legislate for the situation in Northern Ireland, and it would be up to the Assembly to decide the limitations on the law and its impact in Northern Ireland.

Anna Soubry (Broxtowe) (Con): The hon. Gentleman is making a powerful speech and I agree with much of what he says. Does he agree that, especially in relation to the comment made by my hon. Friend the Member for North Antrim (Ian Paisley), it is important not to forget that this is actually about the right of a woman to choose? It is not confined merely to those who have foetal abnormalities or who have been raped or in some ghastly incestuous relationship; it is about women's rights and our right to control what we do with our bodies.

Tony Lloyd: I agree, and my voting record is clear on this issue.

Karen Lee: I thought that the hon. Member for North Antrim (Ian Paisley) was going to say something about abortions being “convenient.” I worked in clinics and counselled women, and I tell him that they are not done for convenience. Some of those people are utterly desperate by the time they get to clinics, and it would be very wrong to think that people treat abortions as a matter of convenience.

Tony Lloyd: My hon. Friend is absolutely right: this is not a matter of convenience. This is a heart-rending decision; many women whom I have spoken to over the years—I have represented many of them, but many others I have known in different ways—have had to go through the agonising decision as to whether abortion is the right choice for them. The decision should nevertheless lie with them, and laws should certainly not restrict that.

I want to emphasise what the Opposition and my hon. Friend the Member for Walthamstow are saying. The Labour party's position—we are the Good Friday agreement party, we believe—is that we want to see devolved government work, but politicians in Northern Ireland have got to make it work on this issue. They cannot shy away from it; if this issue matters to the people they represent, they must be in the Assembly making laws on it for the people of Northern Ireland.

Many Members want to speak, so I do not intend to continue for much longer, but I want to conclude as I began. This is not, in the end, an issue about lawyers or even about the philosophy of abortion; it is about real people. It is about real women, very often in situations of distress, who are looking for the law to allow them to pursue something that is prevented in Northern Ireland at the moment. It ought to be unconscionable that a woman is made to continue bearing a child doomed to die. It ought to be unconscionable that a woman who provided her 15-year-old daughter with the capacity to terminate a pregnancy should still be facing criminal prosecution, as we have seen in a recent case. On that basis, humanity now cries out for a change in the law.

I congratulate my hon. Friend the Member for Walthamstow again on securing this important debate. It is not the concluding debate—no change in the law can be passed today—but even if we pass legislation to put the wording of the motion into law, other legal changes will still be needed both UK-wide and most definitely in Northern Ireland. This is devolution-compatible, and the politicians in Northern Ireland must now make that devolution work.

Several hon. Members *rose*—

Mr Speaker: Order. I fear that the six-minute limit on Back-Bench speeches will not last much longer, judging by how things are going.

3.45 pm

Dr Sarah Wollaston (Totnes) (Con): I should like to start by paying tribute to the hon. Member for Walthamstow (Stella Creasy) for all the work that she has undertaken in this area, and for bringing this debate to the House. The result of the referendum in the Republic of Ireland has been a great victory for women's rights to make decisions about their own bodies, but it has also thrown a stark spotlight on the situation of women in Northern Ireland. To my mind, it cannot be acceptable that in six counties of our United Kingdom, women are forced to make long, lonely journeys across the water or forced into the hands of the unscrupulous, or that they face criminal prosecution for making decisions that should be theirs by right. I believe that it is time for this House to act to protect their rights, as well as the rights of those everywhere else in the United Kingdom.

Jo Swinson (East Dunbartonshire) (LD): We heard earlier from the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) about the devolution of policing issues to Northern Ireland. Does the hon. Lady agree that the fact that we are talking about policing women's bodies is part of the whole problem? That is not the right context for this debate. Supporting women to take these decisions is a health matter and a medical matter, and no woman takes this decision lightly.

Dr Wollaston: Indeed. I could not agree more with the hon. Lady.

It is time for us to review the way in which we treat this issue and to move to a medical model. Since the 1967 Act, things have changed considerably, not only in social attitudes but in the availability of medical terminations of pregnancy. They were not available at the time of the Act. We have also moved on from the paternalistic attitudes that dictated that two doctors were the only ones who could be trusted to help a woman to take this decision. That completely negates the role of specialist nurse practitioners, who often undertake the role of counsellor in the clinics. It is an anachronism that we should still insist on two medical signatures.

Hannah Bardell (Livingston) (SNP): On the matter of paternalism, does the hon. Lady agree that comments about women having abortions as a matter of convenience are deeply offensive, and that this debate must be characterised by decency and by respect for the views being expressed across the House? I have supported friends who have had an abortion, and I know that nothing about what they have chosen to do has been about convenience.

Dr Wollaston: I thank the hon. Lady for making those points. If the House will forgive me, I am mindful that many Members wish to speak, so I will not take further interventions.

There is a further point about the impact of medical terminations of pregnancy using two medicines. Because of the restrictions of the Act, the second of those medicines currently has to be administered in the clinic, which means that women sometimes have to face the

extreme indignity of travelling home with heavy bleeding and in considerable pain. It is time for the House to review the whole way in which this operates, and to shift to a medical model. We know that there is an opportunity to put this right with an amendment to the domestic violence Bill, and I say to Ministers that now is the time to plan ahead for that, rather than looking the other way and saying that this is purely a devolved matter. We know that a cross-party amendment will be tabled, and now is the time to be planning ahead and making the thoughtful, careful preparations that we need to make about the kind of medical regulations we wish to see in place.

Of course, there are those who say that repealing sections 58 and 59 of the Offences Against the Person Act 1861 will lead to us being thrown into some kind of vacuum, but that is not the case. The hon. Member for Walthamstow pointed out that the term limit of 24 weeks would remain in place, and there are other protections. For example, it is already an offence to supply abortion pills under the Human Medicines Regulations 2012, and individuals can face up to two years in prison and a considerable fine for supplying such medications illegally. Equally, some say that there might be a free for all in people turning to back-street abortionists, with unqualified people carrying out surgical procedures—it has happened in the past—but that is not the case. That would still constitute actual bodily harm or grievous bodily harm, and unqualified people would not be able to rely on the victim's consent to the procedure as a defence under sections 47 and 20 of the 1861 Act, which would remain in place. Such offences would carry a penalty of up to five years in a prison and a fine.

The point here is that it is highly unlikely that anyone would want to visit a back-street abortionist if free, safe, confidential and non-stigmatising help was available free of charge on the NHS. As many colleagues have pointed out, we do not stop abortions happening by criminalising them and making an abortion difficult to access; we just make them happen in a less safe context.

I ask Ministers to start preparing for the inevitable cross-party amendments. I hope that the Minister in summing up will be clear that there will be no delay in the domestic violence Bill for fear of a controversial amendment, because an amendment will be tabled, and now is the time to ensure that all the regulations we need are carefully and thoughtfully consulted upon. As someone mentioned earlier, this process would allow the devolved Assemblies to decide what is right for their areas. The time is right for us to move from a situation in which women are criminalised to one where women are treated with respect and dignity.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) *rose*—

Dr Wollaston: I will take one further intervention from the Chair of the Home Affairs Committee.

Yvette Cooper: I welcome the speech that the Chair of the Health Committee is making and her point that this is an opportunity to prepare and to consider such things in detail in anticipation of future legislation. Does she agree that the moving thing about the “Home to Vote” movement in the Republic of Ireland's referendum campaign was that so many women said that they were

[Yvette Cooper]

returning home to vote so that other women did not have to travel in future? They were making journeys so that other women would not have to do so.

Dr Wollaston: I absolutely agree. We were all deeply moved by the “Home to Vote” campaign.

Although the change happened in the Republic of Ireland, there are implications across the entire United Kingdom, because it has given us the opportunity to review what is wrong with the existing legislation. It is now time for the Government to plan ahead and to have a thoughtful process of ensuring that the regulations are right. I hope that this House will decide collectively to protect and respect the rights of women, wherever they live in this United Kingdom.

3.53 pm

Deidre Brock (Edinburgh North and Leith) (SNP): In the aftermath of the vote in Ireland, I saw a quote from a woman in Northern Ireland to the effect that she had the right to hold both UK and Irish passports and to be citizens of either or both, but she now did not have the right to choose that women in either jurisdiction have. That quote was third or fourth-hand by the time I saw it, but it seems to be an indicator of where many women in Northern Ireland find themselves. “Stranded” might be the best description of how they see their plight. Their plight is my plight, and their fight is my fight. If they suffer, I suffer, too. I stand with the women who feel themselves shorn of the rights they see across the border in Ireland and across the Irish sea.

I wonder, though, why this should be seen as an emergency debate. The referendum in Ireland did not change the conditions in Northern Ireland. Nothing has changed for women in Northern Ireland in terms of access to health services, except that they now have another geographically close comparison. Nothing has improved for them; nothing, happily, has got worse for them. Nothing has changed for them, more is the pity.

Yes, this is a very sensitive issue. Our sisters therefore deserve a little more consideration than a rushed debate. Who here, other than Members serving constituencies on the other side of the Irish sea, has any real perception of the issues and possible consequences surrounding abortion in Northern Ireland? I stand with my sisters in Northern Ireland, and I absolutely endorse their right to choose, but I do not claim to know their situation better than they do. I endorse their right to help shape the legislation they live under, but it is not for me or for anyone here to tell them how to do that. Support I can offer and encouragement I will give, but legislation has to be with the agreement of the people. Government is only with the consent of the people.

I hear those who say this is a human rights issue, and I agree. That is why we must leave the judgment on that in the hands of the Supreme Court, which has a duty to examine the reference from the Court of Appeal in Northern Ireland and will give guidance that must be followed. As we know, the judgment will be handed down on Thursday. We have two days to wait.

A little look at how Ireland approached amending its constitution would be instructive for many in this Chamber and, indeed, in the Chamber next door. Ireland’s move to allow abortion to be legislated for—that being the

substance of the constitutional amendment, as has been pointed out—began with a citizens’ assembly. It was the people who had their hands on the tiller. This was no political campaign or activist-led agitation; this was people power from the start, and it should be a lesson to anyone who wants to effect major change. The details of the assembly are online at citizensassembly.ie, which I recommend to anyone who would like to think a little more about how nations should change direction.

As we have heard, Ireland is now free to choose whether to legislate to allow terminations, and I understand legislation is currently being drafted. Ireland does not yet have that law in place and, as the Secretary of State mentioned, the debate is just getting started. I note that the Taoiseach has indicated that allowing women from Northern Ireland to access such services across the border is being considered, and he points out that women from Northern Ireland regularly access other health services in Ireland and that there is no reason why they should be denied any new services.

We should not, however, think that Ireland’s legislation is done and dusted. The drafting is not yet complete, never mind its passage, but that legislative process is a matter for Ireland, for the Irish people and for the people they have elected to serve them. Likewise, the issue of abortion in Northern Ireland is a devolved matter and is an issue for the people of Northern Ireland and the people they elect to the Assembly. It is a matter devolved and, frankly, it matters not a jot whether the decisions made at Stormont, when it is sitting, are agreeable to Members sitting here. That is the point of devolution, a point that some Members of this place have been spectacularly slow to appreciate at times. The decisions of devolved Administrations are taken for reasons that people in those devolved nations understand from their point of view, and they are taken using evidence that the people, politicians and policy makers of those devolved nations consider important. That principle stands, and it can be seen in the way in which Scotland has led on public health issues.

Stella Creasy: In order to allow the residents of Northern Ireland to craft their own abortion laws, and so for that devolution process to be respected, will the hon. Lady be joining me and colleagues on both sides of the House in supporting the repeal of UK legislation that prevents Northern Ireland from doing this? Will she support the repeal of sections 58 and 59? It would be helpful if she were clear about that.

Deidre Brock: First, the Offences Against the Person Act does not apply in Scotland—some people seem not to be aware of that. Also, I understand that Stormont has been able to repeal sections 58 and 59 since 2010, and apparently it has chosen not to do so.

Emma Little Pengelly: What has been missed here today is that criminal justice is a devolved matter in Northern Ireland. The Northern Ireland Assembly has full power to repeal this in due course, if that is the decision of the Northern Ireland Assembly, in line with the new regulations. The Offences Against the Person Act does not act as a barrier. This can be done by the Northern Ireland Assembly.

Deidre Brock: I thank the hon. Lady for her contribution. I would also point out that the Criminal Justice Act

(Northern Ireland) 1945 still prevents abortion, with life imprisonment offered for those offering abortions. That is an added complication.

As we know, Stormont has not sat since January of last year, and I wish absolutely to condemn the cowardice of the politicians who cannot give enough ground, or cannot risk losing a little face, to get the show back on the road and start deciding on issues that affect the people they are paid to serve. I say that because this issue has been considered at Stormont; the need for legislation has been agreed at Stormont and a way forward has been laid out by a working group in Northern Ireland, as was mentioned by the right hon. Member for Basingstoke (Mrs Miller), who is no longer in her place. In a debate on the consideration of a justice Bill in February 2016, amendments were tabled that would have allowed abortions to take place in Northern Ireland in specific circumstances. Those were tighter than the conditions in place under the Abortion Act 1967, but they represented movement none the less. This followed a deal of public consultation undertaken by Ministers on the issues of fatal foetal abnormality, incest and rape. It is clear from what has been said today and from reading the transcript of that debate that there was not exactly a consensus that day, and the amendments were defeated—not overwhelmingly, but substantially.

One telling contribution that day was made by the then Member of the Legislative Assembly for South Belfast, who is now the Member for Belfast South in this place. In her speech that day, she said she was speaking on behalf of the Democratic Unionist party on the issue and she urged the Assembly to reject the amendments in favour of the DUP plan. She said:

“the DUP is rejecting the amendment but outlining a road map to a sensible, informed and appropriate way forward. The Minister of Health has been asked to establish, by the end of February, a working group that will include clinicians in this field and legally qualified persons to make recommendations on how this issue can be addressed, including, if necessary, bringing forward draft legislation. We have asked that all interested parties should be consulted and that the group will be tasked to report within six months. We all need to hear more fully the views of the Royal College and others. We all need the opportunity to ask those vital questions to get the appropriate advice. That is why the working group is the best and most appropriate way forward.”

That working group has now reported and as the DUP is behind it, it surely has enough impetus to clear the hurdles of political impasse in Northern Ireland.

The report recommended a relaxation of the restrictions on abortion, citing the general duty of the Department of Health under the Health and Personal Social Services (Northern Ireland) Order 1972 to secure improvement in the physical and mental health of people living in Northern Ireland. The report pointed out, however, that legislative change is required for that to be done. The report is clear that

“the current practice results in inequality of outcomes for women in this particular patient population group when compared to the standards for treatment and care afforded to other pregnant women by Health and Social Care as required by the Department of Health’s Maternity Strategy”.

It recommends changes in the law to allow abortions to take place.

The changes suggested would not go as far as the legislation here or in Scotland. Examining that was not the remit of the working group; it was examining only what legislative change was needed. The changes would

not bring legislation into line with the rights and protections we have here and would not end women having the trauma of travel to a foreign jurisdiction for health treatment. The changes would not be the changes I would like, but they are the changes that the politicians of Stormont agreed to support. We have an obligation to respect the fact that the debate on abortion has not perhaps yet been won in Northern Ireland, but this small step can be taken while the debate continues.

Stormont should be reconvened and it should consider legislation on abortion, along with all the other responsibilities it has, but this is a devolved responsibility. Legislating here on a matter that is the responsibility of a devolved Administration is invidious, and the idea that Members sitting here can make decisions without any regard to the consequences is foolhardy. Stormont has not sat for far too long and that looks set to continue. It is a disgraceful abdication of responsibility on the part of elected Members. It is not sitting, but it has made this decision, and there is no reason why this place should not legislate to put that decision into effect. Stormont could always decide how to proceed when MLAs return to work.

Legislating here for abortion in Northern Ireland without the consent of the Northern Ireland legislature is not tenable, but consent has already been given for some change and we should implement that. We should press ahead and deliver that; a comprehensive review of the legislation can then proceed, with the people who would be affected front and centre. Too often, the rights of women are ignored and women are belittled. There is a moral obligation on the politicians of Northern Ireland to get back to work, engage with the people and move on. They can look to Dublin’s example for a way in which to start. There are decisions to be made, and hopefully they will lead to a full and proper health service for women, but I argue that that is not our decision. By all means we should legislate to put into effect the changes that have been decided, but we should not make decisions here that should more properly be made in Belfast.

I stand by the women of Northern Ireland and I stand with those who campaign for a full service, including a proper abortion service. They should be able to influence such decisions and have them made in their own legislature. Too often, the conceit is that this place knows best, but the re-imposition of direct rule on Northern Ireland is in no one’s best interests, let alone those of the women who need support and a decent health service. The DUP supports the change in the law that was agreed by Stormont; let us help it to deliver that change.

Several hon. Members *rose*—

Mr Speaker: I am afraid a five-minute limit on Back-Bench speeches now applies, with immediate effect.

4.5 pm

Justine Greening (Putney) (Con): Like many Members, I recognise just how important this debate on the incredibly sensitive and important topic of abortion is. It is obvious that there needs to be much broader debate about the various issues relating to abortion—not just about the people affected by the laws that are currently in place and some of the proposals that we are debating, but about the role of schools and of advice, education and support services and about some of the other hugely

[Justine Greening]

controversial but important issues that wrap around the broader challenge of debating any changes to abortion law, not just in Northern Ireland but more broadly throughout the United Kingdom.

I recognise that we have in place very long-standing laws, particularly in respect of England. In this debate, we should not lose sight of the fact that we have been brought to this point by a clear anomaly between the rights that women have in one part of our country, Northern Ireland, compared with the rights of women throughout the rest of the United Kingdom, and by that difference having been exacerbated by the result of the referendum in southern Ireland, which means that we now see Northern Ireland as an outlier on women's rights in a way that I feel is unsustainable for the United Kingdom.

I pay tribute to the hon. Member for Walthamstow (Stella Creasy) for securing this emergency debate, which it is important to have in this Chamber. As she would recognise, this House has managed to achieve progress for women in Northern Ireland, not least by introducing the ability for them to travel to the UK—to England in particular—and to have free abortions in the same way as any English woman. That is true progress, but today we seek to talk about how we can further push forward on rights for women in Northern Ireland.

The question is how to push forward. I am open-minded about this debate. I very much recognise that ideally we would all like the people of Northern Ireland to put in place the changes we are discussing, but we also recognise the current absence of an Assembly and normally functioning devolved government in Northern Ireland. I am sure we will have further debate on how we can achieve change for the women of Northern Ireland, but handling this issue in the right way in respect of devolution does matter, and we in this House should be sensitive to that.

I am open-minded about the broader changes that we are debating. We need to recognise that they are somewhat complex and multifaceted, and they need to be understood by Members from all parties and, indeed, by our local communities, too. It is important to set out how wide—or, indeed, otherwise, as has been argued today—any changes to medical regulations might need to be, as well as the process of consulting our communities about changes that would affect how abortion is regulated in the United Kingdom.

I recognise the important case made by the hon. Member for Walthamstow and, indeed, the case made by my right hon. Friend the Member for Basingstoke (Mrs Miller), who set out carefully and clearly the impact on women in Northern Ireland and throughout the United Kingdom, given the existing criminalisation of abortion. I support a continued debate in this House. [Interruption.] I recognise that many other Members wish to speak in this debate today. It is important that, in the coming weeks and months, Ministers listen very carefully to the debate that happens in this House and then clearly set out how the Government can play their role in helping us to take forward change for the women of Northern Ireland.

Hannah Bardell: Does the right hon. Lady agree that respect and dignity are extremely important, but that we must remember that some women in these islands

are governed by legislation that is 150 years old and that there is nobody left alive who can even remember that time and that is something that we must consider?

Justine Greening: While we can all be very clear about the way in which the existing laws—long standing as they may be—work today in terms of the ability of women to have choice in our United Kingdom, the backdrop of the criminalisation of abortion is hard for anyone truly to defend in this House as a principle. I want us to have a measured debate. As I am about to finish, let me say that it is important that, over the coming weeks and months, Ministers clearly set out how they plan to respond to the crucial debate for women's rights that will be taking place in this House.

4.11 pm

Catherine West (Hornsey and Wood Green) (Lab): For a very long time, in many societies and in many cultures, the state and organised religion have had a stranglehold over the lives of women. That was why it was so pleasing to see the landslide vote to repeal the eighth amendment in the Republic of Ireland. Women in Northern Ireland will soon be the only women in the UK and Ireland who cannot gain safe access to abortion. We know that hundreds of women in Northern Ireland either travel or take risks with their own health to have a termination. We cannot stand by here while women and girls in any part of the UK are criminalised or put at risk for accessing basic healthcare.

Angus Brendan MacNeil: The hon. Lady alluded to the stranglehold that the state can have over people's lives, and one of the biggest strangleholds that the state currently has over people's lives in the UK is the reprehensible two-child policy. That policy should be changed to make sure that, when people have more than two children, they do indeed have the children's allowance to help and support them with those children.

Catherine West: The hon. Gentleman makes a good point. I was certainly in the Lobby when we failed to support that particular proposal.

It is high time that the House took action to end the treatment of Northern Irish women as second-class citizens. Let us look at the man, Leo Varadkar, who welcomed the resounding yes vote by saying that Ireland will no longer say to women, "Take the boat," or, "Take the plane," when they need an abortion. Instead, he said that Ireland will say, "Take our hand." Is it not now time for us to offer our hand to the women of Northern Ireland and end the ban on abortion in Northern Ireland?

Emma Little Pengelly: Does not the hon. Lady recognise that her statement is in fact inaccurate? There is access to abortion in Northern Ireland, but on more restricted grounds, such as for the health of the mother. She is therefore not being accurate when she says that there is no access to termination.

Catherine West: I think it is the word "restriction" that I have a problem with—I almost choke when I say it. In February this year, the United Nations Committee on the Elimination of Discrimination against Women stated that citizens of the UK resident in Northern Ireland "faced grave and systematic violations of their rights"

because of the criminalisation of abortion. The report explicitly called for sections 58 and 59 of the Offences Against the Person Act 1861 to be repealed. I hope that, in the summing up, we will hear more substance from the Minister on the way forward so that we can respect both devolution and the fundamental human rights of every single woman in the British Isles.

I am aware that many Members wish to speak, so I will keep my remarks brief. However, I was pleased to hear the Chair of the Health Committee, the hon. Member for Totnes (Dr Wollaston), mentioning the domestic abuse Bill and to see her already thinking ahead. We are living in such interesting times in this Parliament. I wish to encourage the Government to think ahead—not just suddenly to realise that there might be a problem with legislation the day before, but to look genuinely at the issue of women’s health and to think about whether that Bill will be a fitting opportunity for the House to remove the impediment to the decriminalisation of abortion. The Government will indeed bring forward their long-awaited domestic abuse Bill, and I urge them not to delay that legislation or to put it aside, because this is a question of fundamental human rights. We want this Parliament to have a vote and to put the rights of women at the forefront of all our thoughts.

Mr Speaker: I should just say for the benefit of the House and those attending to our proceedings that there is no ministerial or other Front-Bench winding-up speech in a Standing Order No. 24 debate. The Front-Bench speeches have been made and that is where things stand.

4.15 pm

Fiona Bruce (Congleton) (Con): At the heart of this debate are women who are placed in what is often the most difficult situation of their lives. It is important that whenever we discuss this issue, we do so with as much compassion and understanding for them as possible. With that in mind, I shall endeavour to contribute to this debate without any animosity for those who hold distinctly different views from my own pro-life views. I believe that the unborn child has an equal place to be considered in this debate, but I also believe that it is vital that we endeavour to debate in an atmosphere of courtesy and respect.

The hon. Member for Walthamstow (Stella Creasy) said yesterday when applying for the debate:

“It is little wonder that the United Nations has said that we must act”.—[*Official Report*, 4 June 2018; Vol. 642, c. 90.]

That is a very powerful statement. If she based that statement on an inquiry report published in February this year by the UN committee, I would like to make some comments. Following this debate, I am sure that she will clarify whether her statement is based on a further authority.

The UN committee was considering the convention on the elimination of all forms of discrimination against women—CEDAW. The inquiry report has been cited by campaigners as one of the main justifications for reviewing Northern Irish abortion law yet, as I understand it, that committee has no capacity or standing to give a binding adjudication on the UK’s obligations under that convention, and nor does it have any authority to interpret that convention, as that is reserved to the International Court of Justice. Therefore, an invitation to the Home

Secretary to treat that report as authoritative is, I understand—I am quoting the opinion of Mark Hill, QC—“flawed”.

It is interesting to note that the UK Government have commented on that report. After reviewing it and pointing out several factual inaccuracies, they said:

“For the reasons outlined above, the UK Government does not accept that women from Northern Ireland have been subject to grave and systematic violations of their rights under the Convention...The Committee’s findings and recommendations which focus on changes to the criminal law on abortion cannot be addressed in the absence of a legislature with authority to legislate on such matters in Northern Ireland.”

I am sure that the Ministers who will consider the situation are already aware of that statement. I profoundly disagree with the report, as it is disrespectful to the people of Northern Ireland, on such a sensitive issue, to suggest that this Parliament should consider changing laws that would affect abortion. Abortion has been a transferred matter, as have health and social services, equal opportunities and justice.

Let me turn to another comment made by the hon. Member for Walthamstow in relation to the Infant Life (Preservation) Act 1929. I ask Ministers to look into this and obtain a legal opinion for the House, because it is a very important matter. This issue is complex but, as I understand it, the 1929 Act and the Abortion Act 1967 were decoupled by the Human Fertilisation and Embryology Act 1990. This means that those two Acts bear no relation to each other anymore, so the Abortion Act’s safeguards would in fact be removed if the relevant sections of Offences Against the Person Act were repealed as proposed. As I say, this is such a complex issue, so given the advice I have had, I think it is worth asking Ministers to look into this very carefully.

The proposers of this debate clearly want to go further and decriminalise—remove the legislative safeguards that have been in place. We already have some of the most liberal abortion laws in the world, yet I believe that campaigners want to liberalise them further. Ann Furedi, the chief executive of the British Pregnancy Advisory Service, has said, “I want to be very clear: there should be no legal upper limit.” Colleagues should be under no illusions. Repealing these sections of the 1861 Act would effectively pave the way to review comprehensively our current abortion legislation not just for Northern Ireland, but for England and Wales. We could see abortion on demand throughout pregnancy. That would be wrong and we should resist it.

Several hon. Members *rose*—

Mr Speaker: Order. A four-minute limit now applies. I am trying to incorporate everybody: that is the rationale.

4.20 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op): I thank my hon. Friend the Member for Walthamstow (Stella Creasy) for securing the debate and my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) for her campaigning on this subject. I also thank Conservative Members—men and women—who stood yesterday to show their support for the debate.

During my short time in this place, one of my favourite roles has been as a member of the Women and Equalities Committee. There we discussed, on many occasions, the right of a woman to choose, and resisting the criminalisation

[Tracy Brabin]

of women, wherever they live, for taking control of their destinies and bodies. Working with the Equality and Human Rights Commission, the World Health Organisation and other organisations in many countries around the world, we have encouraged Governments to trust women with their bodies and to listen to women. I believe that Northern Ireland is the last piece in that global jigsaw.

The United Nations Committee on the Elimination of Discrimination against Women found that abortion law in Northern Ireland constitutes a “grave and systematic” violation of rights—our rights—and recommended that the Government decriminalise abortion in the UK. It cannot be right to criminalise a woman for wanting an abortion for any of the myriad and complex reasons that women have when they choose the right to say, “I can’t have this child.”

Repealing sections 58 and 59 of the Offences Against the Persons Act 1861 would mean that Stormont and the people of Northern Ireland could make their own decisions. The time is right. The Republic of Ireland has shown the way. As all those Irish women and men from far-flung places around the world descended on the Republic to demand change for themselves, and their sisters, daughters and mothers, I, like many in this House, felt proud to watch those scenes. I believe that what happened enhanced the global reputation of the Republic as a modern, progressive country determined to put a woman’s rights over her body at the front and centre of their political conversation.

The world is changing and we have to keep pace. With #MeToo, the new transparency around the gender pay gap and this transformation in Ireland, women’s voices are being heard, and it is time that we listened. I have no doubt that there are people in Northern Ireland watching this debate who are desperate to have a chance to engage with this conversation, such as members of Belfast City Council, which in 2018 passed a motion stating that abortion is a health issue, not a criminal issue. The only political party that opposed the motion was the DUP. I believe that resistance against this repeal is a decision of political cynicism. It is cruel and controlling, and lacking in humanity.

We all loved—and were terrified by—the last series, and the new one, of Margaret Atwood’s “The Handmaid’s Tale”. Do not let women from Northern Ireland look back on this moment and say, “That’s when the Government turned back the clock, held us back, ignored our human rights, and treated us like criminals because we wanted the power to make our own decision about whether and when we have children.” It is time. We must—must—do the right thing.

4.23 pm

Anna Soubry (Broxtowe) (Con): I am proud to say that for as long as I can remember—probably since after it was first passed—I have been a proud supporter of the 1967 Act. I remember in the ’70s and ’80s marching many a mile in defence of the ’67 Act, and my views have not changed. The reason why I came to the conclusion that it was one of the greatest pieces of legislation ever passed in this place has already been identified by the hon. Member for Batley and Spennings (Tracy Brabin) and my hon. Friend the Member for Totnes (Dr Wollaston). It is simply this: I recognise

that, for myriad reasons, a woman or a young woman may find herself with an unwanted pregnancy, and I believe that she has a right to choose what happens next. I gently say to my hon. Friend the Member for Congleton (Fiona Bruce) that I do not seek to impose my views on anybody. I seek to offer a choice. That is the distinction. I say to DUP Members, with respect, that they impose their views on not just women, but their extended families.

Wera Hobhouse (Bath) (LD): Will the hon. Lady give way?

Anna Soubry: I will not take any interventions because Mr Speaker has been quite firm with me, and I am keen to curry favour with him—it would make a change.

There is an important point to make. Nobody happily, willingly skips into a clinic to terminate a pregnancy. Invariably, they do so after a heartrending, thoughtful process, often with a partner, a boyfriend or even their own parents. We must recognise that reality. As my hon. Friend the Member for Totnes said, the reality is that if we make abortions illegal, they do not stop. Members know that from the evidence in Northern Ireland: 724 women went overseas in 2016 to have terminations.

Before the ’67 Act was passed, women—living, breathing human beings—died in their hundreds of thousands at the hands of backstreet abortionists, or found themselves in a position where they were damaged and could never again have the child that they often longed for, but at a time that suited them and their circumstances. That is what that Act was all about, and those rights should now be extended to Northern Ireland. It is 2018, and I gently say to them: your laws are cruel and repressive. They do nothing for the advancement of women or for families, and they have to change.

What the hon. Member for Walthamstow (Stella Creasy) is suggesting—I congratulate her on it—delivers exactly the thing that should happen. It is what the hon. Member for Kingston upon Hull North (Diana Johnson) eloquently and properly advocated in her ten-minute rule Bill: getting rid of these ridiculous and ancient laws that criminalise abortion. That is the right thing to do. Let us get rid of them. The beauty in doing that is that it strengthens devolution, because the responsibility for sorting out what happens in Northern Ireland will go back to the Northern Ireland Assembly.

I thought that I was going to stand up and make a speech about the importance of devolution and why it is not the job of this Parliament to do what the hon. Member for Walthamstow suggests, but actually she has convinced me. She is absolutely right. What she suggests delivers the right thing to advance our abortion legislation and, secondly, strengthens devolution, because it hands this straight back to where it should be—the Northern Ireland Assembly. I gently say to them: get it sorted out, because this will not be tolerable any longer in our nation. We are a United Kingdom. We believe in the Union. Get that Assembly up and running. Do the right thing, not just by the people of Northern Ireland, and the women in particular, but for the security and furtherance of this great Union.

4.27 pm

Tonia Antoniazzi (Gower) (Lab): I congratulate my hon. Friend the Member for Walthamstow (Stella Creasy) on securing this emergency debate. I was proud to stand

in solidarity with Members across the House yesterday to bring the debate forward.

It stuns me that the Government will pander further to the DUP to force their agenda through the House—as they will particularly next week, no doubt—by selling the rights of women in Northern Ireland down the river. Women are suffering and their human rights are being infringed while the House does not act. The Northern Ireland Assembly has not sat since January 2017 and shows little sign of being reconstituted. Shame on the Tories, shame on the DUP and shame on the politicians who stand in the way. I have met different groups from across Northern Ireland, and many say that they are not interested in politics. One of the expressions I have heard is that people are “politically agnostic”. What does that say about politics in Northern Ireland? Those politicians are turning people off politics. People are making their own way in life in Northern Ireland, despite the shambles around the power sharing discussions.

Sir Jeffrey M. Donaldson: Will the hon. Lady give way?

Tonia Antoniazzi: Unfortunately I am unable to.

In the absence of a Northern Ireland Assembly, Westminster has a duty to stand up for the women of Northern Ireland. Is waiting for the Assembly to uphold the rights of women in Northern Ireland not just a way of avoiding taking action altogether?

The roll-out of universal credit, as we have all heard, penalises women who decide to have a third child, even if that is as a result of rape or within an abusive relationship. Imagine not being able to afford to have a third child, and imagine having to make the agonising decision to continue a pregnancy when foetal abnormalities have been detected. How can any of us begin to imagine what it is like to have to make such a decision? It is ironic that the DUP gives the Government moral support on the two-child rule.

My hon. Friend the Member for Pontypridd (Owen Smith), in his former role, wrote about this very issue to the Director of Public Prosecutions for Northern Ireland, who made it very clear that it is

“a potential offence to withhold information regarding an act of rape. The legislation does not distinguish between a victim and third parties to whom a disclosure is made; each is potentially liable to prosecution.”

Is it not therefore evident that women in Northern Ireland are getting the rough end of the stick? There is also the fact that the Offences Against the Person Act 1861 is archaic and Victorian.

It is my responsibility as a woman and as a Member of Parliament to defend the rights of women in Northern Ireland. While abortion law may be devolved to Stormont, human rights are not, and the UN has told the Government on more than one occasion that the rights of women in Northern Ireland are being violated. Moreover, the defence of those rights is the responsibility of every UK MP.

This is about the rights of women to do what they want with their bodies, and we have spoken about choice in the Chamber today. This is about giving women in Northern Ireland parity with their sisters in the United Kingdom and, now, those over the border in Ireland. This is about leading the way on women’s rights around the world. This is about fairness and

justice. More than anything else, this is a crazy situation to be in in 2018, and I will be doing everything I can to stand up for women in Northern Ireland.

4.31 pm

Maria Caulfield (Lewes) (Con): This is a hugely sensitive issue. Fundamentally, this debate should be about women’s choice on abortion in Northern Ireland. That is why I find it incredible that the one thing the hon. Member for Walthamstow (Stella Creasy) does not ask for is for women in Northern Ireland to have a vote and a say on whether they actually want abortion in Northern Ireland. Yet in her interviews on Sunday, when talking about Brexit, it was clear that she is campaigning for a second referendum—a people’s vote—on whether Brexit should actually happen. Surely it is more key to fight for a referendum on abortion for women in Northern Ireland than for a second referendum on Brexit.

What that shows, as we have heard from several speakers, is that this issue is actually a Trojan horse for what is really wanted—the removal of sections 58 and 59 of the Offences Against the Person Act 1861 would introduce abortion on demand, for any reason, up to 24 weeks. Crucially, that is what this debate is really about, and it is disrespectful to women in Northern Ireland to pretend it is about anything else. That is especially the case in the centenary year of suffrage, because while we celebrate 100 years of women getting the vote, it is only 50 years since the Catholic nationalist community in Northern Ireland got the vote. They had to have a civil rights movement and go through the years of the troubles to have their voice heard, yet in this debate we are actively saying that they cannot have a debate or a say on whether abortion is extended in Northern Ireland. *[Interruption.]*

The hon. Lady may laugh, but what do the Catholic nationalist community in Northern Ireland get now? They get no representation in this place, despite having a vote, because their elected representatives fail to show up. They get no representation in Stormont on this issue, because their elected representatives have failed to get around the table. Now we are saying to them that they will get no representation on abortion law changes, because we do not want them to have a referendum. We are saying to them that the women in Westminster know best. That is not only insulting, it is undemocratic and flies in the face of women’s rights and women’s choices.

I am very happy to have a debate in this place on all aspects of abortion, but if we are truly serious about having modern abortion laws, let us look at the time limit set in the UK. We have seen following the recent referendum there that the Republic of Ireland will just set its time limit at 12 weeks, as is the case in Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Poland and Slovakia. In the Netherlands it is 13 weeks, in Portugal 16 weeks and in Romania 14 weeks. In a ComRes poll, 70% of women in the United Kingdom said they would like the time limit reduced. If we are going to have a modern-day abortion law, let us have an honest and genuine discussion, and let us not hide behind the pretence that this is about rights for women in Northern Ireland. If women want to change the situation, we should be promoting the idea that they should have the say.

[*Maria Caulfield*]

If we are going to have a debate on abortion in the United Kingdom, we need to discuss explicitly banning sex-selective abortions, which proactively discriminate against female babies. We need to equalise the time limits for terminations between those with a disability and those who are able-bodied, and we need a debate about independent counselling. This is about women's choice and women's rights—but let us hear about the whole debate, rather than just selective messages from Labour Members.

4.35 pm

Diana Johnson (Kingston upon Hull North) (Lab): Since I have been in Parliament, our debates about this issue have always been about restricting and reducing women's right to abortion and right to choose. Three things have heartened me in the past 12 months, however. First, in March last year, we had a debate here on a ten-minute rule Bill, to which the hon. Member for Lewes (*Maria Caulfield*) responded. It would have done what my hon. Friend the Member for Walthamstow (*Stella Creasy*) proposes: repeal sections 58 and 59 of the Offences Against the Person Act 1861. The House listened carefully, and Parliament voted to support the idea. I was heartened by that: it was the first time that there had been any progressive step since the Abortion Act 1967 came in.

The second thing was, of course, the referendum in Ireland, which has now shone a spotlight on the position in Northern Ireland and the fact that we need to do something about it. The third thing is the court case on which we will have a judgment on Thursday. I think and hope that the Supreme Court will set out that the claims on human rights issues for women—the article 3 and article 8 claims—have been upheld. That would mean that the British Government would have to take action. Human rights are not devolved to the Assembly; they are something that this Parliament needs to deal with.

The hon. Member for Totnes (*Dr Wollaston*), the Chair of the Health Committee, said that times were changing and that we needed to prepare and get ready. I offer Members on the Treasury Bench something that I have been working on along with *Gordon Nardell, QC*, and *Professor Sally Sheldon*: a new abortion Act for England and Wales. It sets out clearly how abortion can be decriminalised, as has happened in one of the states in Australia, where there has not been an increase in late-term abortions. I say to the hon. Members for Lewes and for Congleton (*Fiona Bruce*) that my proposals last year, and the ones I am supporting with my hon. Friend the Member for Walthamstow, are about abortions up to 24 weeks; the Infant Life (Preservation) Act 1929 would stay on the statute book and cover abortions post 24 weeks. It is important that we update our legislation on abortion, to make it woman-centred and about the health needs of women, and to reflect the medical changes since the 1967 Act was brought in.

I also want to bring into any new abortion law a specific new offence of coercing a woman into having an abortion. I hope that the hon. Member for Lewes will support me on that; she has made a lot of that issue and the issue of sex-selection abortion. I also want a specific offence of causing an abortion through use of force or violence or the non-consensual administration of abortion tablets. In any new Bill, we need to introduce

measures to protect and support women. But I ask this fundamental question: why do countries such as Poland and the United States of America not criminalise their women, while we in this country still have on the statute book the offences under sections 58 and 59, criminalising women who seek an abortion?

4.39 pm

Heidi Allen (South Cambridgeshire) (Con): This is a hard and emotive topic. Northern Ireland is a devolved Administration, so is it our business? I am a modern, progressive woman and I am proud that this country is my home. As a woman who believes passionately in equality, choice and an individual's right to determine their own destiny; as a woman elected to be the Member of Parliament for South Cambridgeshire in the 21st century who stood yesterday to support the request from the hon. Member for Walthamstow (*Stella Creasy*) for this debate, because she is standing up for all the women in the UK; but mostly because as a woman I have been there, I am making it my business.

The Irish referendum result spoke volumes about how people in southern Ireland felt. They wanted change and they voted for it decisively. How can it be that Northern Ireland will soon be the only part of Great Britain and Ireland where terminations are to all intents and purposes outlawed? I was ill when I made the incredibly hard decision to have a termination. I was having seizures every day. I was not able to control my own body, let alone care for a new life. Are people seriously telling me that, in a civilised world, rape, incest or a foetus that is so sadly deformed it could never live are not sufficient grounds for a woman to have the power to decide for herself—that she should not make that decision? No. Enough.

Very suddenly and unexpectedly, we have a window of opportunity before us. Whether we feel that the window has opened as a consequence of the non-functioning of the devolved Administration in Northern Ireland, or because a neighbouring referendum was so close to us and so relevant as to be impossible to ignore, or simply because we feel the glaring light of equality and human rights illuminating the women of Northern Ireland, this has become their moment and they will have my unequivocal support.

4.41 pm

Sammy Wilson (East Antrim) (DUP): The speech by the hon. Member for South Cambridgeshire (*Heidi Allen*) highlights the deeply sensitive nature of this debate. Many people watching it will empathise with the point she made. Equally, many people will feel that their deeply held values about the importance of preserving life also need to be reflected in this debate. We have heard much about the United Nations committee's view on what is happening to women in Northern Ireland. If we want to look at what the United Nations says, the UN charter talks about the protection of the rights of the child, including the unborn child. It indicates that those rights are of equal importance.

Wera Hobhouse: Does the right hon. Gentleman understand that people who, like me, would never have an abortion support the right for women to choose? It is not for us here to make that decision; it is for the individual to make that very personal decision.

Sammy Wilson: This debate has two sides to it. It has of course reflected the views of those who wish to control their own bodies, but what about the unborn child? That side has been lacking in most of the speeches today. What rights and protections does the state afford to unborn children? Listening to this debate, one would imagine that in Northern Ireland no consideration has been given to the views of the population. We had a debate in the Northern Ireland Assembly—more recently than in this House—where it was decided, across the parties, that the current legislation should stand, albeit with the review outlined by my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson). I am not embarrassed about the legislation in Northern Ireland, which, by the way, is balanced because it does protect the physical and mental health of the woman while at the same time recognising the rights of the unborn child.

Anna Soubry: So what's the right hon. Gentleman going to do about it? That's what I would ask him. What about the 724 women who came to this country to have an abortion? What are you going to do? Make them stay in Northern Ireland to have children they do not want? What's your solution?

Sammy Wilson: Our solution is that since this is a devolved issue it will be decided by, and reflect the views of, the people of Northern Ireland. The shadow Scottish National party spokesman for Northern Ireland, the hon. Member for Edinburgh North and Leith (Deidre Brock), outlined it very well: there are reasons for devolving issues across the United Kingdom. Devolved Administrations are meant to reflect the views of the people in the areas that they represent, and I believe that the laws in Northern Ireland reflect the views of the people of Northern Ireland. That is why the Northern Ireland Assembly voted to maintain those laws.

Let me make a further point. This is why I am not embarrassed about the laws that we have, and why I do not believe that we have turned the clock back: as a result of not introducing the legislation that exists in the rest of the United Kingdom, thereby reflecting the views of the people of Northern Ireland, and of making both lives matter—that of the child and that of the parent—100,000 people are alive in Northern Ireland today who would otherwise have been killed before they were even born.

I know that that message is not liked—so much so, that the pro-abortion lobby tried to get the Advertising Standards Authority to challenge it, but it found that statistically that was a correct figure. We have people today in Northern Ireland who are rearing families, contributing to society, building their businesses, working in our factories, and sitting in our schools who otherwise, if we had had the legislation that exists in the rest of the United Kingdom, would have been discarded and put in a bin before they were ever born—*[Interruption.]* I have to say, that is one of the reasons why—*[Interruption.]* That is one of the reasons—*[Interruption.]*

Mr Speaker: Order. This debate has so far been conducted with passion, but also with respect. The right hon. Gentleman must be heard, and whether he takes interventions is up to him. Please, I appeal to colleagues to respect each other.

Sammy Wilson: That is one of the reasons why I believe that the legislation we have in Northern Ireland is balanced. It respects both the health of the woman and the rights of the unborn child—reflecting, by the way, what the United Nations says in its charter on the rights of unborn children. I believe that we have the correct balance, and if there are hard cases that have to be looked at, we have the process in place for doing it.

The one thing I would say to Members here is that the devolved settlement allows us to make those decisions. I believe that those decisions and the way in which people vote for parties in Northern Ireland reflect the fact that, by and large, they are content with that. Of course, it will not satisfy everyone. There are people who are opposed to the legislation, but I believe that the legislation we have reflects the views of the people of Northern Ireland. That is what devolution is all about. That is why the decision should not be made in this House and why we certainly should not have a change in the law that leaves no protection at all for people in Northern Ireland, because it would leave a legislative vacuum.

4.48 pm

Vicky Ford (Chelmsford) (Con): Abortion is rightly a very emotional issue and people have very strong personal views. This is not the first time in my life that I have been asked to vote on abortion. During my eight years in the European Parliament, I found that Members of the European Parliament vote on abortion nearly every month. Every time that that Parliament considers foreign policy in another part of the world, there is a detailed statement about human rights, birth control and abortion. I have voted on abortion policy in countries as far afield as Russia, China and India, and all over the world. If people check my voting record, they will see that I always support the woman's right to choose. I always support the woman's right to access contraception, and I never support the death penalty.

The debate in Ireland shone a light. The people of the Republic of Ireland voted for reform, and we, as their nearest neighbours, should support their decision. But the debate today is about whether we should repeal parts of our UK abortion law—specifically, the sections that make it a crime for a woman to try to cause her own abortion, or for anyone to help her or to supply anything that causes that abortion. This type of criminalisation is out of line with most other western countries and I understand the calls to modernise the law. But repealing those two sections would not solve the issue. If they are repealed, there would need to be new safeguards to protect women and a new legal framework.

In my many votes in the European Parliament, I was acutely aware of how challenging it is when politicians in one part of the world try to tell others what to do, especially on moral issues. The detailed legal framework must be a matter for locally accountable politicians. In Northern Ireland, there are deeply held views. Polls suggest that the majority want reform, but there is no agreement on the detail. Some say abortion should be permitted in the case of life-limiting conditions, others say for rape or incest, and others say they want the same law that side of the water as we have this side of the water. These issues need to be considered.

As someone who was born and went to Sunday school in Northern Ireland, I see the huge sensitivities that could arise if we in Westminster try to legislate over

[Vicky Ford]

the heads of the devolved Government—it is a devolved issue—but for over a year the parties in Northern Ireland have not taken up their seats. The Members have taken their salaries but not their responsibilities, and that has left people in many areas facing uncertainty. Decisions need to be made. If the Supreme Court decides that the Northern Irish abortion laws breach the ECHR, this Government will have to take action. The UK is a champion of human rights all over the world. We cannot turn a blind eye and will be forced to act.

I do not want this House to have to take action on matters that should be decided locally. I think it is right, therefore, that the Secretary of State has gone over there to kick-start the restoration of the Assembly. It is time for the Assembly. It is time to redouble those efforts. Assembly Members of Northern Ireland, I know you are listening. If you truly care about the women of Northern Ireland, if you truly care about the babies of the women of Northern Ireland, now is the time to show leadership, take up your seats and take these decisions. Otherwise I fear we may have to.

4.52 pm

Jess Phillips (Birmingham, Yardley) (Lab): Recently, I had to hire a car. It turned out that the cheapest and best option was to hire it from Birmingham airport. When I got in the car, I turned on the on-board sat-nav, and the last journey taken was to the Calthorpe clinic in Edgbaston—the place I myself had been for an abortion a decade previously. I shuddered at the thought of the woman who had hired the car before me, not to go about her working life but to do something that I had taken completely for granted. I and the hon. Member for South Cambridgeshire (Heidi Allen) are not criminals.

Last week, I asked the women of Northern Ireland to get in touch and tell me their stories of travelling to England, Scotland and Wales. Today I am them, and here are some extracts:

“It was Christmas Eve. I was with friends at a party and stepped outside for a breath of air and I was raped... My Mum had to book flights and booked me into a clinic. This all took money & I was from a working class family. We borrowed what we could and I left for London. Alone after I'd been Raped. I'd never travelled anywhere on my own.”

“I was in a relationship of sorts with”
an abusive man.

“I knew that had I carried on with this pregnancy I would not only lose my job but my home and the ability to look after the children I already had. My consultant told me that following legal advice medical staff were not allowed to provide any information that would help anyone to get an abortion.”

“I cried on the phone when I rang Marie Stopes in Belfast and they told me how much it would cost to book a medical abortion. I...considered taking too many of the antidepressants...not enough to kill myself but enough to induce a miscarriage”.

“I was 15, standing in McDonalds car park in the freezing December weather staring at a boy much older than me minutes after finding out I was pregnant. I was terrified...that someone would see me standing in my school uniform. I went to Liverpool two months before I turned 16, and 8 weeks after having sex with a boy who no longer wanted to know my name. The shame I felt lingered long after I had made the eight-hour boat journey back to Northern Ireland.”

Paula Sherriff: I think my hon. Friend has ably demonstrated this in her speech, but does she agree that, for the vast majority of women, the decision to

have an abortion, at whatever stage, is a heart-rending one and rarely taken without huge consideration?

Jess Phillips: I absolutely agree. I would also like to stick up for the women who are not the difficult cases, as well as those who are.

Let me return to the stories:

“The taxi driver who picked us up in Birmingham from the flight was kind, he drove right past protestors outside the clinic and called them ‘horrible people’. He wouldn’t accept mum’s money for the fare. I realised he saw many girls like me, I wasn’t alone...I did not want to travel on my own so had to wait till my friend got time off work...Leicester isn’t exactly easy to get to so we set off at 4 am for our flight, an hour’s bus journey into Leicester, and another 45 mins on another bus just to get to the clinic. After the procedure”,

she and her friend had to go and catch another flight.

“Again another two bus journeys that took near 3 hours this time to get back to the airport, another flight”.

They went back to the house,

“drained, exhausted, emotional and sore.”

She continues:

“The night before I was due to fly to London I had some minor bleeding and by the time I boarded the plane I was in some discomfort. Immediately the plane took off I made my way to the toilet as I had started to bleed heavily. When a female steward eventually knocked at the door I told her I was unwell and suffered from heavy periods. Of course she must have known but she said nothing. I was first off the plane with the young steward who accompanied me to the public toilets in Heathrow airport. She tried to persuade me to see a doctor or nurse but I was terrified. I went into the cubicle, I passed everything into the toilet and flushed it. When I returned to Belfast I did see my GP who was horrified and told me I could have died.”

The final story in my speech sums up what each and every woman who got in touch was saying—and there were hundreds:

“Despite my mental health issues, despite an abusive partner, despite having no money and no real sense of where I was going, I was expected to have this baby. But I didn’t want to be pregnant. And that’s really why I went to England. Afterwards I felt sore, but mostly angry that I’d been made to board a plane because the government that laid claim to my country, demanded it, legislates better for its English citizens than its Northern Irish people. Because Westminster allows our women to be deprived of the basic human rights they give to their English citizens.”

4.57 pm

Huw Merriman (Bexhill and Battle) (Con): It is a pleasure to follow the hon. Member for Birmingham, Yardley (Jess Phillips), who always speaks powerfully and emotively about such subjects.

I have sat through the debate in silence, and I have heard many points being made. I have disagreed with some of them vehemently, but I think it important for us in the Chamber to listen with respect to every opinion and not to think that we have a monopoly, however much we may disagree with the opinions of others. If we do otherwise, we are setting a terrible example to the rest of the country.

I look particularly to my friends in Northern Ireland, who I know serve their community incredibly well. They know their community and they are from their community, and I do not think that some of the etiquette directed towards them befits this place. I say that having found myself in agreement with the hon. Member for Walthamstow (Stella Creasy). I fundamentally believe

in the right of women to choose what to do with their bodies, and I think that, if we are one United Kingdom, albeit with devolved parts, it is extremely important for us to have basic rights that everyone in the United Kingdom can enjoy. That is the issue that I have with the current law.

I would not be standing up and making these points if Northern Ireland truly had working devolution. If that were the case, this would be a matter for Northern Ireland, because in practice as well as by rule, these powers would be enacted there. However, it has been 18 months since powers ceased to exist there, and that is my difficulty. Although I am not a Northern Ireland representative, I must ask for how long the people of Northern Ireland must continue to experience circumstances in which they live in a democracy but there is an absolute impediment to their ability to reform rather than just carrying on, given that there is no functioning Executive and no Assembly.

Times change, and we have seen the move from the Republic, but a 1938 legal case, *R v. Bourne*, still largely governs the right of abortion in Northern Ireland: a woman has to become

“a physical or mental wreck”

until that right can be invoked. As a representative of this United Kingdom, I cannot stand by and see that occurring. I believe that it is a duty on every hon. Member to put their head above the parapet and say that if we believe that this is not right any longer, we have to make a stand for others in the United Kingdom to have the rights that my constituents have. That is what causes me to rise.

Of course I hope that the Northern Ireland people, led by their democrats, can form a functioning Administration, in which case they can take the powers back and make those decisions themselves, but the difficulty I have is that I cannot just sit behind a wall that says, “It’s nothing to do with me because there’s devolution,” when devolution is not functioning.

On that basis, I support the hon. Member for Walthamstow. I give her great credit for the courage with which she has led this debate. I also believe that there comes a point in time for the rest of the United Kingdom law to be updated. We should not have rights on the basis that there are exemptions. Those rights should be there for women and we should ensure they are kept up to date with medical advances as well. I am glad that we are having this debate today and I very much support the move that the hon. Lady has brought.

5.1 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): It is an honour to be a co-signatory with the hon. Member for Walthamstow (Stella Creasy) in securing this debate.

The Offences Against the Person Act 1861 is a Victorian consolidation statute kept workable only by means of regular reinterpretations and case law; it is a creaking legislative machine held together by bolt-on updates. Unalloyed, this Act makes criminals of both desperate women and compassionate doctors. The decision to decriminalise abortion is a human rights question and thus a reserved matter for Westminster. If the decision were made to decriminalise abortion—if it were no longer a crime with exemptions—it would become a

devolved healthcare competency, and Wales, where criminal justice is not devolved, would have greater powers than is currently the case.

What could we do with such powers in Wales? First, we could consider the need for two doctors’ signatures. In an area like rural Dwyfor Meirionnydd, this means either two visits to different GPs or a visit to a GP and the British Pregnancy Advisory Service clinic in Llandudno. In much of Wales, there is only the option of two GPs, with all the fear of being recognised and of being talked about and the stigma this entails in close communities. We must remember that these are places where a person’s mother will know the GPs and everyone is afraid that the receptionist knows everybody’s business and will be talking about it. Across much of Wales, there is a shortage of accessible GPs, too, so much so that 12% of women in Cardiff who seek the procedure attend private abortion clinics because they are afraid that the NHS will be too slow for them.

If this area was truly devolved, the National Assembly for Wales could also move ahead with confidence with powers to allow women to undertake the second stage of a medical abortion at home, rather than having to be seen by medics at a clinic twice. I ask Members to think about the fact that as things stand they would have to travel either in a car or by public transport back home from the clinic with the effects of a medical abortion starting on them as they travel. I ask Members to think, too, about the recommendation that they should not drive themselves to and from the clinic and all that that means in terms of confidentiality; do they tell their mother or grandmother—should they come with them, or should their best friend come with them?

That is what the contemporary law means for women in Wales, because of a piece of legislation that was patched together 157 years ago. Repealing sections 58 and 59 of the 1861 Act would allow devolution to change this, and arguing that devolution for Stormont is a reason to deny this for Wales is ironic considering clause 11 of the EU withdrawal Bill and the power-grab implicit in it.

The criminalisation of abortion does not prevent abortion. The Guttmacher Institute publishes figures showing that abortion rates in countries with prohibition stand at 37 per 1,000 women as opposed to 34 per 1,000 in countries where abortion is not restricted; they are virtually identical. Highly restrictive laws do not eliminate the practice of abortion, but they reduce women’s safety and increase the distress of undertaking the procedure.

Let us face it: no one wants an abortion, but our control of our own lives must not be at the mercy of biology. Deciding whether to have children, and when and how many children to have, is a fundamental human right.

5.4 pm

Owen Smith (Pontypridd) (Lab): I congratulate my hon. Friend the Member for Walthamstow (Stella Creasy) on bringing this debate to the House today. She has made an eloquent and compelling case for the decriminalisation of abortion across the whole United Kingdom, but she should not have had to make that case, because it had already been made brilliantly by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) last year. We should have enacted this change already. My hon. Friend the Member for

[Owen Smith]

Walthamstow also made an excellent case about the compatibility of her proposals with the devolution laws. That is an important point to make.

I speak as a former shadow Secretary of State for Wales and for Northern Ireland—I occupied those positions for fully half the time I have been in this place—and I believe that choice and compassion for women should trump all the constitutional concerns. That is what we should be deciding as a legislature, either here in this House or in Northern Ireland. I am a devolutionist, and I believe that we should respect the devolution settlement in all parts of the UK, but I am also someone who believes fundamentally in the universality of human rights, including the rights of women in all parts of the UK—indeed, in all parts of the world—to choose what happens to their bodies and to have legal and healthcare systems that respect their choices and look after their health and wellbeing.

The abortion laws in Northern Ireland—however they have been derived, however long-standing the conventions might be, and whatever the views of the politicians in Northern Ireland might be—do not respect or protect the human rights or the health and wellbeing of the women of Northern Ireland. That is why they should be changed. Ideally, that should happen in Stormont, but if Stormont is unable to rise to that challenge, it should be done in this place.

Jo Stevens: Every man in this Chamber has control and choice over their reproductive healthcare. Every man in this Chamber can have a vasectomy if they wish to do so, without the threat of prosecution. As a woman, I have no control or choice. Does my hon. Friend agree that, for all the complexities of the Northern Ireland political situation, this is a matter of equality and human rights?

Owen Smith: I am grateful to my hon. Friend for that excellent intervention. Devolution necessarily means that there will be differences between the jurisdictions of the United Kingdom, but it should not mean that people in any one part of the UK should have a diminished set of rights. That is what we are dealing with in Northern Ireland.

I became utterly convinced of this case when I led a delegation of Labour MPs to Northern Ireland earlier this year to hear directly from the women of Northern Ireland about their experiences. One of the women who spoke to us has been mentioned several times in today's debate. Sarah Ewart has become a great champion for the cause of reform in Northern Ireland, and her story is typical. At 19 weeks, she was diagnosed as having a foetus with anencephaly, a fatal neural tube defect. The baby was never going to live. She was unaware of the circumstances and went to her GP to ask for an abortion, only to be told that she could not have one. She ended up spending over £2,500 to come to England and undergo a not terribly satisfactory procedure, and being traumatised in the process. She is one of hundreds of women undertaking that journey, and one of thousands who have contemplated seeking, or have sought, medication on the internet to bring about an early termination. That cannot be right in 2018 in any part of the United Kingdom. It cannot be right that we endure circumstances

in which the Victorian practice of backstreet abortions is growing in part of the United Kingdom. That should simply be unacceptable.

I want briefly to talk about the politics of this. Hon. Members from Northern Ireland have spoken with knowledge of their communities, but I do not think that we have heard a completely full account of where public opinion lies in Northern Ireland, or of the political situation there. One of the parties in Northern Ireland has changed its view recently—Sinn Féin has moved its position—and other political parties, notably the Ulster Unionist party, have previously stated that this would be a matter of conscience, were there to be a vote in the Northern Ireland Assembly. So it is not black and white that there is political opposition to this across the board in Northern Ireland. Nor is it right to say that there is public opposition, because some of the most recent polls have shown that up to 75% of people in Northern Ireland, of all faiths and none, believe that there should be decriminalisation there.

Emma Little Pngelly: Will the hon. Gentleman give way?

Owen Smith: I am afraid that I will not give way.

I was pleased to hear the Secretary of State say that Conservative Members will have free vote if the matter comes before the House, so I hope that it comes before the House at the earliest opportunity and I look forward to voting with Conservative Members to change the law for Northern Ireland.

5.10 pm

Alison Thewliss (Glasgow Central) (SNP): I pay tribute to the hon. Member for Walthamstow (Stella Creasy) and all those who have been brave enough to speak in this debate. I also pay tribute to those in the women's sector in Northern Ireland who are watching on. They are the most tremendous bunch of feminists, and I encourage everyone to meet them.

I will speak briefly about the impact of women not having the right to choose and what happens when their options are restricted. The restriction of child tax credits and the child element of universal credit to the first two children in a family is a cruel policy that I am well on record as opposing, but we do not often discuss the choices that that drives women to make. The benefits helpline Turn2us surveyed callers affected by the two-child policy, and 700 people said that it affected their decision to have another child. A number of women had opted for abortions of wanted babies rather than pursue a pregnancy that they felt they could not afford. Some with religious beliefs or whose pregnancies were too far along could not do the same. It is abhorrent, despicable and cruel that this UK Government policy is forcing women to terminate pregnancies, but the fact remains that, unlike women in Scotland, England and Wales, women in Northern Ireland are not afforded that choice.

The hon. Member for Birmingham, Yardley (Jess Phillips) talked compassionately about the women who travel, but that option is not open to all. Those who are in poverty, those in abusive relationships, single parents and those with childcare issues, insecure immigration status or a disability often cannot travel. They cannot afford to or they practically cannot travel, and they may then take pills bought over the internet. The most

marginalised women are now also the most likely to be criminalised. The situation is unsustainable and must be challenged.

For historical reasons, the average family size in Northern Ireland is higher than in the rest of the UK, and the two-child policy has a disproportionate effect. There is a certain irony that DUP Members are propping up the Tories and supporting social security cuts that will leave families less able to provide for their children, while opposing changes to abortion law. The two-child policy will put 250,000 more children into poverty by 2020, and families will lose out by at least £2,780.

Women in Northern Ireland are left in a trap. They are unable to access child tax credits or abortions, and women in particular circumstances of abuse cannot access contraception. The hon. Member for Walthamstow said that it is almost as though we are in Gilead, and some women find themselves with very little control over their reproductive rights. I trust women. I believe in their right to choose, and I hope that the Supreme Court does as well. Our sisters in Northern Ireland have been left behind and left out for far too long. I urge that progress is made on this issue as a matter of urgency.

5.13 pm

Jim Shannon (Strangford) (DUP): Thank you, Mr Speaker, for the opportunity to speak on this issue. I ask all right hon. and hon. Members in the Chamber to respect our hard-held and heartfelt views and opinions, which may be different from those held by some who have spoken, but may be in kilter with some who have not. This debate is an opportunistic move on the back of the so-called momentum of the Irish referendum to bring abortion on demand to the UK with no restrictions. That is my opinion. It may not be the opinion of everybody in this place, but that is how I feel about it. Let me be clear that the change would mean that babies could be removed from the womb and disposed of when their hearts are beating, and I am diametrically opposed to that for several reasons.

I have stood in this Chamber to speak to, and have written to, many people whom I think have power—Ministers, permanent secretaries and Secretaries of State—asking them to allocate and release funding to address the crisis point that our health and education services have reached. Devolution demands that Stormont makes major policy determinations, not Members of this place. Why are we debating this issue yet not taking the reins and addressing the A&E crisis and GP surgery closures? Other Members have referred to that. We are debating just one issue; we are not debating the critical issues of how health and education works.

As far as I am concerned, the referendum in Ireland has no bearing on the democratic process in Northern Ireland—full stop. Ireland had a referendum because its constitution demanded it, and we have no need for one; we simply need a working Assembly. Does this mean so much to Michelle O'Neill, with her “North is next” statement? No, it does not. Is Northern Ireland next? Bring it to the Assembly and see how many Members of the Legislative Assembly put their name to the change. The last time this was debated in the Assembly, the decision, by 59 votes to 40, was to leave the law as it is. The decision was supported cross party and cross community, and there was no petition of concern. People can ignore that if they want, but it is a fact of life.

Paul Girvan (South Antrim) (DUP): The last time this was debated in the Northern Ireland Assembly, there was evidence that many people have multiple abortions and are using it as a form of contraception.

Jim Shannon: I thank my hon. Friend for his comment.

Frank Field (Birkenhead) (Lab): Does the hon. Gentleman agree that if this is such an important issue for Northern Ireland, it had best get its Assembly up and running quickly, otherwise we will increasingly find that this Chamber decides issues on behalf of Northern Ireland that should legitimately be decided by the Assembly itself? My vote is that we should never put women in the position of seeking back-street abortions—many of us will have older relatives who were in that position. This goes back to the fact that Northern Ireland needs to get its Assembly running.

Jim Shannon: I agree with the right hon. Gentleman that the Assembly should make that decision. I think we all want that to happen, and if the Assembly were making the decision, I am sure nothing in the existing legislation would change.

Emma Little Pengelly: We have heard a couple of references to back-street abortions. Does my hon. Friend agree there is no evidence of any back-street abortion activity—never mind an increase—in Northern Ireland? There are issues, and we have indicated that we will deal with those issues compassionately, but back-street abortion is not an issue in Northern Ireland, as far as we are aware.

Jim Shannon: I thank my hon. Friend for her factual evidence.

It is my belief that a child is a child from conception, as can increasingly be seen through medical advances. A heartbeat can clearly be seen from three weeks. One lady in my office said, “If a doctor declares you dead when your heart stops beating, you must be declared alive whenever your heart is beating.” My opinion is determined by the women around me: women who are religious and those who are not; women who have grieved after losing a baby at 12 weeks; and women who have carried their babies full term—I know quite a lot who have done that.

My opinion is formed by the use of the Abortion Act on the mainland. The 1967 Act was enacted with conditions, rules and criteria, but the situation we ended up with was abortion on demand. What are the facts? In 2015, there were 697,852 live births and 185,824 abortions in England and Wales. For every three children born, one is aborted. If that is not abortion on demand, I need to know what is.

In the last 10 years in England and Wales, out of almost 2 million abortions, just four were recorded as being for the purpose of saving the mother's life. The conditions in the Abortion Act are rightly there to protect young children, but have they done that? No, they have not. We have had approximately 50 abortions in Northern Ireland, so women can have an abortion in Northern Ireland if the conditions are met—two GPs have to agree that an abortion would protect the welfare, health and safety of an expectant mother. We have a system that works, and it is better than the legislation in

[Jim Shannon]

the United Kingdom. It is better than the Republic of Ireland's system, too. The Democratic Unionist party believes that both lives matter—the mother's life and the child's life—and, as my right hon. Friend the Member for East Antrim (Sammy Wilson) said, 100,000 people are alive today because of that.

The hon. Member for Pontypridd (Owen Smith) spoke about opinion polls, and there was the publication at the weekend of a national opinion poll that asked voters in Northern Ireland whether they supported abortion when a woman simply does not want the child. Only 34% said yes and 60% said no. There is no demand among the general public for abortion on demand, which Members would push through if they had the opportunity.

I am called to be a legislator, and I have to weigh up the number of the cases I mentioned against the number of those that abuse legislation as a means of birth control. I believe it is to the good of our nation to protect our babies in their mother's womb and to support that woman. I believe it is wrong to ask doctors to take the life of a child within the womb. I believe that there is another way and we must advocate for that. I believe that the woman and her body matter, but so does the life of the child. Let us remember the child. People may disregard it, but let us not do so. I am not disregarding it and my party will not disregard it. Do not ask this place to impose on Northern Ireland a law that does not reflect the will of its elected representatives and, in my opinion, the overwhelming view of the people of every side of the political divide. Life is precious; both lives matter.

5.20 pm

Christine Jardine (Edinburgh West) (LD): I, too, thank the hon. Member for Walthamstow (Stella Creasy) and everyone who supported her in securing this debate. It is of vital importance, not in a party political sense—or any political sense—but in a human rights sense. Two issues are involved here. The first is that it is simply appalling in 2018 that abortion is still treated as a criminal issue, rather than a medical one. More than 100 years—only just more—after women were given the vote, we are here debating an Act from 1861 when not only was it all men in the Chamber who decided, but it was all men who voted for all the men in the Chamber to decide. The other issue is that even now women in Northern Ireland are the only women in the UK who are denied a fundamental human right: the right to choose—the right to control their own bodies.

I have heard the debate about devolution. Even as someone who has campaigned consistently for devolution and whose party has campaigned tirelessly for it, I cannot find myself supporting that argument. I listened to what the hon. Member for Edinburgh North and Leith (Deidre Brock) had to say, but then I listened to what the hon. Member for Birmingham, Yardley (Jess Phillips) said and thought, “If I were one of those women sitting at home listening to us today, what would matter to me more: devolution and a political principle; or my human rights?” The answer would be my human rights and my right to choose. It would be my daughter's human rights, my niece's human rights and the human rights of every woman I know above a political principle.

If that is not enough, perhaps we should look at what the legislation says, because human rights are not devolved. There is a precedent from 2007. When the DUP blocked the EU gender directive, Westminster stepped in and intervened. Legislation also gives the UK Parliament responsibility for meeting international obligations such as United Nations treaties ratified by the UK. UN bodies have found that Northern Ireland abortion law is incompatible with human rights treaties ratified by this Parliament. That is also the view of Amnesty International, which has said:

“Northern Ireland laws have been repeatedly found by UN treaty monitoring bodies to be in significant violation of the various human rights treaties the UK is state party to.”

We are not trying to usurp the rights of the Stormont Parliament; it is not sitting at the moment—

Mr John Hayes (South Holland and The Deepings) (Con) *rose*—

Christine Jardine: I hope that the right hon. Gentleman will not mind, but because of the time limitations, I am not going to give way.

We are not trying to usurp the rights of that Parliament; we are simply trying to establish the rights of women throughout the UK, to put those rights on an equal footing, and to give every woman the choice. If we repealed sections 58 and 59, the Parliament in Northern Ireland would, as we have heard, be able to decide for itself how to proceed. I give my complete support to today's debate, not just for myself, but for those women who have a right—a human right—and for our children throughout the UK. I want them all to be on an equal footing.

5.23 pm

Karin Smyth (Bristol South) (Lab): I am a strong supporter of the right of women to autonomy and choice, and it is right that in this place we highlight the appalling treatment of women in Northern Ireland, as we would highlight discrimination in any other part of the world. Given that the 1861 Act is a UK law, it is also right that this Parliament debates—and, I hope, in time repeals—the relevant sections. I do however, wish to use the brief time available to utter a few words of caution about the next political steps we take to make the change that we want to see.

I am vice-chair of the British-Irish Parliamentary Assembly, and our Committee D, many members of which are present, is in the middle of an inquiry into abortion across all jurisdictions of Britain and Ireland, including the Isle of Man, which I do not think has been mentioned today. We paused our work to allow for the Irish referendum, but we will continue our debate following this weekend and in the coming months.

The Republic of Ireland vote on the eighth amendment is transformative, not just for women in the Republic, but for women around the world whose politicians have not heeded the need for change in respect of votes of what has been termed conscience. The referendum result will have major implications, not only for Northern Ireland in terms of the debate on the rights and wrongs of abortions, but for the practical realities. The referendum vote is transformative for all people across the island of Ireland. Women from Northern Ireland will now have the ability to travel into the Republic for abortion services, once those are up and running. They will not

have to get on a plane or a boat; they will be able to walk into Cavan, Monaghan or Donegal at any point and probably access abortion services. They will be able to take a short bus ride.

Will women have to apply for funding, as agreed by this Parliament, to travel into the Republic of Ireland? Will the reciprocal healthcare rights apply to terminations? Do they apply as part of the European Union? Do they apply under the spirit of, and the rules that govern, the Good Friday/Belfast agreement? Has the Secretary of State discussed implementation with the Irish Government? There is merit in an all-island view of this issue. There is a debate in Northern Ireland about whether abortion is an issue of human rights or healthcare, with one of those subjects within our purview and the other not. It is not a binary issue.

This debate is helping to spotlight the scandal that is the collapse of the Northern Ireland Assembly. If the politicians cannot agree, how are we going to get them to make some kind of future Act? There is discussion about whether a civic forum is the way forward for Northern Ireland, but I am not entirely sure how that would be made a reality, given that the Assembly is not in place.

We have heard a lot of assertions about what people think. Members from Northern Ireland are quite right to say that they have a mandate to be here and say what they have said; others have a mandate not to be here. We do not know what people in Northern Ireland think because we have not asked them directly. That is the political reality. There is unlikely to be any change in the electoral mathematics in Northern Ireland at any time soon. The law is complex in this policy area, and it is no good pretending it is not.

The Government cannot now be let off the hook on this issue, and we need to understand how they will unblock this situation. I am not generally in favour of referendums—I think they do not go that way—but a referendum should be considered as a tool to unblock the political situation. What discussions have the Government had, or will they have, with the Irish Government about the all-island situation and implementation? What support will be given to women who travel to and access abortion services in the Republic of Ireland? What is stopping the Government going directly to the people of Northern Ireland for a view on this issue?

5.27 pm

Hannah Bardell (Livingston) (SNP): It is a pleasure to speak in this debate. I commend all the Members who have taken part and thank the organisations that have given us briefings, including Engender, Scottish Women's Aid and the British Pregnancy Advisory Service.

Ruth Halperin-Kaddari, from the UN's expert Committee on the Elimination of Discrimination against Women, has said:

“The situation in Northern Ireland constitutes violence against women that may amount to torture or cruel, inhuman or degrading treatment”.

We have to bear that in mind in all these discussions. As I said in my interventions, we have to deploy respect for each other, and there have been a range of views and proposals from Members in different parts of the Chamber.

I congratulate and commend the hon. Member for Walthamstow (Stella Creasy) for bringing this issue to

the House in such a brave fashion. I must say that I have become more swayed by the arguments as the debate has gone on, but for DUP Members to suggest that women opt for abortions as a matter of convenience, or to talk about unborn children being thrown in the bin or babies being disposed of, are disgusting ways to describe the choices that women have to make anywhere in the UK but particularly in Northern Ireland. The fact that the legislation that governs some women's reproductive rights was made at the time when Parliament passed the Capital Punishment Amendment Act 1868 to end public hanging shows that so little has been thought of women's health in some areas that it is deemed appropriate for our bodies to be governed by a law that is so old that no one is left to remember it.

We must recognise the extraordinary circumstances in which we find ourselves. The Republic has voted, and we must wait to see what legislation comes forward and what impact it will have on women who travel for an abortion and on services in the Republic. In November 2015, a High Court judge ruled that Northern Ireland's almost outright ban on abortion breaches the human rights of women and girls, including rape victims. I have huge sympathy with the women of Northern Ireland—I stand with them. The stories of women travelling alone and scared to another country for an abortion when many of them have already endured a trauma strike at the very heart of why we are elected. We are here to stand up to injustice and to protect our citizens.

This is a hugely complex issue both constitutionally and in human rights terms. A report by a House of Lords Committee said that the issue of whether human rights are devolved or reserved is not as clearcut as it has been presented as being. I cannot give fuller details because of time constraints.

As my hon. Friend the Member for Glasgow Central (Alison Thewliss) highlighted, we are criminalising women in the most desperate of circumstances. There have been discussions about the notion of a referendum to ask for the views of the people of Northern Ireland. We must recognise the different constitutional situation between the north and the Republic, and I have some sympathy with the women's organisations that are quite rightly saying that women's rights are inherent and should not be up for popular vote.

Women in Ireland told their stories to convey the devastating impact of the eighth amendment. It took great emotional courage for those women to speak out, and we must pay tribute to them. Why would we subject the women of Northern Ireland to the same situation? I say to the hon. Member for Walthamstow and others that we have before us in the motion a statement of intent. I am not a constitutional expert, and I do not have a great legal brain, but I have some concerns about the practicalities of it. I also see merits in the argument, and I make this commitment to her and to the women of Northern Ireland: should she bring forward proposals on this issue in the Domestic Abuse Bill, or in another way, I will work with her, and meet and engage with others across parties, to look at those proposals. The Northern Ireland Assembly must reform itself as soon as possible—

Mr Speaker: Order. We are extremely grateful to the hon. Lady.

5.31 pm

Sir Peter Bottomley (Worthing West) (Con): My understanding is that if sections 58 and 59 of the Offences Against the Person Act are repealed, it will be necessary to have some other civil law both for England and Wales and for Northern Ireland. Clearly, the abolition of sections 58 and 59 will happen, as that is what the majority in the House wants to happen. That will then provide an opportunity to the devolved Assemblies and Administrations to bring forward the laws that they think are appropriate in their own parts of the United Kingdom. As I understand it, the Offences Against the Person Act does not apply in Scotland in this regard, and that does not cause a problem. The question is how and when, and then what.

I would like to know who is the most senior person in the DUP who supports what is, to use the shorthand, a woman's right to choose; and whether any DUP candidates in the previous general election spoke up for a view that is held quite widely in other political parties. I am not sure that I know the answer to those questions.

Sir Jeffrey M. Donaldson *rose*—

Sir Peter Bottomley: There is no need to provide the answer now, but, at some stage, it would be interesting to know whether there is a debate and a variety of views in the DUP. That is important in Northern Ireland.

The second question is whether we can take out the idea that this is a rarity. I do not normally talk about personal circumstances, but I have been involved in about 10 conceptions, three of which brought children who were born alive. The other seven were aborted naturally—they were miscarriages. I have had people living in my house desperate to have children, who have gone through late miscarriages—incidentally, those who think that the heartbeat starts at three weeks are out by about 100%, because it is about six to eight weeks, but that is an unimportant detail. The question is clearly this: if there is going to be a deliberate termination, can it be as soon as possible rather than as late as it can be under the current procedures? That is one reason why we need to examine the need to have two doctors to approve a formal medical termination or whether one is sufficient, and what the protocols should be.

We need to approach this matter in this way: the world is not as we would like it to be. It is clearly wrong that, in this country, there are about 190,000 abortions a year. If we allow some people to come in from Spain, Ireland or Northern Ireland for abortions, that leaves about a 40% chance that someone in this country will be involved in a conception that is ended by a deliberate termination at some stage. It is common, and it is not something for the criminal law. It is about understanding how conception takes place, whether people want an extra child when they already have five children, whether they have conceived with someone to whom they have to say, "I'm sorry, what did you say your name was?" or whether they say, "We have lived together for two years and we hadn't planned this." Those are the sorts of circumstances that require openness and open discussion.

Mr John Hayes: Any legal circumstances where abortion was not in some way limited or restricted would certainly be a rarity. We have heard in this debate that abortions

cannot take place from a much lower age in most countries of the world. Would my hon. Friend support that kind of reform?

Sir Peter Bottomley: My right hon. Friend will have heard me say that if a deliberate abortion is going to take place, the sooner it takes place the better. It is better that people do not face those circumstances, but when they do, the earlier the better. That is clearly right. The civil law will need to replace the criminal law.

Members who have contributed, on both sides of the House, have earned the respect of those outside. If those who oppose change can respect those who want it, we can have a better debate.

5.35 pm

Stella Creasy: I thank every Member who has contributed to this debate. I hope, first and foremost, that the Government have heard what was said by the hon. Member for Worthing West (Sir Peter Bottomley), who is my dear friend on this matter. This is a statement of intent. We want deeds, not just words. The women of Northern Ireland—indeed, the women of England and Wales—deserve modern abortion law, and we intend to work to give it to them.

I will repeat what I said in my opening speech to counter the scaremongering of the hon. Member for Congleton (Fiona Bruce), who I am sad is no longer here. She said that our proposal could result in the country providing abortion up to birth. No. This is about repealing sections 58 and 59 of the Offences Against the Person Act 1861. It is not about the Infant Life (Preservation) Act 1929.

I am disappointed that the Government sent to the debate a Minister from the Northern Ireland Office, who therefore claimed that she could not comment on UK legislation. Ultimately, what we want is a date on which the domestic abuse Bill will be brought to the House and on which the will of the House can be tested—a date not within the next 150 years but within the next 150 days.

I share the concern of the hon. Member for Lewes (Maria Caulfield) to hear the voices of the women and men of Northern Ireland. Indeed, I hope that she will go and listen to nationalist voices, particularly that of the vice-president of Sinn Féin, Michelle O'Neill, who has said that legislative change is required and backs this proposal. If the hon. Lady is speaking up for nationalist voices, she should be supporting this proposal.

I am so proud to serve in the House on this issue with the hon. Member for South Cambridgeshire (Heidi Allen) and the right hon. Members for Putney (Justine Greening) and for Broxtowe (Anna Soubry), who have made such a powerful case for change. But above all, I thank the right hon. Member for East Antrim (Sammy Wilson), who so beautifully illustrated why this change must happen in this House and why it matters. He took the floor to control this debate, because control came easily to him. That sensation of being in control and being able to make decisions about what happens is what we seek for all our constituents. I will stand up for his right as a Northern Irish man to have control over his body. All we are asking is that he stands up for the right of Northern Irish women to have control over their bodies too—not to be criminalised, but to be able to make a choice.

Let me be clear to all Members of this House—the members of the campaign, the MPs who already stand convinced and those who want to hear more arguments—that we will also make a choice: not to give up fighting for equality, not to give up fighting for the 21st century and not to give up fighting for choice for all. We trust all women. Now is the time for Northern Ireland.

Question put and agreed to.

Resolved,

That this House has considered the role of the UK Parliament in repealing sections 58 and 59 of the Offences Against the Person Act 1861.

Non-Domestic Rating (Nursery Grounds) Bill

Second Reading

5.38 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 a Second time.

Agriculture is at the heart of our country's rural life, and, moreover, at the core of our rural economy. It employs over half a million people and supplies almost half of everything we eat and drink in this country. In England alone, the rural economy is worth over £250 billion. We want our country to offer unparalleled business opportunities for an agricultural community that produces some of the finest food and drink in the world. At every stage of the food chain, the UK is creating exceptional food and drink enjoyed around the world, with lucrative opportunities for British exporters, international buyers, and investors. In just 10 years, global demand has grown by nearly a third, with total food and drink exports now exceeding £20 billion.

I am proud to represent a deeply rural and agricultural constituency, home to businesses like Wensleydale Creamery, HECK sausages, Stamford Farm yoghurt, and Thornborough Cider—all fantastic rural businesses producing food and drink that competes with the best around the world.

This Government are absolutely committed to supporting sustainable growth in the rural economy. Through the 2014-2020 rural development programme, we are investing almost half a billion pounds in England's rural businesses. Our support for rural enterprises includes developing farm and horticultural companies. In February, the Government launched a wide-ranging consultation on the future of farming—one that supports farmers once the United Kingdom is outside the European Union. The Government are now analysing views and responses from all stakeholders who contributed. Our ambition is for a more dynamic and self-reliant agricultural industry. Supporting our rural economy and protecting farmers is an essential part of our exit from the European Union. Leaving the EU provides the Government with a unique opportunity to establish new frameworks that support our farmers to grow more, sell more and export more great British food and drink. As we develop this new approach to food, farming and fisheries outside the EU, we will not compromise on our high standards of animal welfare and environmental protection.

The Government are set to continue to commit the same cash total—£3 billion—in funds for farm support until the end of this Parliament. Then the Government will devise a new agri-environment system to be introduced in the following Parliament.

Mr Jim Cunningham (Coventry South) (Lab): One of the big problems with regard to protecting farmers, as I am sure the Minister knows, is getting labour in from the EU and other parts of the world. That is where the big problem might lie after we have come out of the EU.

Rishi Sunak: It is not quite my place to comment on future immigration policy, but the hon. Gentleman will know that the new Home Secretary is devising a new immigration system for the UK after Brexit. Of course,

[*Rishi Sunak*]

ensuring that all businesses, not just in agriculture, have access to the talent and the labour they need will be at the forefront of that new system.

The Government have also said that they will use the structural fund money that comes back to the UK following the EU exit to create a UK shared prosperity fund. The needs and interests of rural businesses have to be addressed as part of any future plans.

We firmly believe that the business rates system plays an important role in supporting agricultural productivity. The agricultural exemption from business rates is a key part of this support. It is a broad-ranging and generous tax measure that ensures that no business rates are paid on agricultural land and properties.

Sir Greg Knight (East Yorkshire) (Con): The Bill itself does not define what a “nursery ground” is, but the explanatory notes, which are not considered by Parliament and are not part of the legislation, do contain a definition of what a “nursery ground” is. Why is this? Would it not be better to put the definition in the Bill, or does it exist in other legislation?

Rishi Sunak: My right hon. Friend is right. My understanding is that other legislation has outlined the difference between the two, and I will come on to the Court decision that distinguished the treatment of the two.

It might be helpful, for Members who are not aware, if I explain the distinction. A nursery ground is where small plants or trees are propagated or sown with a view to their being sold on to someone else for growing on to their mature state, for sale to or use by the end consumer, whereas a market garden is where fruit, vegetables, flowers or plants are produced to be sold directly or indirectly to members of the public for consumption.

Rebecca Pow (Taunton Deane) (Con): I have been much involved with the horticultural industry, so I am quite aware of the nursery industry, but I believe that many people are not aware of how significant it is for growing produce for our home market. We could grow it even more after Brexit—indeed, we need to—and the Bill will help a great deal by making these businesses more viable.

Rishi Sunak: My hon. Friend is, as ever, an incredible champion for agriculture and the rural community. She is right to highlight not only the current contribution of the fantastic horticultural sector to the UK economy in providing such fantastic food and drink for us to enjoy but the opportunities that will come after Brexit, as we make good on the promise of a global Britain where our food and drink exporters can look out to the world around, where demand is growing exponentially, and take advantage of all those opportunities. Consumers around the world will have the opportunity to benefit from high-quality produce developed in this country and always to high welfare standards, of which I know she is also a champion.

It is worth noting that the exemption from business rates for agricultural land has been in place since 1929. Before that, in the early part of the 20th century and

before, agriculture benefited from a partial exemption from rates. For almost 100 years, the Government and Parliament have considered that agriculture should not pay rates. This Government and I trust that this Parliament has no intention for any change of direction in this matter.

It has been assumed until now that all plant nurseries where plants or trees are grown in the initial stages of their life, as I outlined, benefited from that exemption. That had always been the understanding of both rating valuers and practitioners, but in 2015, a Court of Appeal decision showed that the exemption did not apply to plant nurseries in buildings where the buildings were not used in connection directly with agricultural land. That does not reflect Government policy, and neither does it reflect our commitment to supporting sustainable growth in the rural economy.

This legislation will ensure that plant nurseries in buildings will once again benefit from the exemption from business rates for agricultural land and buildings. It will restore fairness for hard-working businesses hit by an unexpected tax burden, and it will enable the Valuation Office Agency to return to its former practice of exempting plant nurseries in buildings and removing plant nurseries that have been assessed from the business rates list. Plant nurseries paying business rates since 2015 will be eligible to apply for a backdated refund of their business rates, which will ensure that these businesses do not continue to suffer as a result of a property tax with an impact on the cost of farming and produce.

Bob Blackman (Harrow East) (Con): My hon. Friend is clearly laying out the Government’s position, but can he clarify one issue that has been raised with me? Garden centres are commercial centres for direct provision to the public, but what will be the position under the new legislation of hybrids—in other words, plant nurseries with a garden centre alongside them that sells their produce directly to the public?

Rishi Sunak: I thank my hon. Friend for bringing up a helpful and important point that is worth clarifying. Under current legislation, garden centres are not exempt from paying business rates because they are not treated as agricultural businesses, which I am sure hon. Members will understand. It would be for the Valuation Office Agency to determine the individual facts of the case that he mentioned, but in general, it is perfectly possible for different parts of an entity to be treated in different ways. In the example he gave of a hybrid, where an agricultural business also had a retail operation, the Valuation Office Agency would be able to treat different parts of the business in different ways, and some may benefit from the agricultural exemption. Another example might be a working farm that also happens to have a retail element—for example, a farm shop—that might not benefit from the agricultural exemption, whereas the rest of the farm would. I hope that that clarifies my hon. Friend’s query.

In developing this legislation, we have worked very closely with the National Farmers Union to make sure that the measure meets our shared aim of ensuring that plant nurseries benefit from the agricultural exemption. I want to put on the record my thanks to the NFU for its invaluable insights and expertise, which has helped us to bring this effective legislation to the House. I very much welcome its support for the Bill.

I also want to put on the record my thanks to my hon. Friend the Member for St Austell and Newquay (Steve Double). He deserves enormous credit for highlighting this issue to both my predecessor and others last year, and he has continued to press the case with Ministers and other parts of the Government. I am glad that he will be able to see the fruits of his labour brought to bear today.

To return to the comment made by my hon. Friend the Member for Harrow East (Bob Blackman), the Bill will not otherwise disturb the existing boundary of the agricultural exemption, so uses beyond agricultural operations, such as garden centres, will continue to be subject to the normal business rates process.

Sir Greg Knight: Is the Minister in effect saying that all the Bill does is return the law to the same state we all thought it was in before the case of *Tunnel Tech v. Reeves*?

Rishi Sunak: My right hon. Friend is absolutely right: that is what the Bill seeks to do. It is a limited, targeted Bill that restores the practice previously widely accepted and understood by all participants in the rating system and ensures we will return to the state that existed before the Court of Appeal decision.

While I am responding to my right hon. Friend, let me clarify my earlier point. He asked where exactly the definition of nursery grounds can be found. I am reminded that it is precisely defined in case law, rather than in statute. That is where the definitions used over the years have been developed.

To turn to the business rates system in general, the Government are very clearly using the business rates system to create opportunities and to drive growth across the country. The Government have introduced a range of business rates reforms—worth over £10 billion by 2023—that will benefit the wider economy, including many businesses in rural areas. In April 2017, we permanently doubled small business rate relief to 100%, and raised the threshold from £6,000 to £12,000. As a result of these measures, over 600,000 small businesses—occupiers of a third of all properties—now pay no business rates at all. This demonstrates the Government's clear commitment to supporting small businesses. We understand the impact of business rates in the rural economy in particular, so at the same time the Government also doubled rural rate relief from 50% to 100% for eligible businesses.

Rebecca Pow: I have an urban area in Taunton Deane, but I speak as someone whose constituency is particularly rural. There is a view that there is an increasing divide between urban and rural, particularly in the south-west, where we are largely rural. These business rates exemptions are absolutely crucial. Does the Minister agree that this Government are very much indicating that they understand their importance?

Rishi Sunak: My hon. Friend is absolutely right. She will know that I also represent a deeply rural constituency. I have seen at first hand the incredible difference that the business rates exemptions make to small rural enterprises, whether they are small business rate relief, rural rate relief or, indeed, some of the measures to support pubs that the Chancellor has announced in the

last Budget or two. All of these measures add up to tangible savings for thriving enterprises, which are indeed the lifeblood of rural areas.

My hon. Friend will know, as I do, that rural areas typically do not benefit from large multinational employers. The backbone of rural economies are small and medium-sized enterprises, for which business rates are often a significant cost to bear. Any relief that the Government can give is always warmly welcomed, and it makes an enormous difference to their profitability and future success.

I am pleased to tell my hon. Friend that the Government continue to listen to business. At the spring Budget last year, the Chancellor announced a £435 million package to support rate payers facing the steepest rises in bills following the revaluation. Further answering calls from businesses, the Government brought forward to April this year the switch in the annual indexation of business rates from the retail prices index to the consumer prices index. That represents a cut in business rates every year. Although bringing forward that measure two years earlier than previously planned might sound technical, it is worth £2.3 billion over the next five years.

Furthermore, at last year's autumn Budget the Chancellor also announced an increase in the frequency of property revaluations from every five years to every three years following the next revaluation. That will ensure that bills more accurately reflect properties' current rental value and relative changes in rents. The 2018 spring statement announced that the next revaluation would be brought forward to 2021 from 2022, so that businesses can benefit from the change as soon as possible. After that, three-year revaluations will take effect in 2024.

To deliver on that commitment, the Government have already introduced secondary legislation to set the valuation date for the next revaluation on 1 April 2019, allowing the Valuation Office Agency to start preparing for a 2021 revaluation. The Government will introduce primary legislation to change the date of the next revaluation to 2021 in due course. The British Retail Consortium recognised that that was a positive move to improve the fairness of the system, and I look forward to meeting its representatives shortly.

In spite of all that, the Government are not resting on our laurels. We are also reviewing the wider taxation of the digital economy, and the Chancellor has been clear that we need to look more broadly at the overall taxation of the digital economy. The Government are working internationally to ensure that corporate tax rules deliver fairer results for certain digital businesses. We will use the output of those discussions to help inform consideration of the wider business tax system, to ensure that all businesses make a fair contribution to the public finances and that business rates continue to support the stability of local government funding.

Sir Greg Knight: I am grateful to the Minister for his generosity in giving way. What would be the position of a business adversely affected by the Court of Appeal decision? Would it be able to claim compensation for any losses suffered?

Rishi Sunak: I am happy to tell my right hon. Friend that businesses will absolutely be able to claim back any business rates they have paid from 1 April 2015. In Wales,

[*Rishi Sunak*]

businesses will be able to claim back to 1 April 2017. It might help Members if I explain the difference between the two dates.

The business rates system in England has relative lists of valuation dates—there is a 2010 list and a 2017 list. When we reach a certain point, it is then impossible to go back and change the list from the beginning. In this case, for any decisions that the Valuation Office Agency made after the spring of 2016, it was only possible to go back and change people's bills to April 2015. Our understanding is that only a handful of businesses have been caught, and they will be able to use this legislation and subsequent regulations to appeal to the Valuation Office Agency and receive a refund backdated to when they first started paying bills.

Sir Greg Knight: Will the Minister clarify something—and if he cannot answer today, will he write to me? In addition to claiming back what has already been paid, will the businesses affected be able to claim costs and any other expenses arising out of the money that they erroneously had to pay?

Rishi Sunak: The businesses will not be able to claim costs; the new “check, challenge, appeal” system allows them to make a no-cost filing with the Valuation Office Agency, so there will be no cost to them as they claim back the bills they paid. However, it is important to note that, when they paid, the bills were not paid in error; they reflected the circumstances on the ground at the time.

I said that I would clarify why the date in Wales is different from the date in England. It is purely on the advice of Welsh Government officials. They do not believe that any businesses have been caught up by this in a way that would impact their previous list. In Wales, therefore, any active businesses caught up in this will only have their bills backdated to 2017 at the start of the new and current ratings list. Further retrospective dating is therefore not required.

Bob Blackman: My hon. Friend is clearly setting out to answer many of the questions from across the House. Will he clarify the number of businesses caught up in this and the total amount of money involved? I quite understand if he is unable to answer those questions today, but it would be helpful to many colleagues if this could be clarified subsequently in writing.

Rishi Sunak: I can answer my hon. Friend's question now. The Government do not actually know, and are not in a position to know, the tax or business rates circumstances of individual businesses across the country. The VOA is under no obligation to share confidential taxpayer information with the Department. What I can say, based on informal conversations with the sector and the VOA, is that we believe just a handful of businesses impacted by the court ruling have subsequently had their bills changed. That is the working number we are aware of and I hope that provides the clarity he requires.

To return to digital taxation, the paper published at the 2017 autumn Budget sets clear expectations on what the Government hope to achieve on digital taxation:

international momentum behind long-term corporate tax reforms and, pending that, the development of interim multilateral digital tax measures.

In conclusion, the Bill delivers on our commitment to support the rural economy and promote this country's rural life. Moreover, it promotes fairness for hardworking businesses in the agricultural sector. I believe that it has widespread support from the agricultural community and valuers around the country. I very much commend it to the House.

6.2 pm

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The Opposition welcome the provisions in the Bill. Broadly, we welcome the Government proactively seeking to iron out anomalies across the business rates system, bringing clarity to business, the Valuation Office Agency and local authorities. We agree with the principle that land and buildings associated with the operation of plant nurseries should not be liable for business rate payments, which is why we support both clauses in the Bill.

I should say, however, that the spirit with which the Government have approached this matter is not necessarily reflected in the state of our town and city centres. We recognise that support is being given to small businesses through small business rate relief, but many town centre locations are just above the threshold and do not qualify for any relief. The Minister, like me, will be a regular visitor to town and city centre businesses. He must hear first-hand, as I do, that many businesses on the high street find it a struggle to make ends meet, particularly when their online competitors have a distinct advantage with lower overheads. They can avoid the impact of town and city centre business rates, because they can operate in cheaper locations elsewhere. I think that all of us are pleased that digital taxation is being considered, but without a real and direct strategy to deal with the decline of our town centres and high streets, I am afraid that it will all be for nothing.

Returning to the Bill, since 1929 there has been a history of exempting such premises from paying non-domestic rates. The 2015 court ruling changed matters and it is good that the Government have responded, but let us be honest. It has taken three years for the judgment to work its way to becoming Government policy and to work its way through Parliament to be debated here today. Although it is correct that payments and refunds will be backdated, the point was made earlier on that compensation is not being paid and interest payments are not being made to businesses either.

From the Opposition's perspective, it would be helpful to understand what the Government have in mind to iron out these types of anomalies across the system. We had the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill a month or two ago and we have this Bill today. If any others are in the forward plan, it would be helpful to see them, because they could well be wrapped up into a single Bill, which would save a lot of time on the Floor of the House and in Committee. These Bills are genuinely not controversial or divisive. They will not be divided on in Committee, provided that they are about dealing with the impact of court decisions that were never Parliament's original intention.

We welcome the fact that the policy is being applied retrospectively. It will mean that businesses will not be at any direct financial disadvantage and will get back the money that they paid in business rates. However, we need to see what the Bill means for local authorities. The Government have been clear in this and previous Bills that when they are rectifying the decision of the court, their view is that the local authority involved effectively had a windfall for a short period. I just do not believe that is the case at all. Any money that is taken out of a local authority's base budget, particularly when that local authority is part of a business rates retention pilot, will be a net loss with regard to the money that it has to spend on public services in its area.

While I acknowledge what the Minister said, I am not sure that "a handful" is a number. The Government do not know the number—[*Interruption.*] Let us say five then—no more than five. However, a very worrying precedent is being set whereby the Government can bring legislation through the House that has a direct impact on the funding of public services by local authorities and choose not to reimburse local authorities for the money that has been taken away. While we accept that only a handful of businesses have been affected in respect of this Bill, a Bill could come tomorrow that affects hundreds of local authorities and thousands of businesses, involving many millions of pounds, but the Government take the same approach and stance. It is not fair, proper or in the interests of good governance for us to make decisions without knowing their full impact. If we are to receive another Bill of this nature, I ask again that the Government come forward with a proper impact assessment by local authority so that we know exactly what impact it will have, including the financial impact, both for those that are not part of a retention pilot scheme and those that are part of the regular scheme.

We look forward to finding reasons to talk at length about the Bill in Committee, as well as to finding other reasons to talk about it at length on Third Reading when it comes back. I implore the Minister, however, to look at his forward plan to see what elements can be brought together to save time on the Floor of the House.

6.7 pm

Gillian Keegan (Chichester) (Con): Chichester is home to a vibrant rural economy that is worth over £1 billion to the area and employs 9,000 people. It is the largest single employer by sector. We have a major growing environment, and this is due to our wonderful environment—our weather, sunshine and, mostly, proximity to the coast means that we have 10% more light than any other area in the UK, and that boosts growing conditions.

As an MP, I have had the opportunity to visit many of these businesses and see what 21st-century farming looks like. In many cases, it is not what I had imagined. Much of the growing occurs indoors in a highly controlled and precisely monitored environment, ensuring that crops are grown efficiently, sustainably and to the best quality. Some growing practices involve moving crops from nursery grounds, whether in glass houses or polytunnels, to open fields or other larger glass houses. However, what is clear is that each of these growing cycles is agricultural and should be classified as such.

The Tunnel Tech Ltd *v.* Reeves case brought to light a legal anomaly in how the Valuation Office Agency assesses business rates in agriculture. In doing so, the case broke with nearly 100 years of exemption from agricultural business rates for nurseries. Many businesses in my area are therefore pleased that the Government have brought forward this Bill to amend existing legislation and rightly deliver on their commitment to ensure that nurseries are treated as agricultural buildings.

Speaking to the West Sussex Growers Association ahead of this debate, I was told of growing concern, in the light of the Tech Tunnel Ltd *v.* Reeves case, for future assessments by the Valuation Office Agency of other agriculture buildings. There is now concern that historical exemptions applying to ancillary buildings for packing, offices or energy production, for example, may come under threat. I ask the Minister to clarify this. One company in my constituency, which grows 10% of the peppers sold in the UK, packs all its produce onsite in a building adjacent to the glasshouses where the peppers are grown. Similarly, businesses across the horticultural and agricultural industry have developed sustainable energy production by using their waste to produce energy in biomass boilers, for example.

The 2015 Court of Appeal decision created significant concern for the wider industry, so I am pleased the Government have taken swift action to rectify the issue and ensure that the measure's implementation is retrospective. This has sent a clear message of support to the industry, which has been well received. The deputy president of the National Farmers' Union, which welcomed the Bill, said

"this is a significant victory for nursery growers, and brings them in line with other farm businesses and providing essential certainty for the future."

The Bill will ensure that agricultural land and buildings are not liable for a property tax that could otherwise have a significant impact on the cost of farming and produce, and we must make sure this remains the case. I fully support the Bill as it works towards the Government's commitment to a productive and sustainable agricultural sector, which is so important to rural economies such as Chichester, and will become increasingly important as we leave the European Union.

6.12 pm

Matt Warman (Boston and Skegness) (Con): We are always being told that debates in Parliament should be about real people, not statistics, and in that spirit, for me, this debate is about cabbages and flooding, not business rates per se.

This matter first came to my attention when the Black Sluice drainage board came to me deeply concerned about the prospect of losing £23,000 as a result of the levy. Worrying though that was, it turned out that a business in my constituency—it is incredibly rural, and in many areas business rates payments are very little, which is why I have some concerns about business rates retention, although we will gloss over that—was, although set to see its drainage levy fall by £23,000, faced with a business rates rise of well into six figures. So my drainage board—one of several in my constituency—was in a state of some confusion over the prospect of not having enough money to keep people's feet dry, and my local businesses were in a state of perturbation at the prospect of going bankrupt.

[*Matt Warman*]

This anomaly was a real issue for my constituents, as it was for those of my hon. Friend the Member for Chichester (*Gillian Keegan*). When I went to see *R. Fountain & Son*, the business in my constituency, I was delighted to discover not just its confidence in expanding its business, this potential problem aside, but how much it led not just Lincolnshire—a pretty difficult place to lead when it comes to growing brassicas—but the country in terms of its technology. In collaboration with the National Farmers Union, whose work on this I pay particular tribute to, it alerted me to the anomaly arising from the Tunnel Tech case and the ramifications of that case for it and others running glasshouses across my constituency.

Sir Greg Knight: I believe that my hon. Friend's constituency contains two villages called Bicker and Wrangle, which I have always thought would make an excellent name for a law firm.

It was suggested earlier that there should be a compensation fund for those who had had to pay rates in the past, and also for local authorities that had suffered loss. What is my hon. Friend's view on that, and who does he think should pay for such a fund?

Matt Warman: My constituency also contains a village called Old Leake, which is in the same ward as Wrangle. "Wrangle and Old Leake" surely has some comic potential as well. I agree with my right hon. Friend that businesses that have paid out—I should say that I do not believe that *Fountain* is in that position—should be entitled to the refund that the Minister suggested, and the Government should consider establishing such a fund if compensation is due.

Having been exempted from rates since 1929, the businesses to which I have referred were faced with a number of factors that they had previously never even had to consider incorporating in their business models. I understand that glasshouses, which are obviously of huge concern to a constituency such as mine, have been exempted since the 1990s. An issue on which businesses throughout this section of the economy have been entirely predicated was upended by the courts almost overnight.

I agree with the hon. Member for Oldham West and Royton (*Jim McMahon*) that the Government deserve some credit for seeking to clarify what might have been an important issue had the system been allowed to persist. There was real concern—not just among businesses in my constituency—when it became obvious that the Valuation Office Agency was going down this path. I began by saying that the issue was about brassicas and flooding, but in fact it is about the jobs that would have been at stake. If the Government had not intervened to clarify the position, people would undoubtedly would have found themselves out of work.

I pay tribute to my hon. Friend the Member for Nuneaton (*Mr Jones*), who at the relevant time had ministerial responsibility for these matters. Having visited those at *R. Fountain & Son* and reassured them that I was confident that such an extreme situation could only be the result of a mistake rather than Government policy, I had the extraordinary and delightful experience of mentioning that to my hon. Friend in a Lobby—he may not even remember it—and being told that the Government were already looking into the matter. It was a pleasure to be able to go back to businesses in my

constituency and say that the Government would not be daft enough to increase their business rates so suddenly and massively.

To be honest, however, it was an even greater pleasure to go back to the drainage board. While I obviously care greatly about businesses throughout my constituency, the work of drainage boards in Lincolnshire is particularly and enormously valuable. They do huge service to the broader economy, and provide a great deal of reassurance through their work with the Environment Agency across the broader flooding landscape. Given that, according to the Association of British Insurers, my constituency is at greater risk of flooding than any other, I am particularly alive to that.

As I have said, my constituency is largely agricultural, and we are grateful for the business rates retention pilot. The Department is obviously aware of what must be done to ensure that business rates retention works for the areas to which it is applied, and that we do not end up losing out overall and accidentally giving more money back to the Treasury. I know that it does not intend that to happen in any circumstances.

I hope that Members will bear in mind that the Bill represents a useful endeavour to fix a problem that would have had a real impact not only on the local economy and jobs in my constituency, but on the availability of cabbages throughout the country, about which I know the House cares deeply. I also hope that, while accepting my praise for his swift action, the Minister will bear in mind that it highlights what business rates retention may well look like as we proceed with what I consider to be a worthwhile and popular policy.

Rebecca Pow: Does my hon. Friend agree that it is heartening that although people often think that we in Parliament are powerless and are not listened to, when my hon. Friend went to the Minister about his cabbages, the Minister listened and we have done something that will help? That is a positive message. It might be a small thing to many people, but this is a positive message that, with cross-party work, we can make something happen.

Matt Warman: I agree with my hon. Friend, and this shows the power of my hon. Friend the Member for Nuneaton, and now the power of the two current Front Benchers. I agree with the Opposition spokesman that it is of course a good thing to work cross party on such an issue, which relates to not an intentional decision taken by the Government, but a decision by the courts that risked upending a long-standing principle.

I pay tribute to the work of my hon. Friend the Member for Nuneaton and those who have continued his work. I hope that the one wrinkle in the potential of the excellent notion of business rate retention will be considered in the context of these sorts of decisions. Such decisions could of course come up again, because people do go to courts, and courts do produce judgments that perhaps surprise all of us. In this case, the decision certainly surprised my drainage board and farmers such as *Fountains*. I praise the Government and hope we can get on with this as soon as possible.

6.21 pm

Rebecca Pow (*Taunton Deane*) (*Con*): I am delighted to follow my hon. Friend the Member for Boston and Skegness (*Matt Warman*), and I want to add my comments

on what is a very precise Bill. Although it relates to plants, it is not in any way flowery; it is a tight, neat little Bill that very much that does what it says on the tin—or, we might say, on the plant pot.

The Bill exempts from non-domestic rates buildings that are, or form part of, a nursery ground. That is highly significant for our highly professional and essential horticultural industry, which does not often get as much attention as it deserves. The horticultural industry supplies many fantastic plants for the whole nation, and as the Minister mentioned—I am glad he referred to this—there is scope for the industry to increase.

Julian Knight (Solihull) (Con): I pay tribute to my hon. Friend for her knowledge in this area; in fact, I think she was a TV star in the horticultural sphere for a short time. Is it not true that the changes in the Bill will make it much easier for plant nurseries to grow and be productive?

Rebecca Pow: Yes, and I thank my hon. Friend for his intervention. One of the programmes my name was attached to was called “Loads More Muck and Magic.” It was a Channel 4 series and it was all about growing plants organically, which is terribly trendy now, so it was a bit ahead of its time—it was all ponytails and carpets then, though. It was filmed not far from my hon. Friend’s constituency at the Ryton organic gardens at Ryton-on-Dunsmore, which is still a terrific centre for organic gardening. The organisation there was called the Henry Doubleday Research Association, and it did a lot of great work on how to grow plants and what we should all do as growers at home.

My hon. Friend makes the good point that this Bill looks very much at the beginning of the plant chain when people take seeds and grow them—that exciting germination and propagation process that grows up plants, which can then be handed through the chain. I will go into that in more detail shortly, but it is an area that people forget about, even though it is such a valuable part of this important industry.

Although this is a great industry and it is highly valued, it is quite difficult to put an exact value on the horticultural trade. For example, estimates show that the whole gardening industry—that category is very wide, and would include garden tourism and events such as the Chelsea and Hampton Court flower shows—is worth approximately £16 billion to the economy and employs 300,000 people.

Normally, however, the best measure of an industry’s contribution to the economy is gross value added. I am not an economist—I am sure that most of my colleagues are much more knowledgeable about this than I am, particularly the Minister, who I know is very good with his figures—but I believe that GVA measures the value of an industry’s goods or services to the economy, excluding any goods or services used in production. However, that breakdown of statistics is not carried out for the horticultural industry. If it were, we would have a much better figure to show just how important the industry is. Should the Minister ever move to the Treasury—he may well do, given his mathematical brain—he might like to look into that GVA anomaly. That would be incredibly helpful to the nation as a whole, particularly in the light of Brexit. It is hard to grow an industry and attract the investment that it

needs if we do not have the exact figures relating to that industry. You might think that I am digressing, Mr Deputy Speaker, but I think this is an important point.

Julian Knight: I do not think that my hon. Friend is digressing at all. In fact, she has made a germane point in mentioning the 300,000 people who work in the industry. Does she agree that if we can get people to plant more and get them really interested in horticulture in ways such as this, we could get a great deal closer to self-sufficiency, not only in food but in plants?

Rebecca Pow: My hon. Friend is a man after my own heart. I do not know whether you are a gardener, Mr Deputy Speaker, but I am—

Mr Deputy Speaker (Sir Lindsay Hoyle): A reluctant gardener.

Rebecca Pow: A reluctant gardener? That’s okay. You can garden from your chair, or in a window box, but you can get your fingers into the soil. My hon. Friend the Member for Solihull (Julian Knight) is absolutely right to say that we could increase our home growing, but we could also increase the health and wellbeing that people get from being engaged in the soil and growing things. Horticulture is such an exciting area to be in, and it is also very good for mental health. My hon. Friend makes an excellent point.

The industry itself believes that if we had the statistics that I was talking about, it would be possible to grow the industry by £18 billion. I am pleased to say that the ornamental horticultural roundtable group, in which I have been much involved, has commissioned Oxford Economics—at the vast expense of £50,000—to look into the value and economics of the ornamental horticultural sector. That is just one section of the horticultural industry, but it is pertinent to what we are talking about today. I urge all my colleagues to join the all-party parliamentary group on gardening and horticulture if they are not already members of it, because we have interesting trips to places such as Chelsea and glean a lot of excellent information. The group is also looking into the issue of growing the horticultural industry in the context of Brexit.

The ornamental plant industry supplies our landscaping industry and our popular gardening sector with wonderful bedding plants and perennials, and it is thought that that sector was worth £1.4 billion in 2017, which represents an increase of 4.8% compared with 2016. So the sector is on the up, and it could increase more. It could be a much more viable industry with this essential business rates exemption, and the more we can grow the industry, the more it will benefit the economy, particularly in the south-west.

Mr Marcus Jones (Nuneaton) (Con): It has been great to hear about the all-party parliamentary group—perhaps I should dig out the details. Coming back to the exemption that the Bill is likely to provide, my hon. Friend has talked at some length about the fact that the industry is now able to grow. Is it not also the case, however, that the tax that was imposed by the Court of Appeal could well have had a significantly detrimental effect on many growers, particularly the smaller businesses that would have been most affected?

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I could put the hon. Gentleman on to the speaking list if he would like. I will put him on it with pleasure, but we must have short interventions.

Rebecca Pow: I thank my hon. Friend and apologise to you on his behalf, Mr Deputy Speaker. However, he made a useful intervention, because I am going to come on to that point. That issue was causing concern among many businesses, because it would have cost some of them hundreds of thousands of pounds, and some smaller businesses could have been wiped out, so this is a serious point.

Sir Greg Knight: First, does my hon. Friend share my disgust that not one Liberal Democrat MP is in the Chamber to discuss an important matter affecting rural communities? Secondly, although retrospection in law is generally to be frowned upon, does she agree that it is most welcome in this case because we are righting a perceived wrong?

Rebecca Pow: We began this debate on a cross-party basis, and I am loth to say anything more controversial, but he makes an exceedingly good point about the Liberal Democrats. They were large in the south-west, but we wiped them out—as one does with a weed wiper, to use another horticultural term. The south-west is a rural region, and gardening and horticulture are important parts of our economy. One would have thought that the Liberal Democrats might have realised that and turned up, but yet again it is the Conservative party that speaks up for the rural community, and I am proud to be part of that community. [*Interruption.*] The hon. Member for Stroud (Dr Drew) is also here, of course.

The south-west has a good climate for horticulture, as does Chichester, and horticulture and gardening are important in Taunton Deane. We have some wonderful open gardens and visitor attractions, such as at Hestercombe and Cothay, hundreds of private gardens, and many allotment holders, many of whom have plants that started their lives in the nurseries that we are talking about today. I had a marvellous Sunday planting out my fuchsias, geraniums and alyssums into my tubs and containers, and they would have started life at one of those nurseries. I had a lovely time, and the weather was beautiful.

To get back to the Bill, which is going to come to fruition today—to use another horticultural term—nursery grounds were exempt from non-domestic rates from 1928 until recently, when the Court decision that we have heard about found exemptions to be an incorrect application of the law. As I said, that change caused a huge amount of worry in the nursery industry, where margins are tight. The Horticultural Trades Association reported that the change would be detrimental to the industry, inevitably driving up costs if nurseries had to pay business rates that they had not been paying previously, and that those costs would be passed on to the consumer. As Conservatives, that is not something that we are in favour of.

Several hon. Members *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I do not mind if you want to pad out the debate, but I am bothered by the fact that we have another Back-Bench

speaker to come and I still have to bring in the Front-Bench speakers, so I do not know whether you still want to give way.

Rebecca Pow: Thank you, Mr Deputy Speaker. If it will be short, I shall take an intervention from my hon. Friend the Member for Chichester (Gillian Keegan), who has not yet intervened.

Gillian Keegan: My hon. Friend was talking about the prosperity of our economy. Does she agree that the growers and the farming industry of the future are important to that prosperity? There are many technological changes coming along in germination, for example, and our growers and farmers do not want to be sat there thinking about rates on particular buildings or polytunnels. The Bill is important to allow flexibility and ensure sustainability so that we have a thriving food economy.

Rebecca Pow: That is a good point. Industries such as horticulture are not quick—it takes time to grow plants and for them to go through the cycles, so it is important that businesses have the security and confidence that this Bill will put back into their lives. I am grateful for that.

The HTA has reported that some members are facing bills to the tune of hundreds of thousands of pounds, which we do not want. I am pleased the Bill clarifies the situation and is aligned with the previous practice of exemptions. I am particularly pleased to hear that the funds will be backdated, as the Minister clearly said.

I thank the Minister, because many colleagues on both sides of the House have been to see him, and he has listened. That is what people want from the Government, and we are making the change. This is the right way to go. The turnaround supports the Government's commitment to a vision of a productive, competitive and sustainable UK agricultural sector, of which horticulture and the plant nursery sector are an important part.

Plant nurseries are under the microscope in the Bill, and they are important to our landscaping industry and to our towns that have been landscaped. Taunton has just received garden town status and will be seeing more landscaping. We want more trees and, as the MP, I have laid claim to that and have said that we must have more trees in our urban environment. Local authorities are not necessarily keen on having more trees, because they claim trees have a high maintenance cost, but we will change their mind.

Plant nurseries are hard-working businesses with soil under their fingernails. They grow plants from seed to germination to propagation, and many nurseries then sell them on to the next stage for businesses to grow them before they ultimately get into the market. That is what the Bill is about—plant nurseries are important stepping stones.

Nurseries will become increasingly important, because we need to increase our home-grown production, if nothing else, to prevent the threat of pests and plant diseases coming in from abroad. There is a terrible disease called xylella that is wiping out olive trees and many other herbaceous and woody commercial plants in Europe. We do not want that in the UK. If we grow more plants at home, and if we help our businesses with business rates exemptions such as this, we can expand and grow our own industry. That is essential, because

there is a great line of diseases waiting to march in here on imported plants. We have a very good biosecurity system, but there is always a danger of disease. The more we can help our businesses to grow with Bills such as this, the fewer diseases we will have in this country.

The Bill will help an industry with very tight margins. It is a crucial step, and I know the Minister is taking it all to heart because he is committed to enabling the viability of the agricultural industry, rather than saddling it with a property tax. The Bill is about supporting the economy, and it is vital for the south-west, where horticulture is so important. Horticulture needs to grow, and I hope the Bill and the plant nurseries it supports will blossom.

Bob Blackman *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): Bob Blackman, you have one minute before the Front-Bench speeches.

6.38 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to follow my hon. Friend the Member for Taunton Deane (Rebecca Pow). We have discovered that she is clearly a star of stage, screen and media.

I pay tribute to my hon. Friend the Member for St Austell and Newquay (Steve Double) for raising this issue in the first place. Equally, I pay tribute to my hon. Friend the Member for Nuneaton (Mr Jones) who made the commitment on behalf of the Government, and I thank the Government for delivering on that commitment.

The devil is in the detail. In my constituency, on the edge of the green belt in London, we have plant nurseries that are growing plants, as well as garden centres that are selling them. One of the institutions in my constituency that has had a problem has been held back: young people with learning disabilities are planting plants and growing them for commercial sale, but the investment in that has been held back because of the very decision we are discussing. So I trust that when we clarify this, it will be clear.

The final thing I want to say is that the devil is in the detail and we need to clarify the provision in respect of plant nurseries and garden centres. We should not run the risk that certain people may choose to ride roughshod over the intentions of the House by turning garden centres into plant nurseries and trying to avoid paying business rates as a result. With that, I strongly support the Bill.

6.40 pm

Yvonne Fovargue (Makerfield) (Lab): I am pleased to say that this Bill has been addressed in a climate of co-operation, as has been said. The Bill irons out an anomaly in the business rate system highlighted by the Tunnel Tech case, as we heard from the hon. Member for Chichester (Gillian Keegan), and it is the right thing to do. It removes unnecessary doubt, although, as the hon. Member for Harrow East (Bob Blackman) has highlighted, there are still little grey areas and perhaps those need looking at in the future. The Bill will make claims clearer for small businesses and, we hope, avoid lengthy and costly court cases in future.

We have all heard how important the horticultural industry is to many areas, and the hon. Member for Taunton Deane (Rebecca Pow) highlighted that. We also

heard about the many variations in the horticultural and plant industry, and she has tempted us to go to look at her garden after all she said about planting this weekend. There is an increased use of new technology, with the polythene tunnels and grass and crop growing, and of businesses that specialise in one discrete stage of the growth and do not rear the crops to their mature state ready for the market. Fewer distinctions seem to be made between “nursery ground” and “market garden”, and the Bill does recognise that, even if it retains the terminology. A lot of businesses contain elements of both and simply prefer to see themselves as “food growers”, rather than separating the businesses out. Nobody here wants to stand in the way of home food production, or of more crop-growing operations taking place under the cover of polythene or involving some of the many other novel, innovative techniques that our growers are looking at now. That can lead to cost savings for consumers and more efficient use of limited land, and, as we have heard, it can also protect us from bringing in imported seeds, which may also bring in imported diseases. The hon. Member for Boston and Skegness (Matt Warman) highlighted the fact that removing some of the anomalies and giving people confidence that the business rates will not be charged allows his local businesses to grow.

Dr David Drew (Stroud) (Lab/Co-op): Does my hon. Friend accept that this is one piece of evidence of a Government agency, the Valuation Office Agency, seemingly overstepping the mark, causing confusion and not a little additional cost? Does she agree that this Government need to get a grip on this sooner rather than later?

Yvonne Fovargue: I do agree with my hon. Friend on that. Indeed, this is not the first time the VOA has caused confusion. To see that, we have only to look at the combined premises Bill that had to be brought before the House to separate out the issue of whether premises were conjoined because of how close they were. That was discovered to be wrong from the VOA, too.

I am pleased that the Government have confirmed that the revenue they have received from plant nurseries being assessed for business rates will be returned, but I am not sure we can call it an unexpected windfall. This is money that the local authorities will have factored into providing local services. The hon. Member for Taunton Deane said this could be hundreds of thousands of pounds in some cases, and that is a big loss to a local authority already struggling with the Government cuts at the moment. I agree with my hon. Friend the Member for Oldham West and Royton (Jim McMahon) that this and all policies should be costed. Without that, the effective scrutiny of financial implications is impossible. It is just not good enough to talk about a “handful” if that handful involves hundreds of thousands of pounds to a local authority. I would like to see this and all future policies costed. If the VOA will not give the figures to the Government, surely the Government should be telling that other arm of government, as it is a Government agency, that they need these figures.

6.44 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): I have 15 minutes in which I have the pleasure of winding

[Nigel Adams]

up this incredibly interesting and broad-ranging debate on an important subject. I am grateful for all the valuable contributions that have been made; it has been helpful for me to hear Members' views ahead of further scrutiny of the Bill. There have been contributions from all parts of the House—well, almost all parts—and they have all been very well informed.

I wish to respond to some of the points that were raised, but first I wish to refer to the opening remarks by the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak), and to flesh out his comments on what we have done to improve the revaluation process. As my hon. Friend noted—[*Interruption.*] Mr Deputy Speaker, I never knew how much interest there was in plant nursery grounds.

Mr Deputy Speaker (Sir Lindsay Hoyle): The Whips are being sent like London buses!

Nigel Adams: There are Whips at the Bar of the House who when they noticed a nursery grounds Bill thought it referred to Lords nursery ground, rather than to plant nurseries.

Let me build on some of what my hon. Friend the Minister said earlier. We heard from stakeholders that the normal five-year revaluation cycle was too long. They told us that the property market can sometimes move very quickly and a five-year period can therefore leave rateable values out of date for some time. We recognised that that was unfair. [*Interruption.*] They are still coming, Mr Deputy Speaker. We listened to stakeholders' concerns, which is why we announced in the autumn Budget 2017 that we will move to a three-year revaluation period.

To help businesses further, we have moved the next revaluation forward from 2022 to 2021. [*Interruption.*] My right hon. Friend the Minister for the Armed Forces is here; there is clearly a Ministry of Defence interest in the Bill. The steps we have taken have been welcomed and supported by ratepayers across all sectors. The VOA has started to prepare for the 2021 revaluation and we have ensured that the agency is sufficiently funded to carry out high-quality valuations.

Let me turn to the points raised by the Opposition. The hon. Member for Oldham West and Royton (Jim McMahon) asked whether ratepayers would be paid interest on any repayments made as a result of the Bill. In principle, ratepayers are entitled to receive interest for overpayments, including as a result of the Bill, but it is only fair that the interest is tied into the actual cost of money and that ratepayers do not gain overall from receiving repayments if they are found to have been paying too much. To ensure that that is the case, the rate of interest is set at 1% below the average base rate of the largest banks. The reality is that not much interest will be paid back—in fact, there will be nil.

The hon. Gentleman also rightly asked why the Government are acting only now and what other cases are in the pipeline. The court decision was indeed taken in July 2015, but it was right that the Government and the VOA looked into the impact of the decision and how it would be applied in practice before deciding whether to change the law. A written ministerial statement

was made in March 2017, and a further written ministerial statement in 2018 restated the Government's intention to legislate and make the changes in the Bill.

My hon. Friend the Member for Chichester (Gillian Keegan) is the most fantastic champion of rural issues in Chichester. She asked whether ancillary buildings are exempt. They may very well be—it will of course depend on the facts on the ground—but it is for the VOA to decide whether rates are payable.

My right hon. Friend the Member for East Yorkshire (Sir Greg Knight) displayed his disgust at the fact that there were no Liberal Democrats present in the Chamber for this debate. It may very well be the case that one can get an entire parliamentary Liberal Democrat party into two London cabs. I am very pleased to see that the hon. Member for Stroud (Dr Drew) did make his way in for this debate.

In conclusion, this Bill will deliver on the Government's commitment to ensure that plant nurseries can continue to benefit from this important agricultural exemption. Members have raised a number of interesting points in today's debate, and we will return to them at a later date. I hope that we can all agree that the overall aims of the Bill and the positive impact that it will have on the rural economy mean that it should be welcomed, and I commend it—

Steve Double (St Austell and Newquay) (Con) *rose*—

Nigel Adams: Before I commend it, I will give way to my hon. Friend.

Steve Double: I am very, very grateful to the Minister for giving way. I congratulate him and say that it is great to see him in his place. May I place on the record my deep gratitude to the ministerial team, and indeed to the former Minister, my hon. Friend the Member for Nuneaton (Mr Jones), for bringing forward this measure? Will the Minister join me in acknowledging the very important role that the National Farmers Union played? It first brought the matter to my attention, which led to me raising it in the House. It has played a very important role in speaking up for its members, and it is only right that we acknowledge the role that it has played in this.

Nigel Adams: I absolutely agree with my hon. Friend. In fact, without his amendment on the Local Government Finance Bill, I am not entirely sure that we would have got to this measure so quickly, so he should be congratulated, along with the NFU and everybody else who has contributed to the Bill.

Mr Deputy Speaker, I am wearing a new set of glasses. I thought that the clock said 6.59, but it actually said 6.49, so, if you do not mind, as there are so many Members in the Chamber, they may very well want to hear some more about what this Government are doing for the rural economy.

Sir Greg Knight: I am most grateful to the Minister for giving way. Perhaps he should have gone to Specsavers. Will he say a little bit more about compensation? Some of the people who have to pay rates, which they will now get back, may have deferred business investment decisions, based on a business expense that they were not expecting. There is an arguable case in future for our looking at the issue of compensation again.

Nigel Adams: What I can tell my right hon. Friend—it is not the answer that he will want to hear—is that there will be no compensation paid to these businesses. We are talking about a very small number of organisations and businesses that are affected and a relatively small sum of money.

In the absence of any more interest in this debate, I hope that we can all agree across this House that this Bill will have a positive impact on the rural economy and that it should be welcomed. I am sure that we all look forward to being able to flesh it out further during its later stages, and I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time.

NON-DOMESTIC RATING (NURSERY GROUNDS) BILL (PROGRAMME)

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

That the following provisions shall apply to the Non-Domestic Rating (Nursery Grounds) Bill:

Committal

(1) The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee, on Consideration and up to and including Third Reading

(2) Proceedings in Committee, any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours after the commencement of proceedings in Committee of the whole House.

(3) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of proceedings in Committee of the whole House.

(4) Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

Other proceedings

(5) Any other proceedings on the Bill may be programmed.—
(*Rebecca Harris.*)

Question agreed to.

Business without Debate

DELEGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, we shall take motions 6 to 8 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

CAPITAL GAINS TAX

That the draft Double Taxation Relief and International Tax Enforcement (Belarus) Order 2018, which was laid before this House on 23 April, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (Ukraine) Order 2018, which was laid before this House on 23 April, be approved.

PETROLEUM

That the draft Scotland Act 2016 and Wales Act 2017 (Onshore Petroleum) (Consequential Amendments) Regulations 2018, which were laid before this House on 30 April, be approved.—(*Rebecca Harris.*)

Question agreed to.

DELEGATED LEGISLATION (COMMITTEES)

Ordered,

That the Motions in the name of Secretary Matt Hancock relating to Digital Economy, Registration Service and Statistics and Registration shall be treated as if each related to an instrument subject to the provisions of Standing Order No. 118 (Delegated Legislation Committees) in respect of which notice has been given that the instrument be approved.—(*Rebecca Harris.*)

PETITION

Closure of Solihull Police Station

6.54 pm

Julian Knight (Solihull) (Con): My constituents are extremely concerned by the Labour police and crime commissioner's proposals to close Solihull police station. This will leave my constituency without a single proper police base following the earlier closure of Shirley police station. It will mean 209,000 people in a borough without a police station. Crime is one of the issues that local residents most often raise with me, and they are deeply concerned that this closure will lead to a more remote and less responsive police presence in Solihull. Hundreds have signed my petition, urging the West Midlands police to reconsider these proposals.

The Government have only recently given the West Midlands police a £9.5 million funding boost, and the police and crime commissioner is sitting on more than £100 million in reserves. Given that, it is not justified to make yet another severe cut to frontline policing in my constituency, particularly as this is being done without any proper consultation and in the face of public opinion. It cannot be right that a growing town such as Solihull is having its community services cut, especially when nobody has provided residents with clear proposals as to how these savings will be reinvested in the community. My constituents deserve better, and it is a privilege to put their concerns directly to the House today.

The petition states:

The petition of residents of Solihull,

Declares that local residents have great concern over the West Midlands Police and Crime Commissioner's proposals to close Solihull Police Station.

The petitioners therefore request that the House of Commons urges the Government to encourage the West Midlands Police and Crime Commissioner to reconsider his proposals to close Solihull Police Station.

And the petitioners remain, etc.

[P002151]

Princess Alexandra Hospital, Harlow

Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)

6.56 pm

Robert Halfon (Harlow) (Con): It is a pleasure to see you in the Chair, Madam Deputy Speaker. I thank you for your support for a new hospital in Harlow, as my constituency neighbour.

I want to update the House on the desperate need for a new hospital in Harlow that is fit for the 21st century. The hospital would bring together A&E services, GP provision, social care, physiotherapy and a new ambulance hub in state-of-the-art, purpose-built facilities. Success in securing the capital funding, for which there is already a bid in place, could make this a reality for Princess Alexandra staff and patients in Harlow and across the region.

When I debated Harlow's hospital last October in Westminster Hall, it was in special measures. In March, following the Care Quality Commission inspection, we heard the amazing news that the Princess Alexandra had left special measures. In fact, two thirds of services were on their way to a good or an outstanding rating. I said it then and I will say it again: this is a testament to the extraordinary hard work of all Princess Alexandra Hospital staff, including the cleaners, porters, nurses, doctors, kitchen staff, support staff and, of course, the leadership and management. I would like to give a particular mention to Nancy Fontaine, head of nursing and one of the most remarkable NHS workers I have ever met. Nancy will soon be leaving the Princess Alexandra to help another hospital, but I take this opportunity to thank her for her work. It is people like her who make the NHS what it is.

The Health Secretary congratulated PAH staff in a video—a sentiment seconded by the Prime Minister. In his message, the Health Secretary not only noted the impressive CQC report and the outstanding work in the neonatal department, but made it clear that it is the staff who make a hospital and that good care is the result of their instinct to do the right thing for patients. The Health Secretary and the former Hospitals Minister, my hon. Friend the Member for Ludlow (Mr Dunne), have both visited the Princess Alexandra a number of times, speaking to the staff and the leadership there. I know that the Health Secretary and the current Hospitals Minister—to whom I am hugely grateful for engaging with me regularly on this issue—are aware of the capital funding bid in place.

The leadership team, headed by chief executive Lance McCarthy, have been developing their case for capital funding since the Health Secretary made the request in autumn 2016. The team are due to resubmit the final plans next month. I understand that the trust is one of seven schemes requiring more than £100 million of capital and that funding for some schemes will be announced in the autumn. I ask the Minister, when will we learn of the progress of these capital funding bids?

Mr Charles Walker (Broxbourne) (Con): Does my right hon. Friend agree that Princess Alexandra Hospital has a great future if it is allowed to have that future?

Robert Halfon: I thank my hon. Friend for being a huge supporter, along with other colleagues here today—my hon. Friends the Members for Hertford and Stortford (Mr Prisk) and for Saffron Walden (Mrs Badenoch). They understand that this is not just an issue for Harlow, because a new hospital will benefit the entire—

7 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)

Robert Halfon: My hon. Friends understand that this is not just an issue for Harlow but for the surrounding areas of Essex and Hertfordshire. My hon. Friend the Member for Broxbourne (Mr Walker) is exactly right—for our hospital to have a future, we need a new hospital.

Mr Mark Prisk (Hertford and Stortford) (Con): I commend my right hon. Friend for his championing of this important cause. He is right to point out that while this facility is important for the people of Harlow, it is just as important for the people of Bishop's Stortford, Hertford, Ware and other towns represented here today. It matters to the whole region. I hope that he will emphasise that point and that the Minister will take it on board in his remarks.

Robert Halfon: I am very proud that my hon. Friend and I share a constituency office and work together on an enormous range of issues. His support and backing is recognised by his constituents because they understand, as he does, that a new hospital in Harlow will benefit not just Harlow but all the surrounding areas and residents.

The hospital's infrastructure is deteriorating. As my hon. Friend the Minister stated in response to my question on 8 May 2018, the Government

“recognise that the Princess Alexandra Hospital...is in a poor condition.—[*Official Report*, 8 May 2018; Vol. 640, c. 537.]

While the hospital leadership has been proactive in seeking out funding—last year, the trust secured £2 million to redesign the emergency department—long-term under-investment means that the estate is extremely fragile. A survey in 2013 said that 56% of the hospital's estate was rated as “unacceptable or below” for its quality and physical condition.

Not only is the hospital falling apart, but the layout is unco-ordinated and problematic. To use a horrible euphemism, there are “sub-optimal clinical adjacencies”, in the words of the previous Minister. Urgent care is spread across the site due to the sporadic development of temporary structures, making it very difficult for patients seeking care to find their way around and for the hospital staff caring for them.

Mrs Kemi Badenoch (Saffron Walden) (Con): Does my right hon. Friend agree that short-term investment is only a bandage and a fresh overhaul is needed due to the permanently declining facilities? Does he also agree that given how many of my constituents use the Princess Alexandra, the three new garden communities that are being planned mean that we need a huge influx of investment for infrastructure in our area?

Robert Halfon: I am hugely grateful for the support of my new neighbour, who is a brilliant representative of her area. She is exactly right. We cannot just carry on with Elastoplast solutions, however welcome, because that cannot sustain the hospital in the long term. She also makes the crucial point that we are going to have thousands more houses in Harlow and the surrounding areas, and we need a hospital that is fit for purpose—fit for the 21st century. I think that the Minister will hear the views of my neighbours and realise that this is not just a Harlow issue but something that is very important to Essex and Hertfordshire.

Jim Shannon (Strangford) (DUP): Obviously, I am not one of the right hon. Gentleman's neighbours, but I am always here to support him on the issues that he brings forward. One of the things that comes to my attention back home, but I am sure that he will have the same issue, is that healthcare needs to be accessible to all people. We can jump in a car and go to the hospital, but other people may have to depend on a bus or a train, or on someone giving them a lift. Does he agree that local trusts need to have accessibility as a precursor to providing care? If someone has accessibility, they can get there; if they do not, it does not matter where the hospital is.

Robert Halfon: The hon. Gentleman says we are not neighbours, but we are kind of neighbours in the make-up of the current Parliament. He is absolutely right, and he makes the wider point about the support needed for the NHS.

The hospital also experiences issues in recruiting and retaining staff. Harlow's hospital now has 27 more doctors and 35 more nurses than in 2010, and the leadership has made great efforts to improve staff retention and staff stability at the PAH. It is now among the best in the sustainability and transformation partnership. However, the trust still runs an 11% vacancy rate, with a key deficit in nursing recruitment and retention. The vacancy rate and recruitment are a perpetual worry, and the reasons for that appear to be twofold. The first is proximity to London, which makes pay weighting a serious factor. The second is perhaps more significant. The hospital leadership has told me that opportunities for career development, or the lack thereof, are off-putting for potential recruits. The hospital must compete with Barts and UCL in specialist training and career development. Last year, the retention support programme established career clinics and clear career pathways, but there is only so much the hospital can do to compete with the huge investment and top-class facilities at London hospitals.

There is unbearable and increasing pressure on A&E services at the Princess Alexandra due to the downgrading of other local healthcare facilities, including Chase Farm Hospital and the Queen Elizabeth II. The population of Harlow and the surrounding area is growing, and the additional influx of patients has led to occupancy levels at the hospital consistently running higher than 98%. The A&E department sees 200 to 300 patients per day—that is 10% higher than the national average. This is a small hospital in a medium-sized town. The Care Quality Commission agreed in its most recent report that that makes it difficult for staff to tend to patients in a timely manner.

While the hospital is working incredibly hard to make improvements and has successfully upped the four-hour emergency care standard record, the chief executive and management have told me that the estate and infrastructure are simply undermining the staff's ability to carry out their roles well and negatively impacting on the hospital's overall performance. It is clear from the occupancy level statistics that the Princess Alexandra is fundamental to the health and wellbeing of the population of Harlow and the wider area, including parts of Hertfordshire and Essex, as my colleagues and I have stated today.

In the light of that, I wrote to the Secretary of State for Health last week along with seven colleagues representing neighbouring constituencies: my hon. Friends the Members for Broxbourne, for Hertford and Stortford, for Saffron Walden, for Brentwood and Ongar (Alex Burghart) and for Braintree (James Cleverly), and my right hon. Friends the Members for Epping Forest (Mrs Laing) and for Witham (Priti Patel). We wanted to make it clear that the development of a new hospital health campus is fundamental to the vitality of the community and the economy of the entire region. We asked the Health Secretary for his support for the hospital's capital funding bid, and I hope to receive his positive response soon.

It is clear that there are a number of complex and interlinked issues at the Princess Alexandra. Those problems make it very difficult for the hard-working staff to provide sufficient healthcare to Harlow residents and those living in my colleagues' constituencies. The development of a new purpose-built hospital health campus would answer each and every one of those problems. First, it would allow high-quality and state-of-the-art facilities to be developed in a carefully planned manner. The staff would no longer be working in temporary structures, and patients and visitors would be able to find their way around the site easily.

Secondly, the investment in new facilities would draw nurses, healthcare assistants and auxiliary staff to the hospital and provide a welcoming working environment in which they could see out a long career in the NHS. Thirdly, the new hospital health campus would redevelop the emergency care services at the PAH. That would create a working environment in which staff truly had the capacity to meet the needs of the many patients seeking help, without the fear of a bed not being available.

While regeneration of the current site has been considered, it is widely accepted that building a new hospital health campus on a different greenfield site would be most affordable and provide the greatest benefit to the patients served by the PAH. The hospital's current location in the town centre may partly explain the very high A&E use, and it makes further expansion of the hospital incredibly difficult. A new greenfield site on the outskirts of the town would mitigate these problems and allow the town-centre land to be redeveloped into much-needed housing for Harlow's growing population. Additionally, developing a new hospital on the current disjointed site would require the existing set-up to be demolished before starting work on the new health campus. This would lead to huge disruption for patients seeking help and for staff who would need to carry on working for a number of years.

As I have previously mentioned, the hospital is vital for the economy of the entire region. Developing a new hospital health campus could act as a centre for degree

[Robert Halfon]

apprenticeships. I know that the Minister, like me, is passionate about improving skills and apprenticeships in the health service. The hospital health campus could build on the existing hospital's strong links with Harlow College and the new Anglia Ruskin MedTech innovation centre. It would bring specialist training to the eastern region, and it would send the message that Harlow is a place to start and develop an amazing and long-term career in the national health service. The hospital health campus would allow so many hundreds of my constituents, and those of my hon. Friends, to climb the ladder of opportunity. The degree apprenticeships and training opportunities would help people across the east of England to get the education, skills and training they deserve and to achieve the jobs, security and prosperity that they and our country need.

Finally, I want to explain that this debate is only part of an ongoing and wide-reaching campaign for a new hospital health campus in Harlow. As I have mentioned, I had a debate on this subject last year, and I have tabled 10 early-day motions, asked 40 written questions and kept in regular contact with Health Ministers. As I have said, I am hugely grateful to my hon. Friend the Minister for his regular dialogue with me. In fact, may I ask him now whether he will definitely meet me and the hospital's chief executive, Lance McCarthy, to discuss the hospital health campus proposals further, and will he actually join us at the hospital in Harlow so that he can see the current site at first hand?

I am here today because of the desperate need for a new hospital campus in Harlow. This is probably the most pressing issue that our town will face for a generation. The new hospital proposal is backed by ten local councils—including Harlow Council, Epping Forest District Council, Essex County Council and the Greater London Authority—and by the West Essex clinical commissioning group and the Hertfordshire and West Essex sustainability and transformation partnership, which brings together 13 local bodies and hospital trusts. It is also backed by the seven neighbouring MPs I have mentioned, some of whom are in the Chamber.

The people I represent, and those represented by my colleagues and constituency neighbours, deserve better. Patients deserve to be treated in a safe environment, without the threat of their operation being cancelled due to sewage—I repeat, sewage—flowing through the operating theatres. Visitors should be able to find their poorly relatives easily, without snaking their way through a muddled and confusing hospital estate, wasting valuable time that they could have spent with their loved ones. The hard-working staff should have top-class and purpose-built facilities so they can tap into their instincts and provide the very best care they can. They should be able to progress their careers at the hospital and to build a community around their working lives—building an even better Harlow and protecting our NHS as they do so. Training opportunities should be provided so that our young people or those who wish to retrain can gain skills and climb the ladder of opportunity, flexibly and close to home. I am here this evening to show the Government that the Princess Alexandra bid for capital funding is not just about the materials from which the hospital is built; it is more important than that. It is time that healthcare in Harlow was brought into the 21st century.

7.13 pm

The Minister for Health (Stephen Barclay): I pay tribute to my right hon. Friend the Member for Harlow (Robert Halfon). He raises the important issue of the future of the Princess Alexandra Hospital in Harlow, and is quite right to draw the attention of the House to it once again. As he said, he has raised this in a previous Adjournment debate, through multiple questions and in meetings with Ministers, including me, and he has secured visits from my right hon. Friend the Secretary of State and from my predecessor, my hon. Friend the Member for Ludlow (Mr Dunne).

The strength of my right hon. Friend's campaign is further reinforced by the number of colleagues here this evening. Dare I say, Madam Deputy Speaker, that I am sure the constituents of Epping Forest take a great interest in Harlow's future hospital; this issue concerns you as well as my hon. Friends the Members for Saffron Walden (Mrs Badenoch), for Broxbourne (Mr Walker) and for Hertford and Stortford (Mr Prisk), who are all here signalling their support for this important capital programme.

I join my right hon. Friend in paying tribute to Nancy Fontaine, the chief nurse and deputy chief executive. She has played an important, transformative role at the Princess Alexandra over the past few years and may now, I understand, be moving to a new post. She has played a key role in taking the Princess Alexandra out of special measures—a distinction achieved in March this year. The trust improved its overall CQC rating, having been rated good in the effective and caring domains. That is a tribute to Nancy Fontaine, the senior leadership team and the entire staff of the hospital, who have worked so hard.

I also recognise that, as my right hon. Friend said, Princess Alexandra Hospital does face problems with the condition of its estate and buildings; he and I have discussed the issue during oral questions, and the Secretary of State has also recognised the point. NHS Improvement has advised that the condition of the hospital is not currently fit for purpose. It is right that plans are made to improve the estate and that those plans should be locally driven.

As my right hon. Friend will be aware, the Government fully support the upgrading of the NHS estate to bring the NHS further into the 21st century. That is why we have committed £3.5 billion of additional capital funding in the 2017 autumn Budget to support the most ambitious programme of investment in buildings and technology that the NHS has seen to date.

My right hon. Friend referred to the application from the Princess Alexandra, and he will be well aware that the strategic outline case was put forward in July 2017 with the support of the local authority, outlining the various options that had been considered. The strategic outline case concluded that the best option was to build a new hospital, potentially as part of a broader health campus on a new site. The trust secured local support from the clinical commissioning groups and the sustainability and transformation partners for that strategic outline case, which has been through the necessary local healthcare governance procedures. I am pleased that plans for the new hospital and health campus are supported so strongly by local NHS stakeholders.

The trust submitted a bid in autumn 2017 for STP capital for its integrated healthcare campus scheme, which was intended to replace the existing Princess Alexandra Hospital estate. The trust's capital bid at that time asked for between £500 million and £600 million. That was not considered sustainable; the bidding process feedback asked the trust to revise its capital plans to a more realistic level.

It is also worth reminding the House, and this is partly a tribute to the success of my right hon. Friend's campaigning for Harlow, that that sits alongside the many millions of pounds secured for the public health campus, which is due to open in phases from 2021. He is correct to identify the opportunities that both schemes bring for a wider NHS career as part of the investment the Government are making—not just in Harlow but in the healthcare of the region, reflected by the support of colleagues in the House.

Alongside those two schemes, the same STP, Hertfordshire and West Essex, also put in a bid for more than £600 million of capital funding in the same bidding round of autumn 2017 for the redevelopment of the West Hertfordshire Hospitals NHS Trust Watford site. That is a signal of the amount of capital the Government are putting in and the need for the local plans to reflect the competing bids around the country as part of that appraisal. There have been other capital schemes, such as the £2 million to which my right hon. Friend referred, given to improve emergency capacity for the winter.

I look forward to hearing about the trust's updated plans for how it intends to transform the way care is provided to patients through integration with community and primary care, rather than just re-provide capital assets. Schemes are required to demonstrate affordable revenue assumptions and value for money, and to fully consider disposing of surplus assets to part-fund their developments.

My right hon. Friend asked about timing. Given the challenges that the trust faces, I appreciate that it is a key issue for his constituents. An announcement will be made in the autumn on the next round of STP capital allocations, and I will continue our regular dialogue with him as that progresses. Bids are due by mid-July; I know the trust is fully aware of that timescale and I expect it is working closely to it.

I want to pick up on a comment my right hon. Friend made about the workforce. While capital is key to the redevelopment of the Harlow estate, it has to sit alongside wider workforce planning. The long-term nature of workforce planning has sometimes meant that there has perhaps been insufficient focus on this area. That is why the Government are bringing forward, through Health Education England, a workforce strategy this summer to look specifically at how we better plan for our workforce. I know that, particularly through his chairmanship of the Education Committee, my right hon. Friend champions a cause that is close to both our hearts: apprenticeships and how we better use them within the workforce. I am keen that he continues to work with the trust to expand the number of apprenticeships on offer. Based on quarter 1 to quarter 3 data, it has so far offered 10 apprenticeships, against a public sector target for the trust of 72, with a half a million pound apprenticeship levy to be allocated. There is therefore scope for the trust to continue its efforts on apprenticeships as part of that wider agenda. I know my right hon. Friend will continue to champion that agenda.

In conclusion, what is recognisable from the presence of my hon. Friends the Members for Saffron Walden, for Broxbourne and for Hertford and Stortford, as well as the constituency interests of other Members in the Chamber, is that this scheme is not just about Harlow but about the wider health care needs of the region. It is one that the Secretary of State has taken a close personal interest in, visiting on more than one occasion. It is one that my right hon. Friend has assiduously raised in the House and has done so, rightly, again today. I reaffirm, as I said to him when we last debated this matter on 8 May, that we recognise that the Princess Alexandra hospital estate is in a poor condition. That is why the bid that I expect in mid-July is timely. I look forward to the bid addressing the transformation challenge. It is part of the Government's wider £3.5 billion commitment to the NHS estates until 2022-23. I know my right hon. Friend will support his local STP in the transformation the system needs. I look forward to continuing to work with him as part of the plans to ensure the NHS is fit for the future in Harlow and in the surrounding region.

Question put and agreed to.

7.23 pm

House adjourned.

Westminster Hall

Tuesday 5 June 2018

[MIKE GAPES *in the Chair*]

Polish Anti-defamation Law

9.30 am

Alex Sobel (Leeds North West) (Lab/Co-op): I beg to move,

That this House has considered Polish anti-defamation law.

It is a pleasure to serve under your chairship, Mr Gapes. I am pleased that the Backbench Business Committee has given time to this sensitive and difficult subject. I was going to raise it in the general debate on anti-Semitism in the Chamber on 17 April, but unfortunately I was not called, and I felt the issue needed a full airing.

This debate takes place in the context of the fact that the Polish President signed the Bill into law while also referring it to the Polish constitutional tribunal for review. I am pleased that the Polish prosecutor general has issued a legal opinion stating that in part the law is unconstitutional, and I look forward to the tribunal's ruling, which should come any day now.

It is only appropriate to start this debate by paying tribute to the thousands of Poles who helped the Jews during the second world war and fought alongside allied soldiers, in the Polish free army. The righteous among the nations are a group of non-Jewish people who have been recognised for their great sacrifices and bravery in helping Jewish people during the holocaust. The title is awarded by Yad Vashem, the World Holocaust Remembrance Centre, and Poles constitute the largest national group of the righteous, with 6,706 people listed. We must remember that the punishment awaiting those who provided any kind of help to Jews was death for them and their entire family. At liberation, around 50,000 Jewish survivors were on Polish soil. It is estimated that about 30,000 to 35,000 Jews, only about 10% of Poland's Jews, survived, and around 1% of all Polish Jewry was saved with the help of Poles and thanks to the devotion of the righteous among the nations.

I will start by paying tribute to a few of those Poles listed at Yad Vashem. First, I pay tribute to Jan and Anna Puchalski and their children, Irena, Krystyna and Sabina. They were a poor Polish family with five children, living in a tiny house. Jan supported his family on his small salary from working in a tobacco factory. On 13 February 1943, a Jewish family of four, who sometimes stayed in the area during the summer, and two other people, turned up at their door, having escaped a Nazi raid on the ghetto. Despite their lack of resources, the Puchalskis hid five Jews in a shelter under their floorboards for 17 months.

Secondly, I pay tribute to Jan and Antonina Żabiński. In the 1930s, the Warsaw zoo was one of the largest in Europe. When the war broke out, part of the zoo was bombed and many of the animals were taken to Germany. The zoo's director, Dr Jan Żabiński, was allowed to visit the ghettos because he was an employee of the Warsaw municipality. Using the excuse that he was going to tend some trees in a small public garden in the ghetto, he

visited his Jewish friends to offer them help. As the situation worsened, he offered them shelter in his zoo. Around a dozen Jews lived in the couple's home, with others staying in former animal enclosures around the park. He also helped them to get documentation and find accommodation elsewhere. The couple's story was turned into a film, "The Zookeeper's Wife", just last year.

Thirdly, I pay tribute to Leopold and Magdalena Socha. Leopold Socha was a sewer maintenance worker in Lwów. When the Nazis occupied Poland, Leopold witnessed the suffering of the Jewish people and decided he was going to try to rescue at least 20 Jews from the ghetto. He enlisted the help of his co-worker Stefan Wróblewski. Together, they hid 21 Jewish people in the sewers. Initially the Jews paid Socha and Wróblewski, but as they ran out of money, Socha and his wife provided for them. They stayed in terrible conditions in the sewers for 13 months. Sadly, only 10 of the group survived until the liberation of Lwów. Leopold also saved the life of my great-uncle, Yehuda Mildiner. I pay tribute to Leopold and the 6,706 righteous who did so much for families like mine.

Poland was the only occupied country to set up a committee to aid Jews, Żegota, which provided food, shelter, medical care, money and false documents to Jews. Most of Żegota's funds came directly from the Polish Government in exile here in Britain. In particular, the children's section of Żegota, led by Irena Sendler, saved 2,500 Jewish children with the co-operation of Polish families, the Warsaw orphanage of the Sisters of the Family of Mary and Roman Catholic convents. Polish forces also gave exemplary service to the allied effort in the battle of Britain, the battle of the Atlantic, the north African campaign, particularly the battle of Tobruk, the Italian campaign, including the capture of the monastery hill at the battle of Monte Cassino, and the French campaign. We all have much to thank the people of Poland for, securing the freedoms we value today.

However, I return to the law passed on 26 January by the Polish Parliament and signed into law by the Polish President in early February. The fact that the President referred the law to the constitutional tribunal for review has not stopped the first case being brought. If nothing else, the nature of this case needs to make us stop and think about the nature of the law and its potentially far-reaching consequences, not just in Poland but globally.

The case was brought on 2 March 2018 against the Argentine newspaper *Página12* by the Polish League Against Defamation. The lawsuit focuses specifically on a photograph that accompanied an article about the 1941 massacre of Jews in the Polish village of Jedwabne. The Polish League Against Defamation claims that *Página12* was being "manipulative", as the image is of four Polish anti-communist fighters in 1950, while the article is about the 1941 pogrom while Poland was under Nazi occupation, and that by linking the two events the publication was

"harming...the reputation of Polish soldiers",

and trying to make Poland appear anti-Semitic. *Página12* has changed the photo of the partisans to that of a monument in Jedwabne vandalised with a drawing of a swastika, a proportionate response to what was clearly an error by the newspaper.

[Alex Sobel]

The lawsuit was brought by the right-wing nationalist Polish League Against Defamation, an independent organisation formed out of the Patriotic Society Foundation. Although the article was published in December, before the law took effect, and may not be admissible, it clearly shows the dangers the law could pose. The Argentine Government agree, stating:

“No law can limit, condemn or prevent freedom of expression or limit research”.

Even more concerning is the reaction of the Polish Government. The deputy Justice Minister expressed his hope that the *Página/12* case would go to court, saying:

“If the court decides the complaint is admissible—and it should do so—then there will be a court case.”

In 2012, Barack Obama used the phrase “Polish death camp” during a Medal of Freedom ceremony for Jan Karski. He was clearly referring to a Nazi death camp in Poland, and the White House press secretary clarified that he had misspoken after Donald Tusk, then the Polish Prime Minister, complained about his use of the phrase. Will President Obama now face a lawsuit under the law? There is a much bigger picture here. When laws are passed that are regressive in nature, they have a wider societal effect than just the intended function of the law. When section 28 was passed in this country, it created a new wave of acceptability around homophobia.

My fears have already been realised, as can be seen from the actions of thousands of individuals against the Auschwitz-Birkenau Memorial and Museum. The staff were subjected to a wave of, in their own words, “hate, fake news and manipulations”.

The brother of Piotr Cywiński, the museum’s director, posted on Facebook criticising the “50 days of incessant hatred”

targeted at his brother. He said:

“For 12 long years he’s worked in one of the most terrible places in the world, in an office with a view of gallows and a crematorium. Dozens of articles on dodgy websites, hundreds of Twitter accounts, thousands of similar tweets, profanities, memes, threats, slanders, denunciations. It’s enough to make you sick.”

All this came after the law was passed.

Protesters have also been targeting the museum’s guides. They claim that the guides are trained to promote “foreign narratives” and that only Polish people should be allowed to work as museum guides. Videos of protesters, including convicted anti-Semite and local politician Piotr Rybak, harassing guides during the tours have been posted online. In March, the home of an Italian guide was vandalised with graffiti on his door that said “Poland for the Poles” and graffiti equating the Star of David with a Nazi swastika, with “Auschwitz for Poland guides!” daubed on an adjoining wall. To think it is acceptable to abuse those working to keep alive the memory of one of humanity’s most horrific death factories—a machine of genocide operated by Nazis—is, to me, beyond comprehension.

After my letter to the Foreign Secretary and after applying for the debate, I have not been immune from such abuse, giving me first-hand experience. As well as posting abuse on Twitter and in the comments sections of websites, people have taken to emailing my parliamentary email address. I will read one example. I apologise in

advance for its language and its anti-Semitism, which is some of the worst I have ever seen. I want to be very clear that I am quoting; these are not my words. It says:

“You Talmudic piece of shit...Fuck off—leave Poland alone. Keep your Talmudic noses out of Polish affairs, Satan’s Brood. The Synagogue of Satan will go down in flames”.

Another email had pages and pages of graphically anti-Semitic images. On Twitter, I received this comment:

“People like you are the very reason we have the need for this legislation. Jewish Amnesia Syndrome is back. Denying there were Jewish perpetrators is after all denying one Holocaust Narrative.”

Another said:

“Of course this guy is not antisemitic”—

I thank them for that—

“he is a Jew and takes a profit from his MP status for lobbying against Poland and support the state of Israel which obviously needs new financial sources”.

Another said:

“Sobel is a member of the lobby. A liar, fake news spreading provocateur insulting 6 Million Polish victims murdered by Nazi Germany”.

One account now suspended by Twitter sent me 10 tweets accusing me of being in a worldwide conspiracy and on George Soros’s payroll, and saying that I should be banned from Poland, as well as including a homophobic insult.

If the Polish Government’s intention is for the law to minimise the false reporting of the holocaust and minimise anti-Semitic feeling, the exact opposite has been the result. I am sure that, as I speak, people are taking to their keyboards to send me more hate. I will not be able to press refresh on my Twitter account today, as it will just be filled with abuse.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I am very sorry that the hon. Gentleman has received those comments. Unfortunately, all Members suffer vile abuse on Twitter, as I am sure he will recognise. There are crackpots in every society. Has he managed to speak to the Polish ambassador, or to visit Poland during the course of this year, to get a first-hand account of the situation on the ground there? A lot of misinformation on this subject is coming out of the country.

Alex Sobel: I intend to visit Poland later in the year, but I have not managed to yet. The Polish ambassador invited me for a meeting, but I did not arrive into London until quite late yesterday, so I responded that I will meet him after the debate. I have not been able to meet him, but I intend to. I understand that there are lots of different views, but I think the evidence is quite clear that the passing of this law has given an acceptability to things that were not acceptable before. It is about the consequences of the law and the atmosphere that it has created. People of Polish-Jewish descent and people from Poland have told me about their fears as a result of the law.

To conclude, I thank the Minister for Europe and the Americas for his letter, dated 8 May, in which he stated that the issue has been raised by the Foreign Secretary with his Polish counterpart at two meetings. He referred the issue to Eric Pickles, as the UK’s special envoy on the holocaust. Although I welcome Sir Eric Pickles’s involvement, I think this is a matter for the Foreign and Commonwealth Office to take up, rather than leaving it to a special envoy with a limited role. I ask the Minister

and the Foreign Secretary to take the matter up with the EU through all the meetings and institutions that they and their colleagues will attend, including the Council of Ministers, and to report back to the House on the results of those discussions.

I know that a number of Members are members of the Council of Europe, and I know that this issue has been raised there. I hope that they keep looking at ways to engage with Polish colleagues and gain support for the law to be dropped.

9.44 am

Daniel Kawczynski (Shrewsbury and Atcham) (Con): It is a pleasure to serve under your chairmanship, Mr Gapes. I rise as the chairman of the all-party parliamentary group on Poland and as the first ever Polish-born British Member of Parliament.

The hon. Member for Leeds North West (Alex Sobel) alluded to the terrible suffering of Polish people who helped their Jewish neighbours and friends. I will start by giving a very personal account of what happened to my family. Jan Kawczynski, the brother of my grandfather, knew, as has been alluded to, that Poland was the only country in occupied Europe where helping Jewish people carried the death penalty, but he took that risk anyway. For those of us here who are fathers, I argue that it takes an exceptional man to put at risk the lives of his daughter and his wife. He took that risk, and he hid various Jewish friends and neighbours on his estate in western Poland.

He was coming back home to his farm one day when his neighbour stopped him and said not to go back because he would be walking back to his death. The Germans had realised something was afoot and had surrounded the farm. He said he had to go back because his daughter and wife were there. When he went back, the Germans first made him take off his officer's boots. They then made him dig a grave, informing him that they would shoot his daughter and his wife, and then they made him watch as they shot his 12-year-old daughter and then his wife. Then they shot him.

I have never spoken about that in the House, although I have been a Member for 13 years, but a lot of emotion has already been expressed in the debate, and I hope hon. Members will realise from what I have said just how strongly I feel about this situation. I am grateful and pleased that I can pay tribute to Jan Kawczynski for the sacrifices that he made to do the right thing—to help his Jewish friends and neighbours.

Last year, I went to the zoo that the hon. Member for Leeds North West mentioned for an award ceremony at which my family was recognised for helping Jewish families. That ceremony was organised by a very good friend of mine, Mr Jonny Daniels, who runs a foundation called From the Depths, which is partly financed and supported by the British Government and which seeks to bring together Jewish and Polish communities in the modern era.

However, although my family have been recognised, we are typical of so many different Polish families who suffered as a result of helping their Jewish friends and neighbours. In actual fact, I have to say that the Polish underground resistance actually punished Poles who committed crimes against Jews. Of course, as has been said, Poland has the most members of the righteous

among the nations for all the suffering that they went through in helping their Jewish friends and neighbours, as was recognised by the state of Israel.

Poland has great concern about the international media's lack of care as to what happened in world war two. Poland was invaded in 1939 and brutalised by its German occupiers; 6 million people were slaughtered. Warsaw, the city of my birth, was completely destroyed, with 98% of the city flattened in 1944 by Adolf Hitler's forces as punishment after the Warsaw uprising.

The United Kingdom suffered greatly during the second world war, and we made terrible sacrifices as well, but Poland uniquely suffered the abject brutality of the German invasion. Tensions and emotions still run high as a result of what happened at that time. Of course, being trapped behind the iron curtain after the second world war with an illegitimate Communist regime who tried to distort history through school rooms did not allow Polish society to discuss and debate these issues properly.

I hope that the BBC picks up on this point again, because I have a thick file of my correspondence with the BBC—the British Broadcasting Corporation—in relation to my numerous complaints to it about its misrepresentation of the situation in Poland during the second world war. I have to say that the BBC, which sells itself as a paragon of virtue and enlightened journalism, and with all the resources that it gets from the British taxpayer, should know better. I have counted many occasions when the BBC has referred to “Polish death camps”. Think to yourselves for a moment how you would feel as a Pole about a reference to something as a “Polish death camp”. There is no such thing as a Polish death camp. They were concentration camps set up by Germans in German-occupied Poland; they were run by Germans, maintained by Germans and initiated by Germans. Let us get that straight. However, despite my numerous requests to the BBC to show a little sensitivity and understanding on this issue, it continues to refer to those things as “Polish death camps”.

The narrative has moved on and there are constant references to Nazis doing these things. The hon. Member for Ealing North (Stephen Pound) and I have just returned from Minsk; we were part of a parliamentary delegation to Belarus. Of course Belarus, as we found out in the course of our visit, suffered enormously from similar types of brutality against Jewish people by the occupying German forces. I had the honour and pleasure of going round the museum of the second world war in Minsk with the hon. Gentleman, and we saw at first hand evidence of the appalling brutality and death meted out to Jews in Belarus by German forces. The guide repeatedly referred to Nazis, as if this was some sort of third entity descended from outer space—some unknown factor of people. They were German soldiers under the instruction of the German Government, the German dictator.

Germans invaded and persecuted Poles and Jews and killed millions. I want to say also that, as the Polish Prime Minister said very eloquently, “Arbeit macht frei” is not a Polish expression. Let us remember those sinister words at the entrance to the death camps: “Arbeit macht frei”. It still sends a chill down my spine when I read out those words, as I am sure it does to everybody in the Chamber. When I hear the words “Arbeit macht frei”, I think of the suffering and misery

[Daniel Kawczynski]

that those poor defenceless people went through. But “Arbeit macht frei”, as everybody here knows, is a German phrase.

We need to work together. I say to the hon. Member for Leeds North West that I have every sympathy for him. As I listened to him, the emotion and sincerity with which he spoke impressed me greatly. The all-party parliamentary group on Poland has a visit to Poland coming up in July. It will involve nine Members of Parliament. I very much hope that the hon. Member for Leeds North West might join us on that group. We are making a three-day visit to Poland, where we will be meeting Ministers and many others—media outlets and all sorts of civil society organisations. I very much hope that he will join us on that and that he will take the time to meet members of the Polish diaspora in the United Kingdom with me. One million Poles now live in this country. We have many events for the Polish community here in the House of Commons. Despite the hon. Gentleman’s concerns, I very much hope that he will give them the opportunity of giving their side of this very sad story.

I am conscious that other hon. Members wish to speak, but let me make just a couple of additional points. Paragraph 3 of article 55a of the law under discussion specifically ensures that scientific publication or research and artistic activity are exempt from the legislation. The law is not designed to protect individuals who were involved in crimes against Jews. As I have said, it is designed to ensure that Poland’s reputation is protected and to recognise the suffering of Poles who helped Jewish friends. That is very important to remember.

The Polish Prime Minister, Mr Morawiecki, and the Israeli Prime Minister, Benjamin Netanyahu, have met on several occasions to discuss this issue, and a commission has been established to discuss how the two countries can go forward to ensure that it is resolved amicably and satisfactorily for both sides.

Mr Gregory Campbell (East Londonderry) (DUP): The hon. Gentleman has talked about forthcoming meetings. Does he agree that there needs to be clarity and certainty about what happened in the past and that what is currently happening in terms of anti-Semitic behaviour across the globe but particularly in western Europe needs to be highlighted? We need to get more information so that people can eliminate the perceptions and the paranoia that sometimes exist when talking about both Israel and Jewish activity; others seem to want to believe that there is a worldwide conspiracy, and the reality and the truth must be brought to bear on that perception.

Daniel Kawczynski: Absolutely. I am grateful to the hon. Gentleman for that intervention. There is a huge lack of information about what happened during the second world war. I saw yesterday some shocking figures about young people in the United States of America: many of them do not even know what the holocaust was. That is extraordinary when we consider that in my grandparents’ generation, millions of people were killed under fascism—purely because of their religion or background. In that sense, this debate is very important, and it is important that we continue to have these debates,

because we have to keep re-educating the next generation on the barbarity and brutality of what happened and, of course, warning them—teaching them the lessons of what happened before. We must never allow a situation to occur in which people are discriminated against because of their religion or background—but we see it happening again. We see the rise of anti-Semitism in certain countries, which is breathtaking. We see the rise of far-right parties in certain European countries. I believe that in Austria now, a rabidly right-wing party is part of the coalition. That is extraordinary. One would have thought that Austria, of all countries, would have recognised and remembered the appalling difficulties created by voting for excessively right-wing people.

The law that we are discussing has been referred to the constitutional tribunal by the President of Poland, as the hon. Member for Leeds North West said, and we look forward to the outcome of that.

I am very proud to be the first ever Polish-born British Member of Parliament. Our bilateral relations with Poland are getting better and better. It is an incredibly important NATO partner of ours, and in the post-Brexit world we need to utilise and harness the million Poles living in our country to improve understanding between our two countries, increase trade and increase bilateral co-operation. I very much look forward to working with the hon. Member for Leeds North West in the coming weeks and months to ensure that he and his colleagues get a first-hand opportunity to engage with our Polish friends and allies on this very difficult subject.

9.57 am

Stephen Pound (Ealing North) (Lab): Politicians nowadays are often accused of being bland, anonymous, anodyne figures. It is on an occasion such as this that we realise that we have here, in our Parliament, people with a unique range of references, sources, backgrounds and histories. I deeply respect the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) and his background, his family connection and his blood tie. However, the speech from my hon. Friend the Member for Leeds North West (Alex Sobel) was quite simply one of the most impressive that I have heard in Westminster Hall. He spoke from the heart; he spoke with absolute passion and with truth; and no one who heard him could be unmoved by his comments. Regrettably, having said that, I have to come to a conclusion that is completely opposite to the one that he has reached.

The Act submitted to the Sejm on 26 January 2018 was not intended, nor can it be seen, as an act of anti-Semitism. It is an Act specifically to address a concern that is viscerally agonising for the Polish people—the constant repetition of that inaccurate, brutal, cruel phrase “Polish death camps” or “Polish extermination camps”. That was the reason for the legislation. The fact that it has been referred to the constitutional committee suggests to me that it might have been, in certain circumstances, appropriate for us to have delayed this debate.

Having listened to my hon. Friend the Member for Leeds North West, however, I entirely understand why he felt it necessary to bring this matter to the House even while that process is in play. I also have no doubt that I speak for every person inside and outside this Chamber in expressing our deepest sympathy to him for

the foul, vile, scatological filth that he has suffered. Sadly, it is not unique, but there certainly seems to be a particular strand and trend, which is deeply regrettable. I would not say that this is indicative of attitudes in Poland. Of course there are Polish anti-Semites—no one could pretend otherwise—but to say that these comments are somehow reflective of all Poles, and that this issue is about the Polish League Against Defamation or various other groups, is to give them more strength and power than they actually deserve.

This process was not sought by the Polish Government or the Sejm. It was a reaction to a circumstance that seemed to be gathering in pressure and strength. Many are concerned, as my hon. Friend implied, that this legitimises and opens the door to anti-Semitism. In Poland, however, exactly the opposite applied. It was felt that the constant reference to Polish death camps opened the door to something even worse—reversionism, an attack on Polish history and an assault on the contributions that the Poles made.

Let us never forget that there was no Polish Pétain or Quisling. If we want to see the Poles in the second world war, we need to look to General Bór-Komorowski, the people who fought with the Warsaw rising and the people in the Government in exile who introduced the death penalty for confiscating, stealing or abusing Jewish people or their property. There was no anti-Semitism in the structural sense. Of course there were, inevitably, such individuals. I have them in my constituency, Mr Gapes, and I am sure you have them in yours.

The Polish Government introduced this legislation as a response to a gathering storm throughout the world. I am disappointed that the reaction of the current Israeli Government has been unusual in its strength. The Israeli ambassador to Poland, Anna Azari, was involved right from the beginning in these discussions with the Government in Poland, the Sejm and the committee that structured and drafted this.

Article 55a, paragraph 3 was specifically introduced into the legislation to avoid any accusation that this legislation would close down debate, because there were some people who felt that this legislation, unamended, would not allow scientific analysis. It is said that only the future is certain; the past is always changing. Well, we are not afraid of the past. This amendment was brought in specifically to exclude not just scientific and academic research, but artistic research, to avoid any accusation that this matter was being closed down. We have to respect and understand that.

The hon. Member for Shrewsbury and Atcham mentioned the discussions that took place between the two Prime Ministers, Mateusz Morawiecki and Benjamin Netanyahu. I think that is a positive sign. We see too much, in this place and on this planet, of people striking postures, beating their chest and issuing absurd Twitter comments in the middle of the night. I mention no names and I point no fingers—even if it was with a very little hand. There are those people, however, who think that we need to discuss and debate these issues. The two Prime Ministers are the appropriate people.

Daniel Kawczynski: The hon. Gentleman is, as usual, making an eloquent speech. At all these award ceremonies where Poles are recognised for helping Jews—certainly at the one I attended—the Polish Prime Minister, Mr Morawiecki, is present, as is the head of the Law

and Justice party, Prezes Kaczyński. They want to send a strong message about the strength of feeling among the Polish state about reconciliation and harmony between Poles and Jews.

Stephen Pound: I am grateful to the hon. Gentleman, who speaks with authority on these matters. He and I have stood together at the Katyn memorial. We have spoken at many of these occasions. We have been at RAF Northolt on the day on which, every year, we recognise the heroic contribution of the 303 Squadron—the most successful fighter squadron in the Royal Air Force—when the bonds between our two countries were forged in blood. He knows, as I know, the depth of the contribution that the Polish people have made. I am not Polish. I do not have a drop of Polish blood. I lack that honour. When I hear this expression about Polish death camps, however, I feel for Poland and I weep for the Polish people.

Look at what is happening nowadays in Warszawa and Kraków. There is a holocaust memorial museum and the complete rebuilding of the ghetto, where there are Jewish restaurants and a whole Jewish quarter. In fact, they do not use the word ghetto any more, which is probably just as well. South of Kraków, at Auschwitz-Birkenau, the air falls still. In the forest there is no birdsong. Something so terrible happened there that the weight of history still presses down on those people who approach it. Something has sucked the energy out of the air. Visitors pass beneath that awful sign, which the hon. Gentleman referred to.

I hope that no one in the world thinks for a second that this was anything other than the planned, industrial and mechanised extermination of a people by the Nazis—not by the Poles. There may have been some Ukrainians who worked in the death camps. We know that. The legislation that went through in January specifically refers to the Ukrainian actions in this particular area. That is not to imply, however, even for a passing second, that the Polish people were complicit in, supportive of, involved in or responsible for that appalling crime—that spreading stain of agony that still disfigures our history, and that marks and shapes our future as it so brutalised our past.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I accept some of what my hon. Friend is saying. Does he agree that, while it is certainly untrue that the Nazi extermination camps were in any way Polish death camps, there are still graphic examples of Polish complicity in the atrocities that took place against Jewish people in Poland at that time?

Stephen Pound: I acknowledge the expertise of my hon. Friend, but I would need to see the evidence for what she says. I would also need to understand and be educated as to the realities of life under occupation—the second occupation, because Poland was occupied twice—and what it must have been like in those days. I am not aware of Polish complicity in Auschwitz-Birkenau, but I will not say that I know everything about the subject and I am more than happy to speak to my colleague. I do know for certain that to try to tar the whole of the Polish nation with the brush of anti-Semitism on the basis of a few lunatics, a few foul anti-Semites and some obscene Twitter users is unfair, wrong, painful and hurtful to the Polish people.

[Stephen Pound]

The hon. Member for Shrewsbury and Atcham referred to Polish heroism. We do not have enough time—there would not be enough time in Parliament—to list all the Polish heroes: Poniatowski, Dąbrowski, Kościuszko, Piłsudski and on and on. We know about Polish courage. I would like to bring the Chamber to a place that you know, Mr Gapes, as does the hon. Gentleman: the village of Cassino, south of Rome, which was occupied for the whole of the second world war up until 1944 by German Panzer battalions and airborne troops. It was finally captured by the Poles. There, in the shadow of the monastery of Monte Cassino, which has been referred to, there is a Polish cemetery.

All the allies, including those from Ireland, Australia, South Africa and so many other countries who fought there—even a Maori regiment from New Zealand—have their cemetery. There is something exceptional and special about the Polish cemetery. I am referring not to the grave of General Anders at the front, but to the grave markers. There are three types of grave markers in the Polish cemetery of Monte Cassino. There is the Suppedaneum cross, which is the sign of the Serbian or Russian Orthodox Church. There is the ordinary cross, which we Roman Catholics simply see as the cross. The third grave marker is the star of David. A section of the Polish war memorial—the Polish cemetery—at Monte Cassino is proudly and unashamedly dedicated to the Jewish soldiers who fought with General Anders, who fought from the camps in Siberia, who walked across Iran, who fought in El Alamein, in Libya and in the invasion of Sicily and who fought their way up the spine of Italy. Although those Jewish soldiers were cruelly betrayed by the allies—forgive me for saying so—after their huge contribution, and there was not to be a free Poland in 1945, the army recognised, cherished and valued the contribution of the Jewish soldiers who fought with them.

Would those Jewish soldiers have fought with an anti-Semitic army? Would they have fought with General Anders if they had felt that there was a strand of anti-Semitism running through the army? Sometimes silent witness is more powerful than the vocal and the verbal. To see those stars of David in the Polish cemetery tells me that Poland protected, defended and respected its Jewish population, and it will continue to do so.

This legislation is a reaction to misinformation. It does not in any way open a door to anti-Semitism. I profoundly hope that the constitutional tribunal will clarify the situation. Whatever happens, every one of us is better informed and possibly emotionally stirred by the extraordinary, unique and priceless contribution of my good friend, my hon. Friend the Member for Leeds North West.

10.11 am

John Mann (Bassetlaw) (Lab): We can learn a lot from cemeteries. When I visited eastern Poland with a Jewish family to look at their historical roots there, we visited the Jewish cemetery. It was not in a particularly good state—I do not think anybody had visited it for many decades—but what struck me was how big it was, because the village had been largely Jewish.

I had research done into that family's history, and I got photographs that showed the village. They raise the question about what happened to the properties.

Three million Poles were murdered, which means 3 million properties disappeared, plus the communal buildings such as the synagogues. What happened to them? We can learn a lot from looking at cemeteries about what happened and who did or did not do what at any time.

There are plenty of people living in that village, but none of them are Jewish. That is not a surprise. There were 3 million Jewish Poles; there are now under 1,000. It is a thriving rural village, like many others in Poland, with a Jewish graveyard. People live in the same village, on the same streets, sometimes in the same properties, and certainly on the same land.

History can be interpreted in different ways. Let us be quite clear: this law has not come from nowhere, so those who have been protesting about it, such as Netanyahu, should have opened their mouths when the first such law was brought in by Hungary in 2010. That law criminalised the wrong interpretation of history and came with a three-year maximum prison sentence.

As Hungary attempted to legally define its history in 2010, Lithuania did too. Its law was more generous, with only two years' imprisonment, but at the same time, Lithuania attempted to arrest two women over the age of 90: Fania Brantsovsky and Rachel Margolis. Most people, including me, would describe them as war heroes. They fought with the resistance in the Lithuanian forest. They undoubtedly killed people, but they were fighting alongside the Soviets, who came in and eventually liberated that country as part of the war effort. In 2010, Lithuania attempted to arrest those two war heroes for being war criminals. They were fighting for the resistance—it is unambiguous; there is no argument about what happened—but they went from war heroes to war criminals, and Lithuania attempted to jail them.

In 2014, Latvia brought in a law that came with five years in prison. In different ways, Ukraine and Estonia brought in criminal laws in advance of Poland, so this legislation has not come from nowhere. In Austria, there are people who attempt to describe Mauthausen as a Polish camp. Actually, I disagree with my hon. Friend the Member for Ealing North (Stephen Pound): it is very rare to hear the Nazi death camps in Poland described as Polish, just like it is very rare to hear death camps elsewhere described as anything other than death camps by their names, but it happens and it has happened for a period of time. Why were those camps there? They were where the Jewish population was.

There were differences in Ukraine. Ukrainians took the jobs and murdered the people. That did not happen in Poland. They did not recruit Poles to do that. They did in Lithuania. They did not bother with the camps. The Lithuanians took Jewish people out into the forest and shot them to save time and money. They did not need the Germans to do it. But who were the Nazis in all that? Who were the Nazis in Lithuania? Who were the nationalists? Who was on the side of Lithuania?

Starting with a conference in Hungary in 2008, with the European Parliament as a conduit, a group of politicians has co-ordinated and drawn together other nationalist politicians, including from Poland, to rewrite history. That is what has been going on. The example of Lithuania, and the rest of the Baltic states, is the simplest one, and in essence it says, "We weren't fighting for anyone, other than fighting the Communists. There was a double genocide"—that term was created at the 2008 conference. "The Nazis and the communists are

equally bad. The communists controlled our country and did many evil things under Stalin and beyond.” That is true; that is factually the case.

I was the first person to leave Poland with a Solidarność badge in 1980—that is a different story, which I will leave for now—so I am very aware of what the Soviets and the communists did in eastern Europe, but the problem is putting together those two genocides and describing them as if they were equal and comparable. There is an academic in Latvia who has taken it further and brought in blood libel as well. The logic goes, “My grandfather did nothing wrong, because my grandfather was a patriot. He was not supporting the Nazis. He was fighting the communists. By the way, who speaks Russian? The communists. Who speaks Russian in our country? The Jews speak Russian. Rachel Margolis speaks Russian.”

Therefore, it is possible to distort history so quickly and so easily—rewrite your own history and the history for every country, including our country and our role, as the country that failed to take in Jewish migrants in the '30s and, indeed, after the war, in the '40s. This country turned them away. We can all rewrite our history, sanitise our role in things and glorify what we were good at—the little bits. “Oh, we had the Kindertransport here. Weren't we brilliant?” We let a few Jews slip in. What about the rest?

Well, that is what is going on in Poland—an attempt to rewrite history—and we should not accept that. Yes, it is true that the Poles did not run those camps—that is a fact—unlike in some neighbouring countries; but we can also look at the language. I keep reading and hearing about the 3 million Jews in Poland—the 3 million Poles; the 3 million of our citizens who were Jewish, who were murdered and lost everything. It is not a surprise that there is not much of an eyewitness record there compared with anywhere else, because few survived. It is harder for the dead to be eyewitnesses.

I will end on this. When I look at what is going on now, I take the Albert Camus view of the world—to see the world through the eye of football. In Poland at the moment, if someone goes to see a football match in Łódź—once a massive Jewish community; now no Jews live in Łódź—what is the insult used in the Łódź derby? “Jew”. From one Łódź team to the other Łódź team, for both sets of fans their term of insult is “Jew”. And what happens in Kraków when Cracovia play Wisła? Do the tourists there go on the nice, sanitised route to Auschwitz-Birkenau? My advice to anyone going there is to go on the suburban route. If they do, I will tell them what they will see on every station: Wisła Kraków graffiti saying “Jews Out”.

Stephen Pound: Albert Camus was obviously a great goalkeeper, and I understand my hon. Friend's analogy. However, I am sure that he has seen Spurs play at home as many times as I have, so he will know the insult that is used against Tottenham Hotspur players. Does he agree that that sort of language—that sort of foul anti-Semitism—should be a matter for criminal law and prosecution? It should not be perceived as indicative of a nation or even a group of football supporters.

John Mann: Of course it should be a matter for criminal law—it is in many countries—but my point is not that Poland is any worse than any other country, but that anti-Semitism remains and this law plays to that sentiment. That is the danger of the law.

I will end with a recent quotation from a radio reporter in Poland, Marcin Wolski of TVP2. What did he describe? He said, “Let's rename the death camps. They're not ‘Polish death camps’, they're ‘Jewish death camps’.” He said that on Polish radio recently—because the Sonderkommando ran the death camps, we should therefore rename them “Jewish death camps”. Bring in this kind of law and that kind of racism and anti-Semitism is unleashed. But this is not something that started in Poland; it started elsewhere in eastern Europe. People have been too silent about it—about trying to use the law to rewrite history. The law is not the way to rewrite history.

10.24 am

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I congratulate my hon. Friend the Member for Leeds North West (Alex Sobel). He has raised a very important issue at a very apt time, and I agree with what he has said.

This is a time of great concern, because there is an increase in both holocaust denial and anti-Semitism right across Europe. Given that background, it is extremely concerning that legislation has been passed in a European country that could be seen as trying to stifle debate, discussion and research about the holocaust.

It is certainly true that Nazi death camps—Nazi camps of extermination—are not Polish death camps. That is clear; that is unambiguous. However, the legislation about which we are very concerned goes much wider than that and could make it illegal to discuss any Polish association with the extermination of Polish Jews. That extermination and persecution took place not only in those Nazi death camps—those Nazi camps of extermination. It also took place within Polish communities in civil society, and it is extremely wrong to try to shut down debate and knowledge about those activities.

Daniel Kawczynski: The hon. Lady says that this law is not the right way for the Polish Government to tackle this issue. However, when we bear in mind that I have been writing to the BBC for over seven years to ask it to be more sensitive about this issue, and the BBC continues to refer to “Polish death camps”, what is her advice to the Polish Government and other organisations that worry about the intransigence and lack of sensitivity of the BBC?

Mrs Ellman: I appreciate the hon. Gentleman's concern and that of others about a description of Nazi extermination camps as “Polish death camps”—an erroneous description—but the answer to that is not to try to shut down discussion about the holocaust and its depravities.

The relationship between Jewish Poles and the wider Polish community is indeed very complex. At Yad Vashem, which I visited in Jerusalem only last week, 6,700 Polish people are recognised as righteous among the nations. They were Polish non-Jews who supported Jews in those terrible times, on many occasions risking their own lives. They are rightly recognised and honoured there.

However, there is also a lot more in that complex history to be recognised—for example, the massacre at Jedwabne in 1941, when all but six of the town's Jewish inhabitants were set upon by their non-Jewish neighbours

[Mrs Ellman]

and burnt alive in a barn. That was truly horrendous, and it was not an isolated occurrence. Before the Nazi extermination began, the Jewish communities in Poland were very strong. They were majorities in significant areas of Poland, yet today there is hardly a Jew left. I have heard first-hand testimony from a relation of mine, who has now passed away but who was born and brought up in Kraków, about the shock and horror at their non-Jewish neighbours, who they had regarded as friends, turning against them in those terrible times. So the relationship is complex and the full history needs to be known.

It should be a matter of great concern that Yad Vashem itself, the Holocaust Educational Trust and some Polish historians have registered great concern about the potential impact of this legislation shutting down debate and research about what happened in Poland during the holocaust.

Stephen Pound: I bow to my hon. Friend's experience and the depth of her knowledge of this issue. However, I have already made the point, as I believe the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) has, that paragraph 3 of article 55a of the new law specifically and explicitly allows discussion of this matter within all scientific papers, artistic papers and academic papers. That measure was specifically and explicitly placed there to avoid any remote possibility that there would be an accusation that anyone was seeking to shut down debate. It is there in black and white.

Mrs Ellman: I have listened to my hon. Friend's comments with interest, but what he says is not borne out in what is happening. Indeed, since the legislation was introduced, the Polish Education Minister has denied the massacre of Jedwabne, and there have been efforts to strip the Polish-American historian, Jan Tomasz Gross, of his order of merit and even to prosecute him for his comments about Polish involvement in the persecution of Jews in Poland.

The situation is very troubling. I am pleased that discussions about what happens now are taking place within Poland, and outside, and I hope that common sense and justice prevail and that the legislation is either withdrawn or severely amended, so that there can be no shutting down of legitimate discussion about the horrors of the holocaust. The people of Poland deserve no less.

10.30 am

Peter Grant (Glenrothes) (SNP): Mr Gapes, it is a privilege to be able to contribute to the debate. I cannot go as far as to say it is a pleasure, because it is a difficult debate to take part in and to listen to. The testimonies we have heard will, I hope, continue to be heard in hundreds of years' time because there is a story here that we cannot afford to forget.

I commend the hon. Member for Leeds North West (Alex Sobel) on securing the debate and on his contribution, and also the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski), who followed him. It strikes me that we have two people here whose family histories bear remarkable similarities and yet who have used their personal stories to come to completely different conclusions about how we should address what is clearly

a serious concern for those in Poland and for many other people. That might be something we should point to—that it is possible for people, with great sincerity and integrity, to come to opposing views about something and be able to air those views such that they disagree without having to get disagreeable. That is too often lacking.

We should also bear in mind that we have heard stories about people—only about a tiny fraction of such people—who did what they believed to be right, knowing that it would cost them their lives. How often in this place does a whole system try to get people to do what it hopes might be politically advantageous to their careers, regardless of what they, in conscience, believe to be right? A clear example has been set by some of the stories we have heard today. It does no harm for Members of Parliament occasionally to look in the mirror and ask ourselves whether we would risk not our lives but our popularity within our party to stand up and speak and vote for what is right.

An earlier speaker said that there was not time in the debate to do justice to the part that the people of Poland and their then Government played in standing against the evil of Nazism. I do not think that the war would have turned out as it did had it not been for the contribution of those people. The truth about many of the things that happen in war gets distorted at the time and continues to be distorted afterwards. We have heard examples of how the Soviet regime tried, and continues to try, to rewrite history completely. I cannot imagine there ever being a time when we will discover that Poland did not play the part it is given credit for. I cannot imagine that the historians will ever find evidence to suggest other than that millions of people in Poland ran horrendous risks and suffered the horrific fate they did to protect friends and neighbours at a time when many other European countries were turning in on themselves. Poland stood against the holocaust at a time when, shamefully, few other countries in occupied Europe, and even in non-occupied Europe, were prepared to do so. I see that as an accepted historical fact and I cannot imagine a time ever coming when it is challenged.

Daniel Kawczynski: The hon. Gentleman is making a powerful speech. I want to get on the record something with which I hope he agrees. Poland welcomed more than 3 million Jews to live there before the outbreak of war, and the two communities co-operated and got on very well. I am proud of how the Poles accepted so many outsiders into their country and of the harmonious society they created. It was the travesty of war that created the problems.

Peter Grant: I am grateful for that intervention. Clearly, I cannot speak with the hon. Gentleman's authority about the detailed history of Poland, but I certainly look at it from a common-sense point of view. Surely the Jewish population in Poland was so big because Jews were comfortable there and felt that they would be treated better than in many other countries in Europe.

I find offensive any suggestion that the Polish Government, either directly or indirectly, collaborated with the Nazis, and I well understand why the people of Poland today find such suggestions greatly offensive. However, I am not convinced that criminalising the actions of a newspaper or a television programme is the

right way to deal with that offence. That is where the nub lies. I think we must accept that Polish citizens will have collaborated in crimes against humanity—a tiny minority of the Polish population—as, if the full facts were known, there would no doubt have been Scots who collaborated, just as there were Scots who risked their lives to help. People of all nationalities committed acts of great courage, and people of all nationalities will have collaborated in acts of great evil. If we lose sight of that, we do a disservice to all those who risked and lost their lives.

Stephen Pound: I apologise for interrupting the hon. Gentleman's flow. Holocaust denial is a crime in many parts of the world. Does he suggest that we should repeal all legislation on holocaust denial?

Peter Grant: Absolutely not. I was coming on to that. One of the first steps towards being prepared to allow a repeat of the holocaust is to deny that it ever happened. We also must be careful about denying that it could have happened in other places. I take issue with the hon. Member for Shrewsbury and Atcham on one point. He repeatedly referred to the crimes and actions of Germany. It is a fact that Nazism was born and developed in Germany, but the holocaust was not a battle of nationalities; it was about an ideology of sheer evil that was able to spread across Europe so quickly because it had its proponents in many more countries than we might like to think. It was certainly born and brought up in Germany, but it could have been a child of almost any nation in Europe and, it must be said, it could have happened in the United Kingdom. There were periods in the United Kingdom's past when anti-Semitism had become so virulent that it would have been possible, if the right group of people had got together, for Nazism or something very like it to take hold. When I talk about the dangers of holocaust denial, I am talking not simply about the denial of a clear historical fact but about the denial of a clear acceptance that it could have happened in other places as well. That is why it can happen again—it has already happened again on a smaller scale—and it will continue to happen if we are not prepared to speak out and act against it.

I am aware of the time pressure and I want to leave time for the winding up. The hon. Member for Leeds North West also deserves a bit of time. I get the point that academics cannot be prosecuted but, as has been pointed out, a law of this nature not only opens a door to legal action in the courts but can sometimes be seen to legitimise actions that no one would want to see legitimised. I do not see where the line could be drawn between an academic publishing something in a journal and a newspaper reporting on that publication. At what point would the law come into play?

However difficult some parts of any nation's history might be, we must be prepared to face up to the bad parts as well as the good. I have to accept that Glasgow—the city close to which I grew up and which I consider almost a second home—was built on the slave trade. I am not proud of that. I am proud of Glasgow, but I cannot be proud of the part that the city, and Scotland, played in the slave trade. I cannot be proud that the great ancient university town of St Andrews has monuments built into the pavements to show where devout Scottish Christians burned other devout Scottish Christians to

death because they were the wrong kind of devout Christian for the time. Those things are parts of our history that we have to face up to, and the more we are willing to face up to the evils that have been done in all our countries and communities, the more we can hopefully ensure that they become much less likely to be repeated.

I have spoken before about Fife's enormous debt of gratitude to our Polish community. Scotland and the United Kingdom owe an enormous debt of gratitude to the people of Poland not only for what they did during the war, but for what they have done since. We owe Poland an enormous debt of remorse for what we did to them after the war, when we handed Poland over to Stalin, and we should never forget that either.

There is a serious issue that has to be addressed. I simply do not think it is right to clamp down on one of the most precious freedoms we have—the freedom of the press to report things as they see them, and sometimes the freedom of the press to print things that we find offensive. That freedom needs to be protected. It can never be correct or acceptable to accuse Poland of collaboration with the holocaust, but I do not think the law as it is currently framed in Poland or in other European countries is the correct way to go about it. I hope that the Polish Government can be persuaded that there are other ways to prevent their new good name from being besmirched. At the end of the day, if idiots accuse someone of ridiculous things that did not happen, that someone should ignore the idiots and listen to the vast majority.

10.40 am

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): It is a pleasure as always to serve under your stewardship, Mr Gapes, particularly given your great knowledge of foreign affairs and your former chairmanship of the Foreign Affairs Committee. I thank my hon. Friend the Member for Leeds North West (Alex Sobel) for securing this debate, which has been an emotional and personal one. I think he wanted to have it elsewhere, but because he was not able to do that, he brought it here. He secured the debate because of his personal history and his family's history. It has particularly focused on the law that has been introduced. That is a serious issue, and we have to think about how it will proceed. A number of Members have raised different views of the law.

In April 2016, the Polish Government approved a new Bill allowing for terms of up to three years' imprisonment for anyone using phrases such as “Polish death camps” when referring to Auschwitz and other camps operated by Nazi Germany in occupied Poland during world war two. That in itself is correct. Those were Nazi war camps. They were extermination camps. They were the most hideous form of genocide in the second world war. It is right to condemn that and it is not right to implicate Poland in that—that point I understand. The law goes further, however, and allows the state to give people a three-year sentence for talking about Polish camps and debating Poland's role. That is the sticking point. How will that law be interpreted and used by different people to stifle debate?

That debate has great significance and it needs to happen, particularly given where we are at the moment. The debate is being used by the far right in Poland.

[Mr Khalid Mahmood]

In 2017, more than 60,000 nationalists took part in a march in Warsaw to mark Poland's independence day. Slogans included, "White Europe of brotherly nations", "Pure Poland, white Poland" and "Refugees out". That is what we are concerned about. It is not in any way about the form of the Polish nation or the people of Poland, who worked terrifically well during the second world war and after. The Polish community served valiantly in Birmingham in support of the Spitfire pilots and as mechanics. We commend the heroic acts of the Polish people, as the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) said. He spoke about his great-uncle, Jan Kawczynski, who made a huge sacrifice and ultimately paid the ultimate price.

Stephen Pound: I apologise for intervening—I realise time is short—but my hon. Friend raised an important point. He referred to slogans used by some far-right groups. Surely he would recognise that the shambling, stumbling, mono-browed knuckle-draggers of the far right of this country do not speak for our nation. They exhibit these foul, ghastly slogans, but we do not judge this country by those people. Let us please not judge Poland by a few of these unpleasant lunatics.

Mr Mahmood: I thank my hon. Friend for that intervention. To clarify, I was not saying that such people represent Poland as a nation. I went further to clarify the role of the Polish people against the Nazis and the actions they took. In that sense, I fully agree with him. The rally was also attended by Tommy Robinson, the former leader of the English Defence League, who is in prison at the moment. Roberto Fiore from Italy also attended. Those people tend to gather at these things. The real issue is how we deal with that.

My hon. Friend the Member for Bassetlaw (John Mann) made the key point that there were 3.3 million Jewish people living in Poland who had property and assets. Most of the descendants of those Polish Jews now live in the United Kingdom. Clarification is still needed about the property that was originally taken by the Nazis and then nationalised by the Communist Government that followed. That issue has to be addressed if we are to address all the issues post-Nazi occupation. The law that the Polish Government have passed does not recognise the heritage of those people who live in the United Kingdom in relation to their families' assets and properties. In that respect, a resolution calling for restitution has been passed by 46 other nations and endorsed by the US and the European Parliament. That is important, because that resolution confirms the history of the Jewish people in Poland.

Daniel Kawczynski: The hon. Gentleman is talking about reparations and dealing with property rights, but will he recognise that the key stumbling block to all this is the fact that Germany has not yet paid war reparations? My friend in the Polish Parliament, Mr Mularczyk, is heading a taskforce to look at the feasibility of Poland claiming war reparations against Germany. Some estimates put the cost of the destruction at more than £900 billion, and yet Germany has still not paid a penny.

Mr Mahmood: I agree with the hon. Gentleman about German responsibility for reparations, but before we get to the issue of any payments there has to be

recognition of the lands that were taken away from people and the communities that lived there. As my hon. Friend the Member for Bassetlaw said, those places are now empty with no Jews living there. That is their hereditary right.

On 12 March my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry), the shadow Secretary of State for Foreign Affairs, wrote to the Secretary of State to ask a significant question: what action have the Government taken to press for the restoration of property seized by the Nazis in Poland? To date, he has not replied. Perhaps the Minister will pass on the message about the significance of that question when dealing with the issue as a whole. The Government just saying things does not help; action speaks much louder than words. It is important for them to start dealing with the issue.

We must do something and move forward in addressing matters, but time is short, so again I thank my hon. Friend the Member for Leeds North West for securing the debate. It is a crucial issue of the law and what is allowed. This is not about the people of Poland—it has nothing to do with them—but about how the issue can be used, and how further persecution of the Jewish community will be allowed to continue if we do not look at it properly.

10.49 am

The Minister of State, Department for International Development (Harriett Baldwin): I add my congratulations to the hon. Member for Leeds North West (Alex Sobel) on securing 90 minutes in Westminster Hall to debate this important issue. Who cannot be touched by the moving way in which he made his case? In fact, we have heard a range of incredibly moving speeches and oratory from colleagues, and I am privileged to have been able to represent the UK Government on behalf of my right hon. Friend the Minister for Europe and the Americas. He sends his apologies as he is involved in other ministerial duties. I will set out the UK Government's views on the issue. We have heard different descriptions of the historical background. In the interests of time, I will take it as read that all Members here are aware of the timeline of Poland's anti-defamation law, and I will set out the Government's response.

The Government understand how painful any false attribution of Poland's culpability in Nazi crimes may be, whether explicit or implicit. As we have heard from various hon. Members, some of the most infamous sites associated with the holocaust were located in what is now Polish territory. Many of us have visited Auschwitz-Birkenau with the Holocaust Educational Trust, a programme that we have recently expanded to include UK university campuses. As we have heard many times in this debate, it is a matter of historical fact that, of the more than 3 million Polish Jews living in Poland in 1939, fewer than 400,000 were still alive in 1945. It is also well known that many Polish citizens risked their lives to save them and the nearly 2 million non-Jewish victims of the Nazis. We have heard very moving personal testimony today. I particularly want to put on the record our recognition of the heroism shown by the great-uncle of my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski). That act of heroism has now been recorded for all time in *Hansard*.

We heard other very moving speeches from the hon. Members for Ealing North (Stephen Pound), for Bassetlaw (John Mann), for Liverpool, Riverside (Mrs Ellman), for Glenrothes (Peter Grant), and for Birmingham, Perry Barr (Mr Mahmood). It is clear that the horror and pain of the holocaust are still deeply felt in Poland and around the world more than 70 years on. That is why the desire to reject any misleading attribution of Nazi crimes to the Polish nation or state is entirely understandable.

However, as the UK Government have made clear in our private discussions with our Polish partners, we believe there are risks to criminalising any aspect of free speech, because it is through debate and analysis that we enhance our understanding of any issue. Rather than risk closing down debate, our preferred approach is to preserve the collective memory of the holocaust and to use that knowledge to learn the lessons of history. My right hon. Friend the Foreign Secretary made that clear in his discussions with the Polish Foreign Minister, Jacek Czaputowicz, in February and March this year. Our officials in London and diplomats in the British embassy in Warsaw have delivered the same message to Polish Government officials.

The UK's special envoy for post-holocaust issues, Sir Eric Pickles—soon to be Lord Pickles—has made numerous visits to Poland over the past year to discuss concerns about the revision of history. We understand how the anti-defamation law could be seen as an attempt to redefine the past. Lord Pickles has made it clear in his meetings with Polish Government officials and with representatives of the Jewish community that responsibility for the holocaust rests with the Nazis, and that those responsible, regardless of their nationality, should be held accountable.

It is testament to the historical and enduring relationship between the UK and Poland that we have been able to speak frankly with our Polish colleagues about the anti-defamation law. We will never forget the role played by the Polish armed forces in our own fight against Nazi tyranny in the second world war. We have heard how Polish and British soldiers fought alongside each other throughout the war. Today the enormous contribution of the Polish diaspora community to our economy and society is abundantly clear. It is the driving force behind the deepening relationship between our two countries in business, science and culture, and it is the driving force behind the growth in trade, which reached some £15 billion last year.

We face many more challenges in the future, including some that could threaten the liberty and security of our citizens in the UK and Poland. That is why it is so important that we encourage future generations to study and to remember the horrors of the holocaust. We must use the painful lessons of the past to teach us to avoid repeating the same tragedies in future. That is why we work hard to keep the holocaust firmly on the global agenda. Future generations will not learn those lessons if we stifle debate today. That is why freedom of speech is so important. We will continue to make that argument with our friends and partners in Europe and the wider world. We will continue to encourage them to embrace open debate, not fear it, so that the lessons of history are remembered from generation to generation.

10.55 am

Alex Sobel: I thank everybody for their contributions to today's difficult debate. It is a testament to our Parliament that we can have such a debate in an open way. I thank the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) and particularly his family for all the things that they did for Jews in Poland during the war. I am happy to speak to the BBC about its use of language, which is important. We should refer to the camps as Nazi extermination or Nazi death camps. I will see whether I can come to Poland with the hon. Gentleman and the all-party group in July. I take issue with his referring to Polish Jews before the war as "guests". I do not feel like I am a guest in this country. I do not think my hon. Friends the Members for Liverpool, Riverside (Mrs Ellman) and for Birmingham, Perry Barr (Mr Mahmood) see themselves as guests. I do not know whether the hon. Member for Shrewsbury and Atcham sees himself as a guest. We are not guests; we are citizens. Jews who lived in Poland before the war should be viewed as part of the Polish nation, not as guests of the Polish nation.

I thank my hon. Friend the Member for Ealing North (Stephen Pound) for his kind words. He is always very kind to me, but he probably needs to look a little more into the issue, particularly the involvement of individual Poles in the holocaust. Barbara Engelking, founder and director of the Polish Centre for Holocaust Research, has written a book, "Such a Beautiful Sunny Day", about this. She is also the chair of the International Auschwitz Council, but she said recently that there had been an attempt to remove her as chair. The Deputy Prime Minister of Poland went to Israel this week and said that the composition of the International Auschwitz Council should be guided by "Polish sensitivity", which I interpret as an attack on Barbara Engelking and I am very concerned about it. I hope that the Foreign Office can also look at raising that as an issue in its discussions.

I thank my hon. Friend the Member for Bassetlaw (John Mann), who, in his typical style, raised a wide range of issues related to the holocaust and anti-Semitism. As the chair of the all-party parliamentary group against antisemitism, he highlighted all the similar laws across Europe. I considered doing that, but time did not allow, so I am grateful to him for raising that. We need to tackle such matters right across Europe. There is, I am afraid to say, a contagion that is spreading.

My hon. Friend the Member for Liverpool, Riverside has given me much support in these areas. I was not aware of her own personal family history and how that memory will be affected by the anti-defamation law. I thank her for her support. I also thank my hon. Friend the Member for Birmingham, Perry Barr. I did not intend to raise war reparations as an issue. On a personal level, I am not seeking war reparations from the Polish Government. I am concerned, however, that the letter of 13 March that the shadow Foreign Secretary sent has not had a response. I will pass on a copy of the letter I received from the Minister for Europe, which was helpful but needs to go further.

The Minister of State, Department for International Development, the hon. Member for West Worcestershire (Harriett Baldwin) is subbing for the Minister for Europe and the Americas. I thank her and him for the letter and for raising the issue of criminality of debate. We need to raise it at every opportunity in every European institution. I hope that the Foreign Office will redouble its efforts so

[Alex Sobel]

that we can apply pressure and also talk to other EU member states, some of whom I am sure have similar concerns about this issue. We must impress on the Polish Government the effect that the law is having not only within their own country but globally.

Question put and agreed to.

Resolved,

That this House has considered Polish anti-defamation law.

Potholes and Road Maintenance

11 am

Yasmin Qureshi (Bolton South East) (Lab): I beg to move,

That this House has considered potholes and road maintenance.

It is a pleasure to serve under your chairmanship, Mr Gapes, in discussing this vital issue.

On the surface, potholes and road maintenance may not sound like the most appealing or urgent of concerns. However, roads are a reflection of a country's infrastructure and ability to provide essential services. Good roads are the lifeblood of our country. They connect communities, families, livelihoods and industries. They allow ambulances to reach their destinations faster, citizens to spend less of their already busy lives in traffic, and the police to reach those in need more quickly.

Ruth Cadbury (Brentford and Isleworth) (Lab): I congratulate my hon. Friend on introducing the debate. Does she agree that potholes not only present a cost, an inconvenience and sometimes a delay to motorists, but are a severe risk to life and limb for people riding bikes? Some 390 cyclists have been killed or seriously injured in the last 10 years as a result of potholes and bad road surfaces.

Yasmin Qureshi: I entirely agree, and I was going to come on to that point in my speech a bit further down the road.

Today, our roads are unarguably in a state of disrepair that worsens by the day. A brief survey of the facts reveals that the challenges that we face will increase if the Government continue to ignore concerns.

Mr Stephen Hepburn (Jarrow) (Lab): I congratulate my hon. Friend on introducing today's debate. Does it not just show the mess the country is in that the Labour party has had to call a major parliamentary debate on potholes? Does it not also show what a false economy the Government's seven years of austerity have been? They have made £200 million available to local councils to sort out potholes, when in the north-east alone we need £1 billion.

Yasmin Qureshi: I entirely agree, and I will touch on that point later.

The Local Government Association recently stated that we are facing a "roads crisis". That is demonstrated by the worst findings that the LGA has found since it began measuring potholes in 2006. The Royal Automobile Club Foundation for Motoring has found that pothole faults have worsened for the fourth consecutive quarter. An estimated 24,000 miles of road require repair in the next year, and 20% of local roads are thought likely to fail in the next five years.

Those issues are not being dealt with anywhere near fast enough, culminating in an extraordinary backlog of work that needs to be done. It is estimated that a one-time catch-up on that backlog would take 14 years to complete and cost £9.31 billion. That figure is alarming, but it will, of course, only get bigger if action is not taken right now.

Laura Smith (Crewe and Nantwich) (Lab): Does my hon. Friend share my concern about the amount of taxpayers' money being spent on compensation as a result of the damage caused by potholes?

Yasmin Qureshi: Absolutely, and I will come on to that point later.

The decline has been noted by drivers, with 51% of motorists saying that the conditions of local roads worsened between 2016 and 2017. Only 7% said that they had improved. An overwhelming majority—92%—attributed that to road surfaces and the numerous potholes on the roads. Most significantly, the situation is extremely dangerous for those travelling by bus, bike and foot. In 2016, poor or defective road surfaces were found to be the key contributing factor in 598 road traffic accidents, 12 of which produced fatalities.

Mrs Helen Grant (Maidstone and The Weald) (Con): I, too, congratulate the hon. Lady on securing this important debate—it is a shame it is only 30 minutes. Three massive sinkholes have appeared in recent weeks in my constituency, causing road havoc and other inconvenience to my constituents. Does she agree that local authorities and other stakeholders must put people and safety first—above the various organisational arguments about who pays and who does the corrective work?

Yasmin Qureshi: I thank the hon. Lady for that intervention. Of course, one of the problems is that local authorities' budgets have been slashed consistently over the last eight years, to the point that local authorities are often left able to deal only with their legal obligations, and potholes and road repairs have to be put on the backburner.

Such worries are particularly serious for cyclists, as my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) mentioned. Between 2007 and 2016, Government statistics show that at least 390 people were killed or seriously injured as a direct consequence of potholes and other road defects. More than 15 times that number of people are reported to have had less serious crashes because of them.

Dr David Drew (Stroud) (Lab/Co-op): As a cyclist, I sympathise with my hon. Friend's excellent speech. Does she accept that one of the biggest dangers is the poor repair of trenches? Public utilities coming in and doing an inferior repair is the most dangerous thing of all for cyclists.

Yasmin Qureshi: That is absolutely correct; I cannot disagree with that.

Damaged roads are also a serious concern for the elderly and for children. Some roads in my constituency of Bolton South East are particularly problematic. The potholes in Westland Avenue are so big that when it rains, the rainwater stays. That has caused damage to people's homes. At least four families have had to be taken away from their homes to be rehoused elsewhere, and two other families are living in the upstairs part of their home.

John Howell (Henley) (Con): I thank the hon. Lady for giving way; she is being very generous. I just want to pick her up on a couple of points. We are spending about £23 billion a year on fixing potholes and roads. The amount that was given in the last Budget to my

own county to fix the roads was close to £20 million. We must put pressure on local councils to do the job properly.

Yasmin Qureshi: I will come on to the blaming of local councils, but first I will finish talking about roads in my constituency.

Bridgewater Street has Maxton House, a supported home for the elderly and people with dementia, on it. Over a number of months, there have been six accidents alone on that particular road. Again, the work has not been done. A recent RAC survey found that the condition and maintenance of local roads was the second-ranked motoring issue in an extensive list that also included safety, cost and mobility concerns.

Local authorities have paid more than £70 million in pothole compensation since 2013. That amounts to unnecessary wastage of more than 25% of the £250 million the Government announced in its 2013 pothole action fund. Collectively, the AA calculates that potholes are costing drivers and insurers £1 million every month. That situation is not normal or acceptable. It is a result of a perverse funding system, as was highlighted by a respondent to the House of Commons Facebook page. Discussing today's debate, Rob commented:

"England's roads are just one big pothole; the councils have neglected them through lack of cash".

That is the important point: it is about a lack of cash. My local authority has had its budget slashed by 54% in the last eight years. Since it has to satisfy its legal obligations, such as looking after the elderly, the young and the vulnerable, there is no money left. I do not know where hon. Members expect it to find the money. I know there is a magic money tree for the Democratic Unionist party, but there is not one in Bolton for the roads.

Julie Cooper (Burnley) (Lab): I am grateful to my hon. Friend for securing this debate and making a very strong case. My own authority, Conservative-controlled Lancashire County Council, is out there measuring reported potholes to decide whether they are deep enough to repair. Many do not satisfy the requirement, but what we find is that small potholes become big potholes, which become trenches. It is a total false economy.

Yasmin Qureshi: That is absolutely correct. In 2015-16, my local authority spent £6.5 million on repairing roads. It had to find that money. Continually to blame local authorities for the fact that they do not have the money is completely wrong. I do not know where the £23 billion for potholes came from, because I can assure hon. Members that none of that money has made its way to my council in Bolton. My council now needs at least £108 million to fully repair the potholes across the borough. The Government repeatedly argue that this is a local council issue and that it is down to local councils to allocate more money. How are they to allocate money they do not have? Where are they expected to find that money from? Most parts of Bolton do not have massive, expensive homes. Bolton does not have loads of businesses it can raise local rates from. It needs national Government settlement funding, which has been cut for the last eight years.

Andrew Selous (South West Bedfordshire) (Con): I reiterate the point on cycling that other hon. Members have made: 64 cyclists were killed or seriously injured in 2016, so it is a serious issue.

On the value-for-money point, would the hon. Lady agree that using a Jetpatcher to repair a whole section of road, as Central Bedfordshire Council and other councils are doing, can sometimes be more efficient and a better use of taxpayers' money than filling individual potholes that then just continue to develop?

Yasmin Qureshi: I am sure there are good ways of trying to repair roads, but they all require money. Even the cheaper option that the hon. Gentleman suggests requires money to be made available. The problem is that the money is not there.

One of the purposes of today's debate is to highlight to the Minister and the Government the importance of the issue. I do not know why people here seem to be in denial about the fact that there is chronic underfunding and cutting of grants to local authorities. I know some constituencies and parts of the country are very wealthy and can raise enough rates to meet all their needs, but my local authority needs assistance.

Julie Cooper: And mine.

Yasmin Qureshi: So do many others, such as Burnley. Chronic underfunding has led to extremely worrying short-termism on the part of local councils. They have opted for the inexpensive, short-term solution, which of course fails to tackle the actual issue of repairing the whole road. We know that at some later point, there will be problems on that road.

It does not have to be that way. I urge the Government to increase funding to local authorities. They have said that they gave some money in a package in March, but that was not new funding; it had already been announced. A huge funding gap still exists, and the backlogs are still there. We need that money.

The Government need to understand a simple point: if they keep doing the same thing, we will see the same result: we will have to endure worse and less safe roads. We will have to pick up the personal costs of damage to our vehicles and the collective cost of wasted taxpayers' money on compensation. On top of those fees, we will have to endure more years of this Government deflecting blame and refusing to take responsibility, when their miserly approach has come back to bite the people that they purport to represent.

Robert Courts (Witney) (Con): The hon. Lady is being very generous with her time, and I am grateful to her for giving way. My constituency in west Oxfordshire has a similar great problem with potholes, on both major and rural roads. I declare my interest as a cyclist. Potholes are a danger to me, but they do damage to vehicles too. Does she agree that prevention is better than cure? Would she encourage utility companies, as the Government are doing, not to put their facilities in roads, so that when those facilities have to be fixed, damage is not caused to the roads? Potholes are much more likely to reoccur where there is a structure in the road, rather than on the side.

Yasmin Qureshi: There are many things that local authorities, working collectively, can do to try to mitigate the problems, and I am sure there are constructive ways of working, but—I am sorry that I sound like a broken tape recorder—how are they to do that? To be able to meet its legal obligations for social care, my local authority had to raise rates by 3% so it could meet the shortfall in social care funding for vulnerable people in my constituency. When the choice is between potholes and elderly, young or disabled people, the decision is obviously going to be for the vulnerable person. We need extra money. Not to have our roads properly repaired and not to have safe roads is counterproductive, for all the reasons I already stated.

There is a win-win here. A massive, extensive road-building programme will create jobs. There will be more production of the raw materials; there will be, for example, more factories producing cement and tarmac and all that is required for roads, and that will boost the manufacturing sector. It is a win-win.

I hope the Minister has heard what I have had to say. We need more money. I know this is not the sexiest subject in the world, but it is very important to my constituents and to the country.

11.17 am

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): It is a delight to serve under your chairmanship, Mr Gapes. I am very grateful to the hon. Member for Bolton South East (Yasmin Qureshi) for securing this debate. She describes the topic as not sexy, but I regard it as extraordinarily important and alluring. Its importance has been well brought out by the number of colleagues from across the House who are sitting here for a half-hour debate to register their concerns. I am sure many will wish to intervene on my speech, as they have already done during the hon. Lady's speech.

In her speech, she ran two things together: the general question of funding for local authorities and the question of roads funding. I am not going to engage with the wider issue; she can raise that in a different debate if she so wishes. I will engage with the questions raised under the heading of the debate. Both are important—it is not just about potholes; it is also about road maintenance. I hope I will be clear in my remarks that far from nothing being done, an enormous amount is being done. I will set out exactly how.

Let me start by saying that I think everyone recognises the great importance of the local road network to the British economy—the Government certainly do—and it is going to become more important in the future as we see autonomous vehicles come in. After all, local roads form something like 98% of our national highways network. As the hon. Lady says, local authorities have an existing legal duty to maintain local roads under section 41 of the Highways Act 1980. Responsibility lies with them in the first instance, but I absolutely recognise, as I said in Transport questions the other day, that there is a case for a more long-term, strategic approach to local roads.

Julia Lopez (Hornchurch and Upminster) (Con): The Minister talks of the need for a long-term solution. Will he consider what the Local Government Association has proposed, whereby the Government would reinvest

2p per litre of current fuel duty into local road maintenance so that we have a consistent stream of funding long into the future?

Jesse Norman: One of the many reasons why it is wrong to characterise the Government as not investing in infrastructure is that we have, for the first time in decades, created a roads fund, to be funded by vehicle excise duty. It is subject to negotiation with the Treasury, of course, but we hope to continue on the path of increasing investment across our road network and supporting not just strategic roads but local roads. Investment already runs at a little over £1 billion a year. I will of course take the Local Government Association's suggestions to heart, but my hon. Friend should be aware that, over the next few years, we will be investing on a more hypothecated basis at a very high level.

Julie Cooper: On the funding of road maintenance, does the Minister agree that prevention is far better than cure? In my authority of Lancashire, eight years of neglected road maintenance, due to a lack of funding, has led to a very expensive problem. Does he agree that lessons need to be learned for the future?

Jesse Norman: I agree with the hon. Lady, and she has accurately reproduced one of the central principles of the 2012 potholes review, which was widely endorsed by everyone. Later in my speech, I will talk about how seriously we are taking that point.

Andrew Selous: I am very grateful to the Minister for giving way. I know that he takes these issues seriously. Will he ask the Department for Transport to have a serious conversation with the Treasury about the severity of our winters? In central Bedfordshire, we have had 90 salt runs this year, compared with an average of 50. As he knows very well, salt does a great deal of damage to our roads. There is a case for enabling the Treasury to flex the additional money it gives to councils in response to very long, severe winters like the one we just had.

Jesse Norman: Of course that is right. Flood resilience and other funding has been made available, and can be tweaked in response to that. Many local authorities were not prepared for the severity of last winter and the repeated freezes that damaged our roads. My hon. Friend is absolutely right. The wider point is that, as part of a strategic and longer-term view of local roads funding, we can create greater resilience in the network as a whole so that those kinds of events can be better dealt with.

Robert Courts: I am very grateful to the Minister for giving way. He is being very generous with his time. He spoke of a strategic approach to funding, but will he also consider a strategic approach to rural roads? In many parts of Oxfordshire—particularly west Oxfordshire, where I am—we are essentially dealing with cart tracks that have been tarmacked at some point and need long-term maintenance. Will he consider that point?

Jesse Norman: I very much do consider that point. I live in a rural constituency that has urban roads in Hereford and lots of rural roads around it, so I take both sides of that argument extremely seriously. The facts are interesting. Although there has rightly been a lot of concern about the recent effects of the winter, A and B roads have gradually improved, by and large, as our annual road conditions survey work shows. It may

well be that, as we look at the effect of the last quarter or two, that picture will have changed due to the severity of the winter, but that is the overall picture. However, that does not address the issue of C and U roads, which are a further cause of concern, and my hon. Friend quite properly raises it.

Douglas Ross (Moray) (Con) rose—

Jesse Norman: I have taken a lot of interventions—

Douglas Ross: Will the Minister take one more?

Jesse Norman: I will take one more in half a second, but I want to be sure I can leave a minute to the hon. Member for Bolton South East.

Mike Gapes (in the Chair): You do not need to do that.

Jesse Norman: If I do not need to do that and can just run through to the end, that gives me time.

Douglas Ross: I am very grateful to the Minister for taking an intervention. Potholes do not stop at the border. In Scotland, where the Conservatives are not currently in charge of road maintenance—I hope that changes, with Ruth Davidson as First Minister—we have more than 153,000 potholes, so it is a problem no matter which Government are in charge. Does the Minister agree that my constituents in Moray would be better served if local authorities repaired the potholes, rather than paid out millions of pounds in compensation? In the end, the taxpayer has to pay one way or another.

Jesse Norman: It is certainly preferable, as the potholes review and other survey work recognised, that it be done right first time. Roads should be reinstated in a way that allows the changes to be durable, and road surfaces should be able to stand inclement weather.

Our overall approach is based on principles of asset management, increasing over time. The Government are investing about £6 billion in the network between 2015 and 2021—about £1 billion a year—including through the pothole action fund. That money is increasingly being used as part of a more strategic, asset management-type approach to the roads, which is important. As part of that, we have looked very hard at how we can help highway authorities to adopt planned and preventive maintenance that treats the asset as such, rather than just respond reactively to problems that emerge. Those principles are already demonstrating benefits in terms of financial efficiency, improved accountability, value for money and improved customer service, and we want to continue to work on that.

As matters are presently handled, there is a formula, and rightly so. We do not think councils should constantly have to apply for the vast preponderance of the funding that they receive from the Department for local roads. They should be funded according to an easier and fairer formula.

Ruth Cadbury: Does the Minister agree that the £43 million and the officer time spent because 156 local authorities have to deal with claims from motorists and other road users as a result of pothole damage and injury are a waste of money?

Jesse Norman: I certainly think that is true. I do not know whether it is a waste of money; it is perfectly proper to spend that money on people who have claims, but it would be nice if those claims were as low as possible, and improvements to the local road network can ameliorate that. The point is that the formula is in place and is a fair and equitable way of allocating funding.

I note that the Department has given about £6 million to Bolton through the Greater Manchester Combined Authority. The hon. Member for Bolton South East is concerned about the wellbeing of her own constituents, but the GMCA covers a very wealthy part of the country.

John Howell: Will the Minister give way?

Jesse Norman: I will, but I am very short of time and I have a lot of material to cover. In fact, I will not give way—I am going to crack on.

I have touched on the potholes review; let me talk very briefly about a few other things. Members mentioned the effect of poor road reinstatements by utility companies, and they are absolutely right to do so. There are powers to deal with such issues, and we are currently reviewing and updating the rules, known as the specification for the reinstatement of openings in highways, to ensure that the most innovative new techniques are adopted and that reinstatements are treated properly so that disruption is minimised wherever possible.

Hon. Members will be aware of something called lane rental, which we have pioneered in London and Kent. It is applied to the most congested 5% of the network and requires funds to be spent on ways of reducing congestion caused by street works, and not on general road maintenance. We have announced that that scheme will be used more widely over the next year or two. We will issue bidding guidance later this year for local authorities that want to take advantage of it.

The new street manager scheme, which we have set up, is a piece of software linked to a digital service that allows local authorities and other registered bodies to put in accurate and up-to-date data on live and planned

works. It should enable utilities works to be better co-ordinated to put less pressure on roads. It is a very important long-term scheme.

Local authorities can choose whether to have permit schemes, which are a very effective way of planning and co-ordinating works to reduce the impact on congestion and on the roads. About 65% of local authorities have them. We are about to publish an evaluation of permit schemes, which shows that they are superior to the passive notices schemes used by the other 35% of authorities.

In the minute and a half I have left, let me touch on new technology. There are plenty of ways in which new technology can make a difference in this area. We are pioneering pothole spotting, using new technologies in partnership with the councils in Thurrock, York and Wiltshire. It involves high-definition cameras attached to vehicles to gather rich data about the highways and assess levels of road deterioration. That project, which has already won a national award, has enormous potential.

We are starting to work even more closely with the sector and key stakeholders, including the Highways Term Maintenance Association, the Association of Directors of Environment, Economy, Planning and Transport, the RAC Foundation, which has been mentioned, local highway authorities, contractors, consultants, academia and others to try to improve the work we do and to ensure “right first time” maintenance and higher quality road surfaces.

We all acknowledge the importance of this issue. I hope colleagues will understand my level of engagement as a Minister with this question and that of some of my officials. I have outlined my interest in having a longer-term, more strategic approach that covers urban and rural roads. I hope that the hon. Member for Bolton South East shares my optimism as we continue to work with local highway authorities on a wide range of initiatives, including the ones I have described, to improve our local road network.

Question put and agreed to.

11.30 am

Sitting suspended.

Public Sector Pay Policy

[ALBERT OWEN *in the Chair*]

2.30 pm

Chris Stephens (Glasgow South West) (SNP): I beg to move,

That this House has considered public sector pay policy.

It is a pleasure to serve under your chairmanship, Mr Owen. I refer to my entry in the Register of Members' Financial Interests and my position as chair of the Public and Commercial Services union parliamentary group.

I shall focus entirely on the pay of civil servants. A few months ago the Government declared—to great fanfare—that the public sector pay cap had been lifted, but is that really the case? On 2 May I asked the Prime Minister:

“Can the Prime Minister confirm that every UK Government Department has budgeted for a derisory 1% pay rise for all its civil servants? Is it fair that workers who collect tax, and who try to make a broken social security system and a broken immigration system work, are getting a real-terms pay cut and are still subjected to a public sector pay cap?”

The Prime Minister responded:

“As the hon. Gentleman knows, we have been very clear that the blanket 1% cap that has taken place over recent years on public sector pay is not an approach that we are taking in the future. Obviously, Departments are funded at a certain level, and it is for Departments then to come forward with their proposals in relation to pay within their Department.”—[*Official Report*, 2 May 2018; Vol. 640, c. 312.]

In other words, yes. UK Departments have budgeted for only 1%, and it is therefore reasonable to assume that the 1% public sector pay cap still exists and applies to our civil servants. Perhaps the Minister will confirm that the public sector pay cap is in reality still in force.

As the Minister knows, on 19 January 2018 the PCS pay claim was submitted to his colleague the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office. However, the Chancellor of the Exchequer's spring statement gave no indication that the Government's position had changed significantly. To date, all further indications have been that the Treasury's remit guidance, imminent this month, will in effect retain the 1% pay cap for civil servants.

Following the submission of the PCS claim, meetings have taken place with the Minister and Cabinet Office officials, who stated that, in their view, where no pay cap is in place, there is no additional funding for pay, so any increases would need to come from existing departmental budgets.

Mr Jim Cunningham (Coventry South) (Lab): I thank the hon. Gentleman for giving way and for keeping the 1% pay cap issue alive. Not only have public sector workers had to put up with the cap for several years, which in fact has meant a pay cut, but there have been job losses, including in the probation services. The Government are using the oldest argument under the sun: Departments must find the money. But it is the Treasury that should find the money, rather than cutting departmental funding further.

Chris Stephens: I agree with the hon. Gentleman. I was a trade union rep in local government before I arrived in this place, and when the public sector pay cap was first put in place, I remember that the argument used to sell it to public sector workers was that the freeze would protect jobs. As he has said, however, we have instead seen job losses in the Departments and elsewhere in the public sector.

I have a copy of the letter that the Minister wrote to PCS reiterating the position that he had stated in the meeting. However, independent research undertaken by the Centre for Labour and Social Studies on behalf of the PCS came to the following conclusions:

“Any increases in public sector pay would have to come out of Resource Departmental Expenditure Limits”,

which are Departments' current budgets. It continued:

“departments as a whole will continue to suffer real term cuts to their RDEs up to 2020. In the departments of interest covered by our analysis, only the Ministry of Defence will see an increase... This falls way short of what is needed for a 5% nominal pay rise in each year, and also fails to accommodate annual pay rises of 1%”.

In particular, it said:

“Given current projections of departmental expenditure limits, we conclude that any pay rise for public sector workers across... departments would have to come from cuts to jobs or to public services.”

Delegated pay talks are a key part of the problem on pay in this area. There are—this is staggering—in excess of 200 sets of pay negotiations throughout the civil service and its related bodies. The trade unions require proper talks on pay claims, including exploration of the scope for a more coherent approach to pay throughout the civil service and its related bodies. As I understand it, tentative talks on coherence have been under way for years, but progress has been slow. PCS has had a meeting with the Minister, who I believe agreed to reflect on the points made to him and has responded by leaving the door open to such discussions. However, there is frustration that no further progress seems to have been made.

I hope the Minister can today update the House on the Government's approach to delegated pay, providing for more coherence for the pay structure for civil servants.

Dan Carden (Liverpool, Walton) (Lab): Does the hon. Gentleman agree that when pay bargaining is delegated to Departments that are being cut by the Treasury, the whole process is an absolute sham? There is no possibility of getting rid of the 1% pay cap because the Departments have themselves been cut.

Chris Stephens: I agree with the hon. Gentleman. He makes a valid point. One difficulty arising from having 200 sets of pay negotiations is to do with the Equal Pay Act 1970. How does it operate for civil service pay with so many pay schemes across the board? The Government should reflect on that.

Mike Hill (Hartlepool) (Lab): On equal pay, does the hon. Gentleman agree that we should be celebrating the 150th anniversary of the TUC and taking heed of its recent finding that the gulf between the earnings of younger and older people has increased by 50% in the last 20 years, especially in the private sector but also in the public sector?

Chris Stephens: I thank the hon. Gentleman for that, and as a proud trade unionist myself I look forward to signing the early-day motion that celebrates 150 years of the Trades Union Congress. The point he makes is absolutely right: there is a growing pay gap between the older and younger generations. In addition, there is a real challenge on the gender pay gap.

Rachael Maskell (York Central) (Lab/Co-op): The hon. Gentleman is making an excellent speech. I want to draw attention to another inequality in having a 1% pay cap. The lowest earners who get 1% see only a little increase in their pay, compared with the top of the civil service, where they see a massive increase. Surely that inequality must be addressed.

Chris Stephens: I agree with the hon. Lady. As someone involved in the trade union movement, I was particularly of the view that we should look at flat-rate claims as well as percentage claims, so that the low-paid got a bigger pay increase. I will touch on some of the issues around low pay for civil servants later.

I hope that the Minister will agree, however, that having more than 200 different sets of pay negotiations for civil servants in UK Departments is frankly nonsense. Towards the end of May, PCS received correspondence from the Cabinet Office seeking a meeting to discuss the pay claim. In May, the PCS annual delegate conference, which I attended to give the PCS parliamentary group report, discussed the issue of pay.

There are different approaches in these islands, such as those of the NHS and the Scottish Government. Funded pay rises have been made available in those two bodies. In the NHS, an agreement for public sector workers has been reached with unions: a funded increase that will see staff offered long overdue pay rises of between 6.5% and 29% over the next three years. Additional funding of £4.2 billion for that has been agreed by the Treasury, meaning that the increase to the NHS pay bill will not come from within existing budgets.

Policy on public sector pay is devolved in Scotland. In the Scottish Government sector, the PCS is moving towards agreed settlements with the employer across all bargaining areas, which include: those earning under £36,500 receiving 3% plus progression, or 3% plus 1% non-consolidated for those on the maximum pay rate; progression payments of 2.5% plus an additional top-up to the maximum for those five years in the grade; maternity pay increased to 27 weeks of full pay; paternity pay increased to four weeks of full pay; occupational sick pay extended to include all staff on entry; no compulsory redundancy guarantees being extended; and assurances on equality impact assessments.

The Scottish Government have been flooded with applications from civil servants who are employed by UK Government Departments and see a vacancy for the Scottish Government. In Scotland, people who happen to work for a UK Government Department will see many of their colleagues leave to get a better pay rise by working for the Scottish Government. I hope that as part of the competition in many areas between Scotland and England, the UK Government will increase their pay rises to match those of the Scottish Government.

Civil servants deliver cradle-to-grave services daily, from driving test examinations to collecting tax, running our prisons, supporting our armed services, administering

our justice system, staffing our borders, renewing our passports, looking after our museums and galleries, supporting the unemployed into work and maintaining our transport system. The civil service is the engine room of the country. Brexit is a key challenge faced by the country. Clearly, it is essential that the civil service is robust and resourced effectively to face that challenge.

The trade union undertook a consultative ballot of members towards the end of last year. The mandate was clear: members in the civil service are against a continuation of the 1% cap and are willing to take industrial action to demand that. In a 49% turnout, 99% of PCS members voted to reject the pay cap and 80% supported industrial action if required. That campaign will continue apace in 2018 in workplaces and in PCS branches and groups.

Lilian Greenwood (Nottingham South) (Lab): The hon. Gentleman is making a powerful case on behalf of public servants. Does he agree that one of the issues is that public servants increasingly feel undervalued? It is very hard for people to give their best at work, particularly when we need them to do the important jobs that he describes, if they feel they are not valued by their employer. That is almost inevitable, given the pay restraint they have suffered over many years.

Chris Stephens: I agree with that entirely. I will list the views of civil servants on the public sector pay cap a little later. The hon. Lady is absolutely correct that public sector workers across the board feel undervalued because the 1% pay cap has been in place for so many years.

Mary Glendon (North Tyneside) (Lab): I am intervening as a member of the associate and retired members branch of PCS and as part of the parliamentary group. Further to what the hon. Gentleman said in response to the last intervention, does he think it is ludicrous that there will be civil servants and public sector workers in receipt of universal credit who will be under scrutiny by the Department for Work and Pensions to increase their income to comply with UC rules?

Chris Stephens: I agree with that entirely. The vice-chair of the PCS parliamentary group makes an excellent point. A recent survey at the Department for Work and Pensions showed that more than 70% of its staff have experienced financial difficulty in the last 12 months.

With the introduction of universal credit, the point has been made that civil servants who will be in receipt of universal credit due to low pay or being a part-time worker will be under scrutiny by their own Department to increase their income to comply with those rules. That is important, because 18 months ago I secured an Adjournment debate on low pay in the Department for Work and Pensions, which pushed the Department to act. At that time, incredibly, 40% of civil servants employed in the Department for Work and Pensions were in receipt of tax credits. I hope the Minister will look at that.

Alex Norris (Nottingham North) (Lab/Co-op): I am grateful to the hon. Gentleman for making a powerful case on behalf of public servants. Does he share my frustration that we hear the Government talk in reverent terms about the need to tackle poverty, but almost in the next breath they talk about the need for continued pay restraint? There is no understanding of the connection between those two things.

Chris Stephens: It is an entirely false economy. According to research by the Scottish Trades Union Congress, 70p in every pound of public sector money ends up in the private sector economy. It would follow that pay restraint in the public sector harms not only public sector workers and their wages, but spending power in the private sector economy. I hope the Government will look at that.

Will the Minister publish the percentage of employees in each UK Government Department who are in receipt of tax credits? I am sure I am not the only Member of this House who will want to know how low civil servants' pay is across the country. If we had an indication of the percentage of civil servants in each Department who are in receipt of tax credits, we would find out exactly how low pay is in the public sector.

Hon. Members have mentioned the views of public sector workers. I want to list just some of the comments received by the PCS union from across these isles. Fiona works in the Department for Work and Pensions, and this is how she felt:

"The government is seeking to divide us into deserving and undeserving. Our colleagues in universities are seen as deserving, but those who work for government are not. It's atrocious. If the government expects us to go into the civil service, they can damn well pay us for it."

Neil, in the Office for Students, said:

"We need to get back to where we were. The cost of living is not waiting for us to catch up."

Tracey, at HM Revenue and Customs, said:

"We are not getting paid enough to keep up with increases in the cost of living. People are doing the same job as colleagues but they are being paid less because there have been no incremental pay rises."

Wilfred, who works for the Ministry of Justice, said:

"Civil servants are overworked and do the most important jobs for society. In the MoJ we work for judges and deserve respect for the jobs we do. Our skills should be reflected in our remuneration."

Nicole, who works for the Department for Work and Pensions, said:

"The question should be 'Why don't I deserve a pay rise?' We deserve a better quality of life. DWP is still one of the lowest paid government departments. The fact that we are office workers doesn't make it less important that we can't afford to live."

Richard, who works for the Marine Management Organisation, said:

"I'm now earning less money than I was 17 years ago. Prices have gone up but wages have not kept up."

Susy, who works for Ofgem, said:

"We work hard to achieve results, otherwise what's keeping us going? There has to be more than job development - we are not shown respect."

Gordon, who works for the Department for Work and Pensions, said:

"Since the pay cap was imposed my standard of living has fallen every single year. We are falling behind the private sector and people are leaving the department because of low pay."

Scott, who works in DES Student Loans, said:

"We provide a vital service to students. The cost of living is not in line with our wages. We want a fair day's pay a fair day's work." Those are the real concerns of civil servants who work across the UK Government Departments.

There are other concerns, too. Some Departments have been reshaping their services, resulting in office closures and staff moving to other locations. Will the

Minister confirm that not all those Departments compensate civil servants for office moves? Does he appreciate that some civil servants experience a double whammy of a 1% pay rise and an office move that causes additional travelling costs?

As the Member of Parliament with a higher percentage of public sector employment among those in work than in other constituencies in these isles, I have campaigned vigorously for the public sector pay cap to end. I listed many reasons for that earlier, such as the fact that 70p in every pound goes into the private sector economy. Increasing pay for civil servants will boost the whole economy and increase spending power. We cannot go on with a system where the Government advocate pay restraint but then spend money propping up low pay in the public sector via the benefits system.

Julia Lopez (Hornchurch and Upminster) (Con): Is the hon. Gentleman aware of how much private sector employees get in his constituency? There is a risk in certain parts of the country, where the public sector is so dominant, that the relative spending power of public sector workers will make it difficult for private enterprises to flourish, because they cannot attract the correct employees to their business.

Chris Stephens: I take the opposite view. In areas of high public sector employment, public employees' spending power keeps the private sector economy alive. They keep jobs going in the private sector with the money they spend, so I am afraid I do not agree with the hon. Lady's analysis.

It is an honour and privilege to speak on behalf of millions of people employed in the civil service on these islands. I look forward to the Minister responding positively to the issues raised today.

2.50 pm

Luke Graham (Ochil and South Perthshire) (Con): It is a pleasure to speak under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate. I am sure that he will agree with much of what I say.

Public sector pay has been a hot topic for parties across the political divide over the past few years. The 1% public sector pay cap, which was introduced in 2010 by the coalition Government, was seen at the time as a reasonable approach to help to reduce the deficit while keeping pay increases in line with the very low rate of inflation. The cap, which formed part of the Government's long-term economic plan, helped to get this country's public finances back under control and ensure that the finances that keep the public sector running got back on to a more sustainable footing.

In recent months and years, with some of the deficit costs having come down and the Government having met some of their targets, we have seen some of that effort and sacrifice bear fruit. That necessary process allowed the UK Government to protect public sector jobs and services, which I believe is why the Scottish National party Administration in Scotland and the Labour Administration in Wales also implemented the 1% pay cap policy.

However, as I am sure hon. Members across the Chamber would agree, that was never intended to be a permanent or even a long-term solution. That is why I

[*Luke Graham*]

am pleased that the UK Government are moving away from the 1% public sector pay policy in favour of a more flexible approach. It is more than fair that that shift in pay policy comes now. However, as one of my hon. Friends mentioned, the policy helped to address some of the issues that were emerging between private and public sector pay. As a result of the great recession, we saw a decrease in private sector pay that was not reflected as severely in public sector pay. We have since seen a divergence, and then a convergence.

Julian Knight (Solihull) (Con): My hon. Friend makes an interesting point. Is the situation he describes not exacerbated by pensions differences? The fact is that the pensions of public sector workers are far more valuable than those in the private sector.

Luke Graham: That is right. We need to look at pay, but we need to look at overall packages as well, including pensions and other rights and responsibilities that both public and private sector employees benefit from. I am really clear that the public sector should always be as competitive and attractive as the private sector in both pay and packages, and I certainly do not argue that there should be any decrease in that.

Neil Gray (Airdrie and Shotts) (SNP): The hon. Gentleman appears to be outlining a case for the end of public sector pay restraint. Will he advise us what he feels the Government could do to ensure that Departments are able to fund the pay rises that my hon. Friend the Member for Glasgow South West (Chris Stephens) talked about? Might that include the Treasury investing in those Departments?

Luke Graham: Yes, that is the point I am making. Recommendations will be forthcoming as part of the delegated pay reviews. I will come to the NHS shortly, but some of the NHS pay increases that were put forward have been funded. I am sure that the Minister will talk about funding in further detail.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I am sympathetic to the points my hon. Friend raises, and I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate. The pay review bodies historically have had their hands tied by the Government's 1% pay cap. Is it time that the Government listened to those independent pay review bodies and implemented the meaningful increases they recommend, given that they have regard to recruitment and retention issues throughout the public sector and particularly in the sectors in which they recommend increases?

Luke Graham: I am a Back Bencher, not a Minister, so I am wary of committing the Government, but yes. My point is that where pay increases are recommended, the Government should fund them. Given that inflation is now increasing after a period in which people had to make sacrifices and we had to have more financial control, it is only fair that we ensure that there are sustainable pay increases across Departments and the different sectors of public life to reflect the increases in the private sector.

As real wages grow across the United Kingdom—much like the economy as a whole—I am glad that some hard-working public sector staff are reaping the benefits of the UK Government's new, more flexible approach. For example, the pay rises of between 6.5% and 29% over the next three years in the NHS in England represent great progress. I welcome the fact that pay increases will be larger for lower-paid staff and smaller for those on the highest salaries. The hon. Member for Glasgow South West mentioned that those increases compare with increases of 3% plus 1% in Scotland.

We should be really clear, because sometimes we do not get the full story on Scottish issues. We speak in favour of some of the pay increases, but it is clear that the increases have been between 6.5% and 29% in the NHS in England, and 3% plus 1% in Scotland, as the hon. Gentleman said. We all face challenges—I just wish the Scottish National party would be more honest about those challenges.

Neil Gray: Will the hon. Gentleman give way?

Luke Graham: I will, but let me complete this point.

It is right that pay increases have been directed more at people who are just about managing and at those on lower incomes. They should benefit those who really need a pay rise. I note that the devolved Administration in Scotland mirrored the UK Government's 1% pay policy when it was in place, and I am glad that public sector workers in Scotland will now also receive increases. I hope they are as generous as the ones afforded by the UK Government.

Neil Gray: Does the hon. Gentleman accept that the pay differential between the NHS in England and the NHS in Scotland is 1% in favour of employees in Scotland?

Luke Graham: We have to be very careful about making generalisations. On a case-by-case basis, especially for some lower-income workers, that 1% differential does not apply. I would be more than happy to talk to the hon. Gentleman elsewhere and go into that level of detail.

We are talking about pay, but the other side of the equation is tax. I am disappointed that the SNP Administration in Edinburgh have decided to increase income tax in Scotland. Anyone who earns more than £26,000—slightly below the average wage in the United Kingdom—is now a so-called high earner and has to pay more income tax than their English and Welsh counterparts. That includes teachers, nurses and doctors. Importantly, it also includes armed forces personnel stationed in Scotland, who now pay more tax than any other British armed forces personnel stationed around the world.

Neil Gray: That is not true.

Luke Graham: It is.

Neil Gray *rose*—

Luke Graham: I will let the hon. Gentleman intervene, but I will come back on that point.

Neil Gray: I am sure the hon. Gentleman understands and appreciates that the terms and conditions of armed forces personnel ensure that there is an even playing

field between different areas of deployment. That means that if there are spikes or drops in taxation or any other cost of their employment, they do not have to suffer those themselves. They will get the pay rise, but they will not have to suffer the tax rise.

Albert Owen (in the Chair): Order. Mr Gray will respond to the debate from the Front Bench, so he will have protected time. I ask him to be a bit more disciplined and allow Back Benchers to have their time, too.

Luke Graham: Thank you, Mr Owen. I always welcome a lively debate.

To be clear, that pay rise will not come from the devolved Administration that imposed the tax; it will come from the UK Government, who will have to cough up to bridge the gap. It was not me who said that Scotland has the highest rate of tax for armed forces personnel; it was Lieutenant General Nugee at a hearing of the Public Accounts Committee just yesterday. That is fact. It is clear that it will be left to Her Majesty's Treasury to try to bridge the gap and ensure that people are not disadvantaged.

Scotland was already the most taxed part of the United Kingdom, and nurses, teachers and other public sector staff have been forced to pay, at least in part, for the pay rises they have been given. Money that they have been given through pay rises has been taken away through more tax. That is happening at a time when Scotland badly needs to attract more public sector workers to deal with the horrendous staffing shortages that have developed in the NHS and schools in the past 10 years. The UK Government and the devolved Administration should do as much as possible about that.

Let me make one more point about tax, which is a topic that generates lively conversation across the Chamber and will—and should—continue to be debated during this Parliament. The tax increases in Scotland, which were meant to be a progressive move, deliver only 38p more per week for those on the lowest incomes. That is not progressive; it is pathetic. It shows the contrast between the UK Administration and the SNP Administration in Edinburgh: the SNP does not have a grip on our public services in this day and age, and plenty of people in Scotland are being disadvantaged as a result. The UK Government have shown that it is possible, through a strong economy, to give public sector workers a sustainable pay rise without them having to pay for it through increased taxes.

Chris Stephens: Can I bring the hon. Gentleman back to reality? Each and every UK Government Department has budgeted for a civil service pay rise of 1%. The Scottish Government have taken a different approach. Does he not acknowledge that in reality the public sector pay cap is still in place for employees who work for the UK Government?

Luke Graham: I will not speak for the Minister, who I am sure will cover this, but the pay rises of 6.5%-plus in the NHS are being fully funded. I am sure that as recommendations from other pay review bodies come through, they will be funded, too.

Chris Stephens *rose*—

Luke Graham: I am sorry; I am finishing. I am sure the Minister will come back on that. The simple point is that the public sector does deserve a pay rise. It should be one that is sustainable but one that we constantly review. I 100% agree with the Government's more flexible approach. We should maintain those public sector pay rises and always ensure that, especially as the Government go into more challenging circumstances and we try to be truly global Britain, public sector pay and the packages that surround it are just as attractive and rewarding as every private sector role, no matter where in the United Kingdom.

Several hon. Members *rose*—

Albert Owen (in the Chair): Order. Four Members are indicating that they wish to speak. I will bring in the Front Benchers at half-past three, so if Back Benchers take about seven and a half minutes each, they will have equal time.

3.1 pm

Grahame Morris (Easington) (Lab): Thank you for your courtesy, Mr Owen. It is a pleasure to serve under your chairmanship. I thank my good friend the hon. Member for Glasgow South West (Chris Stephens) for securing this timely and important debate and for setting out with such clarity the arguments on public sector pay and properly funding the Departments. He did a fantastic job.

During the Whit recess I visited my local HMRC tax office in Peterlee. I thank Linda Hughes, the full-time officer, and the Public and Commercial Services Union local branch reps and local management for facilitating my instructive visit. Valuable work is done at the office in Peterlee, but it is threatened with closure. Almost 500 workers will be relocated, some temporarily to the Washington office, and some will face a considerable additional commute to Newcastle, where jobs are to be centralised, if they want to maintain their employment.

The purpose of my visit was to listen to the concerns of PCS members—the employees—but I saw in the office on the PCS noticeboard a sample of the figures for workers who had lost income because of Government pay restraint. On average, they had lost about £3,000 a year directly as a result of the imposition of the civil service pay cap. Perhaps if the Minister were to visit my constituency and meet some of the workers, he might understand the value of public sector workers and consider paying them properly.

Since the economic crash in 2008, public sector workers have been subject to unjustifiable pay constraint policies designed to make them pay for a financial crisis not of their making. A Government Back Bencher said earlier that that had made a substantial contribution to deficit reduction, but surely if we properly funded Departments—HMRC in particular—we could have achieved that deficit reduction through many other avenues, not least closing tax loopholes and making individuals and corporations who are avoiding their taxes pay their fair share.

Chris Stephens: Does the hon. Gentleman share my frustration that there are 4,000-plus employees chasing DWP social security fraud, estimated at £1.2 billion, and in HMRC's wealth unit there are fewer than 500 employees chasing tax avoidance of £70 billion?

Grahame Morris: The hon. Gentleman is correct. I hope the Minister reflects on that and applies resources appropriately so that we can recover for the Treasury the maximum revenue from those who are avoiding paying their fair share of tax.

Luke Graham: Will the hon. Gentleman give way?

Grahame Morris: I will. I cannot refuse the hon. Gentleman as he gave way so many times.

Luke Graham: I thank the hon. Gentleman. I acknowledge that there is still work to be done on our tax code, but does he recognise that since 2010 a number of measures have been brought in to close tax loopholes, which have yielded some £5 billion in extra tax returns and tax revenue?

Grahame Morris: I recognise that efforts have been made to close the tax gap, but the publication of the Panama papers and various revelations indicate that it is much larger than had been previously estimated. In my humble opinion, it is counterproductive to get rid of skilled and experienced tax collectors employed at offices such as Peterlee in my constituency who have expertise in this field. We would be better off retaining that expertise and allowing those collectors to get on with the job we have trained them to do.

The imposition of pay restraint has compounded issues raised by the hon. Member for Glasgow South West and my hon. Friend the Member for Liverpool, Walton (Dan Carden) such as the generational pay gap and equal pay. The system includes discriminatory practices nearly 50 years after the Equal Pay Act 1970 and any Government should be ashamed that such problems are still evident.

It is clear from independent research undertaken by the Centre for Labour and Social Studies on behalf of the PCS that any increases in public sector pay would have to come from the resource departmental expenditure limits—the departmental budgets for current spending. It is disingenuous of Government to suggest that pay claims—even those recommended by independent pay review bodies—will be funded when the departmental expenditure limits do not reflect those awards. Departments as a whole will therefore suffer real-terms cuts to their resource departmental expenditure limits up to 2020. That falls way short of what is needed for a 5% nominal pay rise in the current year, and it fails to accommodate annual pay rises of 1%.

Given current projections of departmental expenditure, the research concludes clearly that any pay rise for public sector workers across listed Departments would have to come from cuts to jobs or to public services. It is a great deception. We must be careful with our language in terms of deliberately misleading anybody, but we should be straight about this. It is a cause of instability to promise constantly that the public sector pay cap is temporary when it is applied year on year. Eight years down the line, we still have effectively a public sector pay cap. In that time, prices have risen by 22%, but public sector pay has risen by just 4.4%. Wage freezes and the Government's pay cap have lasted throughout that time, bringing financial misery to public service workers and their families and causing huge damage to services.

Rachael Maskell: Will my hon. Friend give way?

Grahame Morris: One last time, and then I will draw my remarks to a close.

Rachael Maskell: Does my hon. Friend recognise that many public servants have been down-banded and as a result given up more money and experienced even more detriment than that from the increases of only 1%?

Albert Owen (in the Chair): I call Grahame Morris to wind up.

Grahame Morris: I will be quick, Mr Owen. I agree with my hon. Friend the Member for York Central (Rachael Maskell). There have been numerous surveys. A recent one by Unison showed that almost 73% of respondents have had to borrow money from family and friends to get by. We know anecdotally about civil servants using food banks, and workers in my constituency are struggling to support themselves and their families. I do not think we can run public services on the backs of poorly paid public sector workers. Something must be done to lift the cap and properly fund Government Departments.

3.9 pm

Julian Knight (Solihull) (Con): It is a great pleasure to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing this important debate.

Let us first get something straight about the British civil service in devolved Administrations and in England and Wales. According to the international civil service effectiveness index, this country is fortunate to have the finest civil service in the world. Sometimes in our surgeries we have little problems come to us, but we have to realise that for every situation we see, things might not be so bad and there are thousands of cases that civil servants get right and the decisions made are in many instances spot on. Compared to many other countries, as we travel around the globe and become involved in political discussion with people from other nations, the UK civil service is incredibly honest and has a code of ethics that is an example to the world. It is important to recognise that fact here today.

Over the past decade both Labour and the Conservatives have had to make difficult decisions about how to prioritise public spending while reducing the deficit. However, we are now in a position to lift the pay freeze and make the investment needed to help the service maintain its world-leading position.

According to the Treasury, roughly £1 in every £4 of public spending is spent on pay. After the crash, therefore, politicians of all parties, including Labour and the Scottish National party, recognised that restraints on public sector pay had a necessary role to play in bringing the deficit under control. That was absolutely the correct choice to make at that time. We have to put this into context. A GDP debt of 11% is enormous. We can cope with that for a year or two, but not for a sustained period. We have to get it under control. If we do not, the markets go against us, the country ends up borrowing at far higher rates of interest, and we end up going down the road of Greece and Spain where we have seen public sector pay actually cut: I do not mean in real

terms, but actually cut by up to 40%. People's old-age pensions and fixed pensions were cut at the most vulnerable time.

Julia Lopez: Will my hon. Friend give way?

Julian Knight: I will give way, although I am conscious of the time.

Julia Lopez: I thank my hon. Friend for giving way. I totally agree with him. Although there has been a public sector pay cap over the past years, that does not tell the whole story. Does he agree with me that across much of the public sector during those years, pay increased automatically with every year served because it had been contractually agreed before the cap came into force? Also, staff could move between bands, so it is not the case that there was completely flat pay. It is more nuanced.

Julian Knight: My hon. Friend makes a fair point, but it is right and proper that the Government now take into due consideration the independent pay review bodies so that the 1% cap is dispensed with over time. However, I take my hon. Friend's point in its entirety.

Rachael Maskell: Will the hon. Gentleman give way?

Julian Knight: I am really conscious of the time. I apologise.

Not only must the public sector modernise to keep pace with the evolving needs and expectations of modern Britons but it is absolutely essential that the civil service is equipped to take on the new responsibilities that will fall to the Government as we exit the European Union. It is worth remembering that the pay freeze has allowed public sector managers facing tough budget constraints to save jobs. I have a problem with the statement made by the hon. Member for Glasgow South West. If Departments pay more than 1%, there will be job losses. In fact, if there had not been pay restraint, we would have had more job losses. The point is that that pay restraint meant we were able to keep more people in employment. That is an important point to make. Many people in the public sector have taken that very much on board, but I know that over time patience has worn thin. I will make one other point about the hon. Gentleman's speech. I imagine the 200-plus pay negotiations are inefficient, and I want to convey that to the Minister today

Of course, the purpose of austerity is always to return the public finances to a point where we can safely and responsibly start making the investments that Britain needs, and I am glad that the Government are now in a position to reconsider the public sector pay freeze. Nor is pay the only way in which Ministers are investing in civil servants. In a speech on 24 January, John Manzoni, the chief executive of the civil service, set out the sheer scope of the modernisation programme currently under way, and a key part is investing in the people who make the service what it is.

For example, the Digital Academy is equipping 3,000 civil servants a year with new skills that will help to transform the way we deliver services, and the new Data Science Campus in Newport is going to train up to 500 fully qualified data analysts for the Government. That is

absolutely crucial at this particular time. A concerted drive to streamline the number of Government buildings will help to ensure that the great majority of civil servants are able to work in modern, collaborative environments that will help them to fulfil their potential. The Assessment and Development Centre, launched in 2016, has assessed more than 1,000 people to help them progress in their careers and make sure that the civil service meets the same professional standards that prevail in the commercial sector.

Such long-term investments will benefit not only service users but civil servants. Providing modern working environments, clear career pathways and strong development support is as important to attracting and retaining the best people as competitive pay.

3.16 pm

Stephanie Peacock (Barnsley East) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing this important debate and commend him on his work in championing workers' rights.

It is particularly relevant, as we celebrate 150 years of the Trades Union Congress, to mark the vital work that our trade unions continue to do in fighting for the rights and pay of public sector workers across the country. On this note, I refer members to my entry in the Register of Members' Financial Interests and I declare an interest as a proud member and former officer of the GMB trade union.

We have heard about the impact that the Government's damaging pay cap has had on our incredible and hard-working public sector staff in the civil service and beyond. The Government decided to make cuts off the backs of committed staff who are vital to keeping our public services up and running, and that has continued for far too long. I want to describe the impact that the pay cap has had in my constituency of Barnsley East.

Average wages in Barnsley are around 10% less than the national level. Child poverty is significantly higher and social mobility is much lower than the UK's average. For years now, the pay cap has forced even greater strain and pressure on an area that often finds itself struggling to get by. As a former teacher myself, I know the impact that that can have on the frontline. Inflation results in real-terms pay cuts. Staff struggle to get by and morale reaches rock bottom. It is no surprise, therefore, to see an exodus of public sector staff.

Between 2010 and 2016 the Yorkshire and Humber region lost around 47,000 public sector employees. That is 9% of the total public sector workforce in the region, and it is much higher than the UK average loss. We have seen a retention crisis in our schools as teachers leave in droves. More and more crucial posts in our NHS services are going unfilled.

Afzal Khan (Manchester, Gorton) (Lab): My hon. Friend is making an excellent speech. The new pay deal for NHS staff is a rise of 3% next year, and for the following two years it is 2% and 1%. If inflation continues as it is now, that will effectively be a pay cut for NHS workers. Does she agree that that will make the situation worse?

Stephanie Peacock: I do agree with the very important point that my hon. Friend makes. My mum worked in the NHS for nearly 40 years and she has seen the impact that the cuts have had on the frontline. It is not only our NHS that is affected. Our local police forces are doing their absolute best with what they have, but numbers have decreased considerably. Right the way through our region and locally in Barnsley, public sector workers have been forced into leaving the sector as their pay packet does not stretch as far as it did and their morale is not as high as it was.

The public sector pay cap is not the only reason for the exodus, but there is no denying that it is a considerable part. Importantly for an area such as my own where times are already hard enough, the cap impacts not only on the employees, but on the services as a whole. As talented, committed and hard-working staff leave, our public services suffer. In my area of Barnsley, much like in the rest of the country, the pay cap is an attack not just on workers, but on our vital public services that they help to provide.

3.19 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill (Lab): It is a pleasure to serve under your chairmanship, Mr Owen, and I thank the hon. Member for Glasgow South West (Chris Stephens) for securing this debate.

There has been a public service pay freeze for seven years, held at 1%. Now the Government say there can be a pay rise, but only according to budgets, and it may damage the Chancellor's Treasury plans. Already the Government are playing worker against worker, telling some workers they can have a pay rise, but others they will need to wait.

When the word "budget" is used, what we are really saying is "job losses". We have already seen what happens when job losses are created: for those staff who can keep their jobs it creates more work and pressure, and they are told, "Be grateful you have a job." Is it any wonder that stress levels and illness at work have multiplied? The trade unions are right to ask for a bigger rise. It is their duty to speak up for workers, and I say again, as I have said since I came to Parliament last year: join a trade union today. People's rights at work are important. Workers have a voice in the trade union movement and I urge all workers to join.

In conclusion, public sector workers need a decent pay rise, not a token gesture. They should not be used as the bargaining chips of austerity. They do us proud as public workers, they protect our public services and they stop the private profiteers.

Albert Owen (in the Chair): I remind Members that the debate will finish at 4pm, but the Minister has agreed to give a couple of minutes at the end for the hon. Member for Glasgow South West to wind up.

3.21 pm

Neil Gray (Airdrie and Shotts) (SNP): I am in awe at my constituency neighbour, the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), for enabling us to have more protected time for the Front-Bench speeches, given what you said earlier, Mr Owen. It is a pleasure to take part in the debate with you in the Chair, and I must add my congratulations to those given by

others to my hon. Friend the Member for Glasgow South West (Chris Stephens) on securing this debate, and on his detailed and passionate speech. My hon. Friend's advocacy in this place and his previous trade union role, as has been acknowledged in the House already, make him ideally suited to lead such a debate. My wife is a local authority primary school teacher and is therefore impacted by public sector pay policy, although, thankfully, not that of the UK Government.

My hon. Friend the Member for Glasgow South West made a valid point regarding the ability of the UK Government to adhere to the Equal Pay Act 1970 when they are engaged in 200 pay negotiations, and the hon. Member for Solihull (Julian Knight) expressed his alarm at such a notion. My hon. Friend also highlighted the incredible statistics on low pay in the Department for Work and Pensions—the irony is not lost, I am sure—and the proportion of staff receiving tax credits. The fact that those workers will now be under additional universal credit conditionality from their own employers represents an incredible state of affairs.

A public sector pay rise, as outlined by my hon. Friend, is helpful for the economy and the private sector, as well as providing workers with the ability to enjoy a fruitful existence. When we add the fact that we are living through the worst decade for pay growth in 210 years, that is a major concern. My hon. Friend also touched on low pay and the situation in Scotland, and the more generous Scottish Government pay offer. He made a good, detailed and passionate speech, and I commend him for that.

I was reprimanded by you, Mr Owen, for jousting during the speech of the hon. Member for Ochil and South Perthshire (Luke Graham). He made a point about the need to end pay restraint. Of course the Scottish Government were the first in these isles to lift the pay cap and fund the pay offer to the workers for whom they are responsible, and the hon. Gentleman appeared to support my call for the Treasury to fund Departments to bring about an end to the 1% cap. I look forward to his next appearance at Treasury questions when he will make that strong point to the Chancellor. He also spoke about the 6.5% pay offer to the NHS in England. That, of course, is spread over three years—a point that has already been made from the Labour Benches. I am sure that the hon. Gentleman was not trying to suggest that that offer is comparable to the 3% being offered on an annual basis in Scotland. My point about the 1% pay differential between England and Scotland is that it includes those in band 1—the lowest paid as well as those in higher brackets.

The hon. Member for Easington (Grahame Morris) made a good speech, advocating for the Treasury to fund an end to 1%. He also talked about the apparent temporary nature of the pay cap. He was right to say that where the UK Government, not the Scottish Government, have responsibility, the pay cap is in effect still in place.

The hon. Member for Solihull also made a good speech. He was right to say that civil servants in Whitehall and across these isles are incredibly talented and do a fantastic job. He also appeared to acknowledge that pay restraint should have been temporary—and should have ended. I challenge him, as I did the hon. Member for Ochil and South Perthshire, to challenge their Treasury colleagues to fund UK Departments to end the 1% cap.

The hon. Member for Barnsley East (Stephanie Peacock) spoke from experience, as a former teacher and also given the impact of public sector pay restraint in her area. What she said was absolutely right. My constituency neighbour, the hon. Member for Coatbridge, Chryston and Bellshill, made a typically impassioned, if pithy, speech, and we were grateful for his contribution.

As has been alluded to, we have made a far more generous offer in Scotland to our fantastic public servants. We look to reward them for the work that they do for us all. To tackle low pay, the Scottish Government have committed to paying the real living wage of £8.75 an hour, as opposed to the UK Government's minimum wage premium of £7.83 for over-25s and their minimum wage of £7.38 for those between 21 and 24, £5.90 for those between 18 and 20, and £4.20 for under-18s. This year they have also offered a graduated pay rise starting at 3% for workers earning up to £65,500. That rise will benefit three quarters of all public sector employees in Scotland.

Luke Graham: I praise some of the devolved Administration's moves to make sure that there is correct funding for people on lower incomes, but does the hon. Gentleman recognise that the national living wage was brought in by a Conservative Government and it would not exist otherwise? As well as criticising, he should give a little praise, too.

Neil Gray: My problem with the so-called national living wage is the fact that it is not national, because it is not available to under-25s, and it is not a living wage, because it does not get near the real living wage. Its branding was clearly an attempt to make it look as though it were the real living wage; that is massively problematic. I acknowledge that it is a large pay increase for some, but not all, of those on the minimum wage. It is important for the UK Government to acknowledge the fact that under-25s in particular are still being penalised.

Luke Graham *rose—*

Julian Knight *rose—*

Neil Gray: Mr Owen has already reprimanded me for jousting during the debate and has indicated that I should wind up. *[Interruption.]* By all means I shall give way to the hon. Member for Solihull.

Julian Knight: While the hon. Gentleman is being so generous and giving such fulsome praise, will he also be generous in recognising that the Government and the coalition Government raised the personal allowance to such an extent that the very lowest incomes have risen considerably?

Neil Gray: I have already stated—this is probably for another debate—that interventions in the tax system are not the most efficient way of targeting people on low incomes. A far more efficient and effective way of targeting them to ensure that they have a proper quality of life would be to increase the rates of the work allowances of universal credit and tax credits. *[Interruption.]* I think we have said enough on that, and perhaps it is a debate for another day.

The Scottish Government have protected public sector jobs and services for the people of Scotland by delivering on our promise of no compulsory redundancies and an affordable public sector pay increase that reflects the cost of living. It is difficult to compare the pay offer with that in areas for which the UK Government have responsibility, because there is not the same universal pay offer as there has been in Scotland, as outlined by my hon. Friend the Member for Glasgow South West. We see a piecemeal approach from the UK Government, because Treasury Ministers have consistently and belligerently refused to fund a public sector pay rise for all UK Government Departments. That means it is up to individual Ministers to find the money to pay for awards from existing, squeezed budgets.

While this Government rightly praise our emergency services for their response to the likes of Grenfell or the various terror attacks, and they rightly and routinely praise NHS staff, teaching staff, prison officers, Jobcentre and tax office staff, and other public sector workers, they do not match that praise with fair reward. Hopefully, in the summing-up speech, we might finally find some movement from the Minister. The UK Government must follow the Scottish Government's progressive lead when they publish their civil service pay guidance. They must fully fund an expansion in public sector pay, rather than just lifting the 1% restriction. If the UK Government agree that our public sector workers deserve a pay rise beyond 1%, they need to put their money where their mouth is, as the Scottish Government have done, and fund it.

3.31 pm

Christian Matheson (City of Chester) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen. I offer my congratulations to my good friend, the hon. Member for Glasgow South West (Chris Stephens), who has been a consistent advocate against this disastrous policy. I also thank my hon. Friends the Members for Easington (Grahame Morris), for Barnsley East (Stephanie Peacock) and for Coatbridge, Chryston and Bellshill (Hugh Gaffney), who have all given clear real-world examples of the effect of the public sector pay freeze.

The hon. Member for Ochil and South Perthshire (Luke Graham) and my good friend and, dare I say it, fellow Cestrian, the hon. Member for Solihull (Julian Knight) talked about the genesis of the public sector pay freeze policy, which dates back to the financial crash. I will simply make the point that it was not public sector workers who created the financial crash, but they are the ones who still have to live with the detriment of it, seven to 10 years afterward, while it took Wall Street and the City of London only a couple of years to get back on the big bonus trail. But we are where we are.

The slogan is, "A country that works for everyone", although that slogan has not aged particularly well. The country is on its knees, facing the largest inequality and division since the 1980s and early 1990s. As we have seen with failures such as Capita, G4S and Carillion, commercial failure is rewarded with more public funding, while our public sector services at the sharp end are being taken for granted.

Luke Graham: Will the hon. Gentleman give way?

Christian Matheson: Just the once. The hon. Gentleman was very generous with his time, which is why I cannot be too generous with mine.

Luke Graham: Understood. I have a quick question: the hon. Gentleman said that inequality had increased and was the worst since the 1980s. Can he quote the source of that data, please? I would dispute it.

Christian Matheson: First, I do not necessarily trust the figures from the current Government, because they are well known for cooking the books, but I genuinely suggest that the hon. Gentleman comes down to any food bank—

Luke Graham: That is not answering the question.

Albert Owen (in the Chair): Order.

Christian Matheson: I suggest that the hon. Gentleman comes down to any food bank and finds out whether its recipients believe that equality is greater or worse.

The Government talk of lifting the public sector pay cap, but that is nothing more than a politically cute headline. After seven years of crippling pay freezes, the real-world consequences of the Government's policies are half a million children of public sector workers in poverty, while Ministers have dished out a £70 billion tax break bonanza.

Afzal Khan: I want to make a point about the children. I have had many constituents come to me raising concerns about school assistant teachers. Some of them in the academies are earning £12,000—a poverty wage—while bosses routinely get salaries of £150,000. Does my hon. Friend agree that that injustice requires action and that we should look at instituting a maximum ratio for boss to worker pay in the public sector?

Christian Matheson: That would be a very interesting exercise, and we could certainly look at some of the sky-high pay for the bosses of some of the academy chains, but I will not go into the detail of that just now.

The problem with the modern Conservative party is that it is not at all modern. Old habits die hard. In addition to selling off public assets, they have now turned their attention to asset stripping our public sector workforce itself. As we know, the NHS is currently going through a mass exodus, with 10% of nurses leaving last year alone and over 100,000 vacancies across the service. The decision to scrap the pay freeze should have been made years ago. Landman Economics and the Trades Union Congress—I join colleagues across the House in paying tribute to the TUC on the 150th anniversary of its founding—estimate that there were real pay cuts and a loss of 13.3% between 2010 and 2018 for health and education workers, and 14.3% for public administration workers. Those figures have been reiterated by the Royal College of Nursing, which says that this has,

“damaged the morale and finances of NHS staff”.

Having spoken to numerous public sector constituents living from pay cheque to pay cheque and having to choose between heating or food, I suggest that that is a polite understatement.

Dr Poulter: The hon. Gentleman makes a fair point. I draw attention to my declaration in the Register of Members' Financial Interests in making this intervention, but there has been great reliance on agency and temporary staff in both the education sector and the NHS as a result of the failure to retain and recruit staff in many areas. Does he agree that improving the terms and conditions and the pay of NHS staff would help to address that and would improve NHS finances overall, and that it is a short-sighted Treasury that does not take note of that point?

Christian Matheson: The hon. Gentleman is very experienced in matters of health and the NHS, and I suspect that what he says has real merit. Frankly, there are private companies offering bank staff across the NHS and making a large amount of money that would be better spent on frontline services and on paying staff more than the 1% pay cap. I thank him for his contribution.

We have all heard the heart-wrenching stories of public sector staff having to work two jobs to pay their bills or having to use food banks just to eat. This is modern Britain, where our greatest national treasure and our most valuable assets are treated with the same contempt and disregard that tax-dodging conglomerates have for our country. The Chancellor agreed to a below-inflation pay increase for NHS staff of 6.5% over three years on the condition,

“that the pay award enables improved productivity in the NHS”.

In real terms, that means forfeiting a day's holiday each year for less money. Public sector workers have been cheated out of thousands, have had their pensions negatively affected and have now had their workload increased for less money.

If hon. Members visit any hospital, such as the Countess of Chester hospital in my constituency, they will see the NHS running on the goodwill of its staff. I know of health care assistants on wards who will work a 12-hour shift with barely a 10-minute break. They do that because they believe in what they are doing, but they are already working to maximum capacity and productivity, yet the Government still demand more to earn a pay rise that they have, in reality, already earned several times over. If hon. Members visit any school, where cuts still bite despite Government promises of more cash, they will find headteachers worried that any pay rise granted by the Government will have to be found from existing school budgets—the usual Conservative tactic of passing the responsibility on to someone else.

The hon. Member for Glasgow South West and my hon. Friend the Member for Easington referred to the study by the Centre for Labour and Social Studies on the terms of civil service pay rises. It is the same tactic. We have heard that the pay rise would have to come out of resource departmental expenditure limits for current spending; yet, as we have also heard, Departments as a whole will continue to suffer real-terms cuts to their RDELs up to 2020 and, of the principal Departments covered, only the Ministry of Defence will see an increase in this area of its budget. They made that point clearly, and it calls into question whether the Departments will be able to award pay rises of more than 1%; in fact, they might not even be able to raise that 1%.

Our police and prison service staff were offered a 1% increase and a 1% bonus, which will leave them with, yet again, a below-inflation increase. The chairman

of the Police Federation said that staff had been left “angry and deflated” and had experienced a 15% decrease in real spending terms compared to seven years ago. Prisoner numbers are up and are increasing by an average of 3.5% per year, while the number of frontline prison officers, who have been offered a below-inflation 1.7% increase, has remained static.

The pay cap may have been verbally ended, but there is no evidence of its ending in the real world. Take-home pay, in real terms, has not increased. The quite shocking reality is that less than 4% of public sector workers will benefit from the Government’s decisions last September, and no further spending or new money has been made available in the autumn or spring Budgets. What makes one part of the public sector more worthy of being paid fairly than another? Even if the pay cap was genuinely lifted, it would not make up for the loss of thousands of pounds in the past—and indeed in the future, as a knock-on of the pay freeze now. One advantage of the pay cap is that, by keeping wages low, it makes it easier for parts of the public sector to be privatised, and for the privateers to make bigger profits off the back of low-paid but hard-working employees.

I will finish on a point also made by the hon. Member for Glasgow South West, first about pay in the private sector. For many positions in the private sector, public sector roles and pay increases are used as a comparator. Squashing public sector workers’ pay keeps some private sector pay deals flat as well. By crushing the pay of several million public sector workers, billions of pounds of spending power is taken from the private sector, as the hon. Gentleman said. I imagine that very few civil servants, school dinner ladies or police officers salt away their money in offshore tax havens. They spend it here in the UK in the private sector, which then pays the taxes to support public services. The pay freeze is therefore not just unfair—it is bad economics.

For the record, I will wind up by suggesting that the next Labour Government will lift the public sector pay cap for all public sector workers. We demand nothing less from this Government. In “Funding Britain’s Future”, Labour set aside a costed £4 billion to ensure that every public sector worker will get an above-inflation pay rise. The pay review bodies have been operating under the constraint of a Tory 1% cap for eight years. The Government must now lift the pay cap across the whole public sector, rather than playing one group of workers off against another.

3.41 pm

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate. I know that, in his role as chair of the PCS union parliamentary group, he takes a keen interest in matters relating to the civil service—as do I, as a responsible Minister.

This has been a valuable debate, with intelligent contributions from most—not all—hon. Members. I think I will be able to address most of those points in my speech, so if hon. Members will forgive me, I will not go into detail at the beginning. However, I shall try to cover any remaining points at the end of my remarks, because I am conscious of how much time we have left.

The starting point has to be the role of civil servants. I know from my experience—both recently as a Cabinet Office Minister and in the five years I spent in Downing Street as an adviser—the standard of our civil service. I have worked with some of the most genuinely committed, talented and hard-working public servants in our country, and I pay tribute to every one of them. At a time when our country faces many challenges, not least how we deliver Brexit, we can rely on our civil servants to help us. I see that every day in my role as a Minister, whether in the groundbreaking work of the Government Digital Service or the critical work of our civil contingencies team. Day in, day out, I see the tremendous quality of the work that they deliver.

The starting point for me and the Government is that all civil servants deserve to be rewarded for the work that they do, so that we can attract the brightest and the best. At the same time, that has to be balanced against the wider constraints faced by our public finances. I will set out some context. The shadow Minister spoke about who caused this situation, so let us remember. When we came into government in 2010, the UK had the largest deficit in its peacetime history. We were borrowing £1 for every £4 or £5 that we spent. Who caused that? It is quite clear: the last Labour Government. We had to deal with that legacy.

In that context, I make no bones about the fact that we had to take some very difficult decisions. As has been said by many hon. Members, including my hon. Friend the Member for Solihull (Julian Knight), one of those difficult decisions, given the proportion of public expenditure accounted for by public sector pay—about a quarter—was that public sector pay had to be restrained, which is why we introduced a pay freeze for the first two years of the Parliament, followed by the 1% pay cap.

Christian Matheson: I am most grateful to the Minister for giving way; I will only intervene once. If what he says is the case, can he explain how the last Labour Government were responsible for the crash of the sub-prime mortgage market in the United States, which caused the crash here?

Oliver Dowden: The problem was that the last Labour Government did not fix the roof while the sun was shining. We entered this situation as the least well prepared of any G7 country, so that when we faced those challenges, instead of having a robust fiscal situation, we were already borrowing.

Chris Stephens: I want to deter the Minister away from this Tory buzzword bingo, so will he explain to us what that has to do with public sector pay?

Oliver Dowden: Forgive me; I thought I made that very clear at the beginning. When we inherited such an enormous deficit, we had to constrain public expenditure. Given that public sector pay accounts for a quarter of public expenditure, public sector pay had to play its part. That is why we initially introduced a freeze, followed by a 1% cap from 2013 to 2017.

Those were difficult decisions, and I genuinely pay tribute to all our civil servants who had to live within that constrained pay deal. However, it is worth making a few points in relation to that. The first is that the median civil service salary has increased by 15% since 2010,

[*Oliver Dowden*]

which is actually the same as in the private sector. Indeed, it is greater than other parts of the public sector.

Many hon. Members also raised the gender pay gap, which is important. Clearly, more progress needs to be made, but again it is worth looking at the figures. The pay gap for full-time employee civil servant salaries is 7.2% for the mean salary and 11% for the median. That compares with 13% and 15.4% in 2008, so we are making progress, but I do not deny that we need to progress further.

Dr Poulter: Adjusted for age, sex and other determinants, the pay gap is actually about 3%. I am sure my hon. Friend will want to clarify that point.

Oliver Dowden: I thank my hon. Friend for that helpful intervention; I am absolutely sure that he is correct.

Inequality was also raised, but again let us look at the actual figures. Income inequality is down since 2010, and is lower than at any point under the last Labour Government, so let us start with the facts of the situation. Not only that, but we have helped the lowest paid. For example, when the freeze was introduced, we ensured that anyone earning under £21,000 received at least a £250 increase in their pay.

In addition, as many of my hon. Friends have mentioned, we introduced the national living wage, the effect of which has been to benefit more than 2 million people, leaving them more than £2,000 better off since its introduction. As a result, figures from the last two years show that the lowest paid in our labour market received pay rises almost 7% above inflation, and many of those who benefited were our lowest-paid civil servants. Indeed, the overall picture shows the salaries for junior grades of civil servants remaining comparable to private or public sector equivalents, and in total remuneration both administrative assistants and administrative officers—the lowest paid in the civil service—are paid more than their private and public sector equivalents in London.

Julia Lopez: My hon. Friend is making a strong case for the reasoning behind the Government's decisions. However, many of us are concerned that we are now seeing false economies. For instance, restraining public sector pay is leading to increases in agency costs and a loss of talent, which has reduced productivity in some sectors. We now need to look at what those costs are. What analysis has he done of those costs versus the costs of increasing pay?

Oliver Dowden: My hon. Friend is absolutely right, and in a moment I will come to the fact that we have actually lifted the 1% pay cap across the board.

However, I will make one further point on the measures the Government have taken to help the lowest paid—and, indeed, all workers. I am referring to the increase in the personal allowance. When we came to power in 2010, the personal allowance—the tax-free allowance—stood at £6,475. It now stands at £11,850. That is near enough a doubling, and it means that any basic rate taxpayer will be more than £1,000 better off compared with 2010.

Through a combination of ensuring that we have a national living wage and tax cuts, we have ameliorated many of the impacts of the necessary public pay constraint, which we had to introduce. In addition, we have frozen fuel duty, saving the average driver £850 compared with pre-2010 plans.

Neil Gray: The Minister has stated that the Government have ended the 1% pay cap, but he has not yet argued for the Treasury fully to fund that for Departments, so perhaps he can explain this point to the House. If he advocates an end to the 1% cap, what percentage pay rise does he think would be acceptable to our public sector workers, and will he argue with his Treasury colleagues to see that properly funded for all Departments?

Oliver Dowden: The hon. Gentleman talks about the Treasury paying for it. The Treasury does not have any money of its own. It gets money only in three ways: it taxes people, borrows or cuts spending elsewhere. We need to be honest about where the money will come from to pay for any rise.

I will come on to it in a moment, but briefly, we set this out in the spending review; we budgeted for a 1% pay rise across the board. We have now removed the requirement for a 1% rise. That creates two further opportunities. The first is that there will be flexibility, if further efficiencies can be found, to further increase pay, above 1%. In addition, if there is a significant change in working practices that can justify a significant pay rise, a full business case can be made, and that will allow the funding of a larger pay rise.

Chris Stephens: The Minister now appears to be suggesting to the House—I just want to double-check that what I heard him say was what he said—that each Department has budgeted for 1%. If that is the case, surely those of us who are arguing that the public sector pay cap has not ended or been lifted are correct. Is that the case, Minister?

Oliver Dowden: The cap has been removed; it is no longer the requirement that public sector pay rises be limited to 1%. The situation in the spending review was clear: there was a budget for a 1% rise. If Departments wish to go further than that, they need to find efficiency savings. My right hon. Friend the Chancellor of the Exchequer was perfectly clear about that in the autumn Budget.

My final point in relation to the overall terms and conditions for civil servants is about the amount of pension contribution that is made. This point was made by my hon. Friend the Member for Ochil and South Perthshire (Luke Graham). If we look at the figures, we see that for a civil servant on the median salary of £25,900, the Government provide £5,400 in pension contributions. That is the equivalent of an extra 23% on their basic pay and it is something that is not available to most people working in the private sector.

Difficult sacrifices have been made, but as a result we are finally starting to live within our means. Rather than borrowing £1 for every £4 we spend, we are borrowing £1 for every £10. That means that we are still living beyond our means, but it gives us some scope to remove the blanket ban, although that does not mean that we

can suddenly fund huge increases in public sector pay. My right hon. Friend the Chief Secretary to the Treasury made it clear in September that the across-the-board 1% cap would be lifted. That means that the Government are no longer pursuing a one-size-fits-all policy for public servants.

In 2016, the Government set out five priority areas in the “Civil Service Workforce Plan”. Those areas are expected to have the greatest impact on readying the civil service workforce to respond to the challenges that the United Kingdom will face now and in the years to come. One priority is a commitment to develop cost-effective and flexible reward structures that enable the civil service to attract, retain and develop the very best talent within the pay systems in place.

In practice, there are two elements to civil service pay. I am sure that many hon. Members will be familiar with this, but I will set it out briefly. The pay of senior civil servants, who make up 1% of the civil service, is subject to an independent pay review body process, which is conducted by the Senior Salaries Review Body. Its 2018 recommendations are expected later this month, and we will respond to them in due course.

The second and by far the larger group, and the group to which most hon. Members were referring, is the rest of the civil service. Its pay and grading arrangements have been delegated to Departments and agencies since 1996. The effect of that, which hon. Members touched on, is that each Department makes decisions. As has been alluded to by the hon. Member for Glasgow South West, I continue to discuss this with the PCS, but the flexibility that it gives us is that it enables each Department to determine its own pay levels so that it can meet the needs of its own Department.

The 2018-19 pay remit guidance, which will set out the overall parameters for any future pay deal, will be published shortly. It will provide the range of average awards available to Departments, but it is for each Department to decide how to structure its pay award, and those decisions will be made in the light of their own priorities and affordability and must be discussed and negotiated with their trade unions.

Chris Stephens *rose*—

Oliver Dowden: I am conscious of time, but I will give way briefly to the hon. Gentleman.

Chris Stephens: The Minister has been generous. Could he just answer this one question? He and the PCS have had some discussion about addressing the 200 sets of pay negotiations. Is it his intention to continue that discussion to look at whether that is actually an adequate way of funding civil service pay?

Oliver Dowden: The hon. Gentleman makes an important point. As he says, I have both discussed and corresponded with the representatives of the PCS on this. I will continue that discussion; I remain open-minded on it, but the point I am making is that one has to balance against that the flexibility that allows each Department to tailor to its own needs. I agree that there is an issue about 200-plus sets of negotiations, but hon. Members will understand that there was a reason for that in the first place.

I should move towards a conclusion in order to give the hon. Member for Glasgow South West an opportunity to respond. I genuinely am confident that as we approach the 2018-19 pay remit guidance, we will continue to strike the clear balance between an appropriate reward for hard-working civil servants and the need to live within our means as a nation, so that we do not continue to borrow more and load up more debt that will burden our children and grandchildren.

3.57 pm

Chris Stephens: I thank everyone who has contributed to the debate. It has been a good-natured but serious debate, an excellent debate, on behalf of the civil servants who work right across these islands. We should commend them for the work that they do across all Departments.

The purpose of these debates is to test the Government and to test policy, and I think that what we have discovered again this afternoon is that each and every Department has budgeted for 1% pay rises. That suggests that the public sector pay cap has not ended. I hope that the Minister will commit to negotiating to see the end of the public sector pay cap. Civil servants were not responsible for the economic crash 10 years ago and should not be suffering for it. I hope that the Minister will address low pay in every single Department, because that is of very real concern to many Members of this House.

Question put and agreed to.

Resolved,

That this House has considered public sector pay policy.

Conflict in South Sudan

[SIR GRAHAM BRADY *in the Chair*]

3.59 pm

Nic Dakin (Scunthorpe) (Lab): I beg to move,

That this House has considered the conflict in South Sudan.

It is a pleasure to speak in this debate under your chairmanship, Sir Graham. I thank my colleagues from the all-party parliamentary group for Sudan and South Sudan, as well as Will Archer, who provides the secretariat, for their hard work to raise issues of peace, social justice and human rights in both countries. I would like to use my time in this short debate to set the scene of the horrific conflict in South Sudan and urge our Government to stay the course of peace in the world's newest state.

In the world of international crises, competition to be the worst humanitarian catastrophe is tough, to say the least. According to the UN, today we have the worst refugee crisis in the world since Rwanda in Syria, the worst humanitarian crisis in 50 years in Yemen and the worst man-made disaster in the world in Myanmar. There is the return of Ebola in the Democratic Republic of Congo, the renewed bloodshed led by child soldiers in Central African Republic, and the growing African slave trade in Libya. Yet sadly, in the grimmest competition of all, South Sudan is up there with the worst.

John Howell (Henley) (Con): Will the hon. Gentleman join me in welcoming the announcement in the last few hours that the President of South Sudan and the rebel leader have agreed to meet for talks to try to restore the 2015 peace negotiations?

Nic Dakin: That is good news, indeed. We all need to work together to help peace to prevail. Sadly, in the history of South Sudan, we have been here before. That is not a reason for us not to make better progress this time. I know the Minister is focused on this issue, because I have heard her speak on it many times. She will want to ensure that the British Government do everything they can to encourage a positive process.

Born in 2011 after decades of conflict with Sudan, South Sudan became the world's newest country and a beacon of hope for post-conflict societies. The eyes of the world watched as a brand-new state was formed with the help of millions of dollars from the international community. Barack Obama said proudly at the time,

"Today is a reminder that after the darkness of war, the light of a new dawn is possible."

Sadly, the jubilant scenes of July 2011 quickly faded into violence. In December 2013, conflict erupted between warring factions of the Sudan People's Liberation Movement party, quickly escalating into a national crisis, which divided communities along ethnic fault lines. The regional Intergovernmental Authority on Development—IGAD—brokered a peace deal in 2015, to which the hon. Member for Henley (John Howell) alluded, but by July 2016 conflict had kick-started again and the last two years has seen escalating violence and tensions across the country.

Dr David Drew (Stroud) (Lab/Co-op): My hon. Friend knows I have a passionate interest in the country. One sad aspect of this is that while some said that once the

south got freedom, peace would ensue, what happened was, of course, anything but that. Those who did not help by outside intervention ought to hold their heads in shame. It is about time the world community focused back on this bedevilled nation.

Nic Dakin: My hon. Friend has had a strong, passionate commitment over many years to the situation in South Sudan, speaks with great perception and is to be listened to.

Humanitarian statistics rarely tell the whole story of a conflict, but the latest figures coming out of South Sudan are truly staggering. Some 1.8 million people are internally displaced, with a further 2.4 million seeking refuge in neighbouring countries. That is over a third of the country's population forced to flee their homes, with 85% of those fleeing being women and children. South Sudanese refugees can be found in Uganda, Kenya, Sudan and Ethiopia. It is testament to the horrors of the conflict in South Sudan that refugees are also seeking safety in countries ravaged by their own civil wars, such as the DRC and Central African Republic. At various points in the conflict, the Bidi Bidi camp in Uganda was receiving more than 1,000 refugees every single day. Now covering an area bigger than Birmingham, it is the largest refugee camp in the world.

We all remember the famine that spread through east Africa last year and the remarkable response from local NGOs, aid agencies and ordinary people in the UK who gave money to the fundraising appeal. This year the UN predicts that famine will return and food insecurity will be greater than last year, with starvation being used as a weapon of war.

Stephen Kerr (Stirling) (Con): I congratulate the hon. Gentleman on bringing this issue to Westminster Hall. I have the good fortune to have in my constituency the headquarters of The Leprosy Mission Scotland. With other partners in The Leprosy Mission International, it is doing tremendous work in South Sudan in incredibly difficult circumstances, which the hon. Gentleman is highlighting in his powerful speech. One aspect of its work is that the relief workers and aid workers are now themselves targeted for extortion and violence. What more can our Government do to protect these people and their good work, so that their influence can help in a very difficult situation?

Nic Dakin: The hon. Gentleman makes a good point, which I will pick up later in my speech. I am sure the Minister will want to come to it when she responds.

In statistical terms, more than half the population in South Sudan is facing severe hunger right now. The conflict has devastated educational infrastructure in South Sudan. Almost 1.2 million children aged between three and 18 have lost access to education because of conflict and displacement. Almost a third of schools have suffered attacks. The destruction of educational opportunities is trapping South Sudanese kids in inescapable cycles of poverty. An adolescent girl in South Sudan right now is three times more likely to die in childbirth than to complete primary school.

As ever in stories of conflict, women and children pay the highest price. A recent study from the International Rescue Committee and the Global Women's Institute at Georgetown University revealed that more than 65% of

women and girls have experienced some form of gender-based violence. That is double the global average. The UN has found

“massive use of rape as an instrument of terror”.

Amnesty International has reported sexual violence as “rampant”. Those abuses are perpetrated not solely by fighters from the army or rebel groups, but by UN peacekeepers and sadly, on some occasions, by aid workers too. For women in places such as South Sudan, there are few safe places left. It is no surprise that a report from Plan International last week revealed that one in four South Sudanese women has considered suicide.

South Sudan also holds the grim title of the most dangerous place in the world to be an aid worker, as the hon. Member for Stirling (Stephen Kerr) pointed out. While delivering life-saving assistance to 5.4 million people in South Sudan in 2017, 30 aid workers were killed. Their work is routinely obstructed by both Government and opposition. Aid workers are intimidated, supplies are looted and arbitrary fines are applied to those seeking to travel around the country.

Through those statistics, we glimpse the horrors facing South Sudanese people, but I want to tell the story of a woman who lived in Malow village in the north-west of the country, as reported by the UN Human Rights Commission earlier this year. When the army of the Government of South Sudan arrived in Malow in July 2017 it destroyed the schools, the water points, the local hospital and even the local church. It abducted local aid workers and destroyed humanitarian compounds. The village had seen women with their eyes gouged out by soldiers as they sought to protect their children and mutilated men lying in the mud. This woman watched as her husband was castrated in front of her, trying to shield her new-born child from the violence. Three Government soldiers then raped her 70-year-old mother and forced her 12-year-old son to have sex with his grandmother at gunpoint. This is a truly horrific, true tale. The soldiers later shot her mother, and the new-born child and her husband would later die from their injuries. The report makes for very grim reading as it details countless tales of brutal violence from all parties to this conflict, inflicted on innocent civilians.

The violence led the Commission on Human Rights in South Sudan to draw some stark conclusions, of which two stood out for me. The first stated:

“Rape, mutilations of sexual organs and other forms of sexual violence, targeting girls, boys, women and men, are often committed in front of children”.

The second stated that all parties to the conflict are

“deliberately targeting civilians on the basis of their ethnic identity...Those acts constitute war crimes and crimes against humanity.”

The South Sudanese people know better than anyone that the only sustainable route to preventing human rights abuses and providing security and prosperity is through peace.

I will now turn to the ongoing peace process, which the hon. Member for Henley gave us some encouragement about earlier, before asking the Minister a few questions about where we go from here. I acknowledge the commitment and skill of the Foreign and Commonwealth Office’s South Sudan unit, which is ably led by the UK special envoy Chris Trott. It faces an incredibly difficult

task, but the UK is rightly at the forefront of the international effort to promote an inclusive peace in South Sudan. The Intergovernmental Authority on Development, which is made up of regional Government representatives, has convened the high-level revitalisation forum in Addis Ababa since June 2017. Last month, the last round of those peace talks achieved little, with no sign of an agreement.

The cessation of hostilities agreement, which was signed in December 2017, has been repeatedly violated by all sides, and the monitoring mechanism that was set up to find and punish spoilers has failed to do so. As it stands, leaders on all sides of the conflict have refused to make the compromises necessary to make peace in South Sudan, but hopefully, if they say they will make it different, they will follow through with those promises, otherwise those promises have no value to the South Sudanese people.

Faced with this truly desperate situation, I would be grateful if the Minister would respond to the following questions. First, following the breakdown of peace talks in Addis Ababa last week, what concrete steps will the UK Government take to punish the spoilers through sanctions, arms embargoes and other measures?

Alex Sobel (Leeds North West) (Lab/Co-op): As well as imprisoning his own parliamentarians, President Museveni of Uganda has promised to supply the South Sudanese regime with arms, in spite of the arms embargo imposed by the EU, including us, the US and other countries. Does my hon. Friend think that the Government also need to act on Uganda?

Nic Dakin: I am sure that the Minister will have heard my hon. Friend’s intervention and will quite appropriately want to pick up on that in her response.

Specifically, how will the UK Government use the powers in the Sanctions and Anti-Money Laundering Act 2018 to increase pressure on key individuals to encourage them to participate seriously in the peace process talks?

Secondly, how will the UK Government leverage their political capital in the region, which is not insignificant, to bring about decisive change in the conflict? In particular, will the Minister outline how the UK intends to escalate its diplomacy with President Museveni, including through direct discussions with the Foreign Secretary?

Thirdly, how is the UK supporting the Church’s peace-building work in South Sudan? The South Sudan Council of Churches has been invited to lead a new peace initiative in South Sudan. How can the UK best support those efforts?

Fourthly, what support are the UK Government providing to the ceasefire and transitional security arrangements monitoring mechanism? It is vital that that body is responsive to violations to ensure that perpetrators are held to account.

Fifthly, what steps are the UK Government taking to ensure that the hybrid court is set up as soon as possible in South Sudan? Tackling the culture of impunity for South Sudanese leaders will be crucial in preventing future atrocities.

Finally, what is the UK’s view on the current plan of the Government of South Sudan to hold elections in the near future? It is impossible to imagine free and fair

[*Nic Dakin*]

elections taking place in South Sudan, and the result risks conferring credibility on the Government of South Sudan while they continue to commit human rights abuses.

In closing, I pay tribute to all the activists and campaigners in South Sudan who are rising above the dreadful violence to fight for peace in their country. After decades of conflict, their resilience is truly inspirational. They risk their lives on a daily basis to speak out against the horrors that they have sadly witnessed. They have been let down by their leaders for far too long and have paid too high a price for a conflict they do not deserve to be caught in the middle of. I look forward to the Minister's response, and to working with her to help to bring about a long overdue peace in South Sudan.

4.15 pm

The Minister for Africa (Harriett Baldwin): It is a pleasure to serve under your chairmanship, Sir Graham. I pay tribute to the hon. Member for Scunthorpe (Nic Dakin) for the eloquent way in which he described the situation in South Sudan and for the work that he does as vice-chair of the all-party parliamentary group on Sudan and South Sudan. I add my appreciation for the work done by Chris Trott and the team on the UK's role in the peace process.

Last summer, the Prime Minister decided to combine the role of Minister for Africa with the role of Minister in the Department for International Development, which makes enormous sense when we are discussing matters such as this. We completely agree that the grim situation in South Sudan, as outlined by the hon. Gentleman, is an entirely man-made crisis.

As always in such situations, however, the UK is at the leading edge in terms of the humanitarian response. We have consistently been one of the top three donors in South Sudan. Our drinking water package alone reached almost 700,000 people. More than 400,000 people received food, and almost 400,000 received nutrition support. More than 6.5 million health consultations were delivered in South Sudan, of which 2.5 million were for children under five. We have funded almost 4,000 schools to deliver basic education. At a time when the population of South Sudan is suffering from this terrible man-made violence, UK aid is providing that life-saving support.

Clearly, however, the question that we need to discuss is what more the UK can do to try to ensure peace in South Sudan. It is only through peace that we will be able to move beyond providing aid to trying to build a stronger economy in South Sudan. I will outline some of the events of that peace process, which is timely because there have been recent developments, as reported during the debate.

Clearly, the only way we can move forward without the escalation of suffering and without consequences for generations to come is through putting as much effort as we can into the peace process. Since my appointment in January, one of my top priorities has been to see what more we can do in South Sudan and in the Intergovernmental Authority on Development peace process.

In terms of UK support, we welcome the work that IGAD has done so far to deliver the peace talks, but the failure to impose consequences for violations of the ceasefire has been a major blocker of progress. We strongly urge IGAD to take action against those who have violated the cessation of hostilities agreement before the final round of discussions. Spoilers of the peace process must be left in no doubt about the region's commitment to peace.

The UK has been committed to tackling impunity, and we continue to explore all avenues for action against those who undermine peace. So we have been pushing hard for action by the EU. We announced some sanctions in February, through the EU, and we have also been pushing in the United Nations Security Council. That is why we much very welcome last week's Security Council resolution, which commits to consider sanctions and an arms embargo if violations continue; that is a welcome development.

I also pay tribute in this debate to our armed forces, because the UK deploys nearly 400 troops in South Sudan as part of the United Nations Mission in South Sudan, or UNMISS. And may I pass on the praise of David Shearer, the UN's Special Representative for the Secretary-General, who recently visited the troops in South Sudan and praised them for their achievements?

I can reassure the hon. Member for Scunthorpe that the UK will also continue to support the important work of the South Sudan Council of Churches. We regularly discuss that work with the Archbishop of Canterbury. We believe that the council has a vital role to play in fostering open and honest dialogue.

Hon. Members asked specific questions about Uganda. I can confirm that we have regularly raised the issue of South Sudan in our discussions with President Museveni of Uganda. For example, the Foreign Secretary discussed South Sudan with the President at the UN General Assembly in September last year and followed up by writing to him in December, encouraging Uganda's positive engagement with the peace process in South Sudan. Also, during the Commonwealth Heads of Government meeting, I met Uganda's Foreign Minister and was able to discuss the situation in South Sudan, as I have done on all the occasions when I have met Ministers from neighbouring countries. There is a consistent theme that regional players are keen to see a resolution of this conflict.

The hon. Member for Scunthorpe specifically asked whether there was the opportunity for elections in South Sudan. We do not believe that elections are the answer to South Sudan's political problems. The conditions in South Sudan are not conducive to elections. Can you imagine, Sir Graham, holding elections in the country when over a third of its population—some 4 million people—have been forced to flee their homes? In fact, it is likely that elections would only serve as a catalyst for further violence, exacerbating the humanitarian crisis. Clearly, South Sudan must first focus on achieving a sustainable negotiated political settlement before the conditions necessary for credible elections can be created.

The hon. Gentleman also asked about the role of the new powers that the UK has as a result of the recently enacted sanctions legislation. Of course, that legislation will give us more flexibility in the future, but it is also incredibly important that we try to work

alongside other partners for peace as much as possible and that we send a consistent message in terms of our actions.

Regarding the ceasefire and transitional security arrangements monitoring mechanism—that is not a phrase that readily trips off the tongue, but the mechanism is very important—we strongly condemn all the appalling violence in South Sudan. The hon. Gentleman read out some examples from the UN's report on the violence against civilians. The information in the report reflects the ongoing and widespread violence and human rights abuses, and the ongoing and appalling levels of gender-based violence in South Sudan. The people of South Sudan are bearing the brunt of this terrible conflict, so the UK continues to support the ceasefire and transitional security arrangements monitoring mechanism, to ensure that it can report on ongoing violations in a timely manner.

John Howell: I believe there is an African Union summit meeting coming up. Will the Minister ensure that these points are reflected in that meeting in some way?

Harriett Baldwin: Well, as my hon. Friend knows, the UK is obviously not a member of the African Union, but I do know from my discussions with countries that are members of the African Union how many of them share our concerns and how keen they are to support the peace process in South Sudan. So I would very much welcome it if the African Union was able to discuss South Sudan at its forthcoming meetings.

Stephen Kerr: Will the Government also commit themselves to doing what they can to bring to justice those who have perpetrated these terrible crimes?

Harriett Baldwin: I can certainly give my hon. Friend that assurance. As he will know, because the work continues to this day, Lord Hague of Richmond, the former Foreign Secretary, was very much at the forefront of the UK's leadership in making sure that we are able to gather and retain the evidence of such crimes, so that those who perpetrate these kinds of outrageous examples of violence know that justice will follow; even if justice is delayed, it will be inevitable. So I pay tribute to Lord Hague's work to keep this issue at the forefront of the international agenda.

The UK Government are fully committed to working towards peace and security for the people of South Sudan. We will not stand idly by while the South Sudanese suffer in these appalling conditions. UK aid continues in an environment where, as has rightly been pointed out, in the last year alone 30 aid workers have lost their lives. It has been incredibly difficult for the teams delivering aid on the ground, so I pay tribute to those brave aid workers who are able to get life-saving assistance into communities. We will continue with our commitment on that front, as well; we will continue to address the most acute needs of the people; and we will continue to do all that we can to support the region as it pushes for peace.

Question put and agreed to.

Stonehenge: Proposed Road Alterations

4.27 pm

Alex Burghart (Brentwood and Ongar) (Con): I beg to move,

That this House has considered proposed road alterations around Stonehenge.

Sir Graham Brady (in the Chair): The hon. Gentleman is entitled to make a speech at this point, if he wishes to do so.

Alex Burghart: Thank you very much, Sir Graham; it is a pleasure to serve under your careful and kind direction.

I know that it is slightly unusual for an MP from Essex to call a debate on improvements to a road that is not in Essex; indeed, the A303 does not run through Essex and Stonehenge is not within Essex. So I apologise to Members who represent constituencies in the area around Stonehenge that are affected by this road and I also apologise to the Minister, because I know that there is a due process under way that the Government must religiously and necessarily stick to, and that there is a limit on what he can say in the debate today.

However, I also know that at the end of that process it is Ministers who will have the final say on whether this project goes ahead. Consequently, I would like to put a few things on the record now, to ensure that the Minister has heard the concerns that have been raised with me by the archaeological community, who have themselves made submissions to the appropriate consultation.

We find ourselves in the position of having a world heritage site on a rather awkward transport route in Wiltshire. The need to improve the transport network is running up against that of preserving the site known as Stonehenge, making the debate necessary. My personal interest stems from the fact that for a long time I was a teacher and lecturer in history, admittedly medieval history. I began my studies at about 500 AD—*[Interruption.]* Even by my own standards, that makes my period modern rubbish, as my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) so kindly puts it.

I grew up in the locality of the site and have spent a great many happy hours within its confines, viewing the stones at sunset and sunrise and taking great pleasure in seeing them in their natural setting. The proposals do not affect the stones themselves. The extraordinary craftwork that is at least 4,000 years old has given us so much insight into the Neolithic period in which the stones were built. A few years ago, the eminent archaeologist Mike Parker Pearson revealed that underneath the perimeter stones were the cremated remains of inhabitants of Britain, dating from about 3,000 BC. Those remains have been analysed and shown to be of people who grew up in many disparate parts of our island. That is to say that even 4,000 years ago, Stonehenge was a meeting place and in some senses a sacred site, where people brought their ailing, or brought their dead to be interred. We all know about the extraordinary bluestones that appear to have been brought from mountains in Wales, as perhaps either an offering or a spoil of war, and which are among the most striking and iconic elements of the assemblage.

[Alex Burghart]

The world heritage site itself is considerably larger than the stones. As it was set out in 1986, it covers a wide area, ranging from the long barrows in the west to the Countess roundabout in the east. Some road change plans for within the periphery of the stones are now being consulted on, and I will briefly talk about what we are dealing with.

In the west, we have an extraordinary collection of Neolithic long barrows, and this grouping in a small area is unique in the world. There are eight early Neolithic long barrows across this part of the western valley, where a new cutting for the road is proposed. The grouping is not just unusual; it is entirely of its own. To the east, we find a remarkably precious patch of boggy ground called Blick Mead, the full significance of which has only recently been revealed: a monograph published earlier this year lights on excavations over the past decade.

In its wet environment, Blick Mead keeps organic matter in a deoxygenated state, meaning that the matter does not rot. That creates the most extraordinary catalogue of human activity, going back not just to 3,000 BC when the stones were erected, but to 4,000 years before that, to our Mesolithic hunter-gatherer ancestors. That is to say that the Stonehenge stones are the mid-point of activity between now and the earliest phases of known occupation on the site. I was once told that the lifetime of Cleopatra was closer to the modern day than to the building of the great pyramid at Giza, and this is almost exactly the equivalent—4,000 years back to the stones of Stonehenge and 4,000 years further back to the beginning of Blick Mead. We are only skimming the surface at the moment, but the catalogue enables us to trace the extraordinary transition from a hunter-gatherer society to a settled farming one. It is wholly extraordinary to find any such site anywhere in northern Europe. The site is completely remarkable and must, whatever plans go forward, be preserved. We must seek not to damage it but to protect it. I am sure that there are many ways of doing that, but it must be done.

In the words of the great rock band, Spiñal Tap:

“Stonehenge! Tis a magic place”

and

“No one knows who they were or what they were doing”.

Blick Mead will enable us to answer the important questions raised by Spiñal Tap.

Tim Loughton (East Worthing and Shoreham) (Con): Will my hon. Friend give way?

Alex Burghart: I give way to the chair of the all-party parliamentary archaeology group.

Tim Loughton: I apologise for arriving slightly after the beginning of the debate, which started early, uncharacteristically for my hon. Friend. Notwithstanding the archaeological academic prowess of Spiñal Tap, I go back to his point about the extraordinary and unique concentration of barrows at the western end of the site. He referred to eight. Does he acknowledge that two new long barrows were discovered as recently as 2016-17, during surveying work for the potential new road? That is just those that we know about. The archaeology that

could be destroyed if the scheme were to go ahead could be even more considerable than he has outlined so far.

Alex Burghart: I thank my hon. Friend for his remarks and will turn in a moment to what we do not yet know about Stonehenge.

Dr Andrew Murrison (South West Wiltshire) (Con): My hon. Friend should not be at all sorry that he does not come from Wiltshire. Those of us who do are very grateful to him for taking the interest that he has. Does he appreciate that the sensitivity of the matter is demonstrated by the fact that we are going to the extraordinary expense of constructing a tunnel past the stones, which will undermine, so to speak, archaeology that may be explored in the future? That cost should not be underestimated, as logic would dictate that we did a cut and cover, at the very most, or simply had a dual carriageway. Instead, we have gone for a tunnel, which will leave the great bulk of the archaeology that may as yet be undiscovered uninterrupted and undisturbed.

Alex Burghart: I thank my hon. Friend for that excellent point. There is no doubt that a tunnel under part of the site will protect that very part. Notwithstanding the concerns that have been raised about toxic gases that could be released by tunnelling through chalk—not something I am fit to comment on—I believe that part of the site will be preserved by digging deep down for a tunnel. However, regarding the tunnels, the widening of roads into dual carriageways and particularly the flyover on the eastern end of the site, I seek reassurance that at the very least we are doing everything in our power to ensure that we do not damage this precious environment and that, if we find we are doing so, we take other steps.

I wish to make three points in connection with the issues I have raised. The first is about the academic, archaeological response that has been made to the consultation, which it is only right to put on record. The second is the response of UNESCO and the International Council on Monuments and Sites to the proposals as they stand. The third is about the relationship we have with world heritage sites and how we might seek to develop that relationship in the future.

James Gray (North Wiltshire) (Con): I, too, am a medieval historian, so I welcome my hon. Friend's presence. I welcome the interest he has shown and some of the fascinating things he is saying about the stones. As well as considering those three reports, will he also consider the interests of the people of Wiltshire, Somerset and neighbouring areas who have for many years spent large parts of their time in a traffic jam alongside the stones? It has become entirely intolerable. Will he also consider the question of the way in which the stones are ruined by the presence of vast quantities of traffic above ground? Although we have, of course, listened to what he has to say about archaeology, surely we have to find a way of easing the traffic for local people and improving the environment of the stones.

Alex Burghart: I am grateful to my hon. Friend for his comments. I am one of those people who have sat on the A303 on a hot summer's day in stationary traffic with an agitated child in the back and a wife looking at me as though to say, “We should have taken a different route.” The last time I went on the A303 in summer, we

were in stationary traffic for two hours because the President of the United States had decided he would visit Stonehenge that day. The security forces of the United Kingdom and the USA had bilaterally decided to stop everything going east and west without telling us what was going on. I fully acknowledge that there is a traffic problem on the A303 and that local residents have a right to ask for that problem to be solved. I am an Essex MP; I do not wish to go into alternative routes. I am seeking assurances from the Government that, whatever decision is made about where the road does or does not go, we have foremost in our minds a determination to preserve this completely unique environment.

First, I turn to the comments made by the group of 22 experts who have worked at Stonehenge over the past 10 years. They have raised particular concerns that the “creation of new sections of dual carriageway and slip roads at each end of the tunnel, within the boundary of the WHS, would set a dangerous precedent by allowing large-scale destructive development within a WHS”.

I will turn to that point again in a moment. They also said:

“The construction of the portal at the west end...and new sections of road in its vicinity, would damage an area with an unusual and nationally important concentration of long barrows” belonging to the millennium prior to Stonehenge. They said:

“The proposed new road would cut across the site of a settlement from the time of Stonehenge’s construction, perhaps where the builders of its Bronze-Age phase once lived...At the tunnel’s eastern end, construction of its portal may affect groundwater conditions which could harm nationally important Mesolithic remains at the site of Blick Mead.”

The 22 archaeologists are employed by UK universities. Many were employees of various universities or English Heritage when doing research at Stonehenge. Seven of them are members of the A303 Scientific Committee at Stonehenge. It is a very good thing, which was set up to ensure that the process gets good advice on limiting the damage of the current proposals. However, its remit does not extend to looking beyond that; those are the terms of engagement. Seven members of the scientific committee were sufficiently concerned to make their own submission to the consultation.

I do not know the best way of doing this, as I do not wish to read out all 22 names, but I hope they can be in some way included in the *Official Report*. [Interruption.] I am being told to read them into the record. They are: Professor Mike Parker Pearson, University College London; Dr Umberto Albarella, University of Sheffield; Dr Mike Allen, Allen Environmental Associates; Dr Barry Bishop, University of Buckingham; Professor Nick Branch, University of Reading; Dr Christopher Chippindale, University of Cambridge; Professor Oliver Craig, University of York; Dr David Field, formerly of English Heritage; Professor Charly French, University of Cambridge; Professor Vince Gaffney, University of Bradford; Paul Garwood, University of Birmingham; Professor David Jacques, University of Buckingham; Dr Nicholas James, University of Cambridge; Dr Joshua Pollard, University of Southampton; Professor Colin Richards, University of the Highlands and Islands; Dr David Robinson, University of Central Lancashire; Professor Peter Rowley-Conwy, University of Durham; Professor Clive Ruggles, University of Leicester; Dr Colin Shell, University of Cambridge; Professor Julian Thomas, University of

Manchester; Professor Christopher Tilley, University College London; and Professor Kate Welham, University of Bournemouth.

They have concerns, and further concerns have been raised by a different body that worked on the Blick Mead archaeological site in the east. The principal concern there is about the water table, since the deoxygenated environment, as I have explained, is extremely helpful in preserving organic matter from a long time ago. They are concerned about two aspects of the proposed route: that the extension of dual carriageway could create additional weight on the road, squeezing water out of the site; and that the weight of the flyover could squeeze the soil down, again pushing water out.

Such concerns are understandable from a professional viewpoint, given that in 2000, an extraordinarily important Mesolithic site in North Yorkshire called Star Carr was damaged when drainage ditches—which, I believe, had been approved by heritage organisations—were cut through. That has caused irreparable damage to a truly remarkable site. For the record, the academic paper charting what happened at Star Carr can be found in *Proceedings of the National Academy of Sciences of the United States of America*, November 2017, “Lessons from Star Carr on the vulnerability of organic archaeological remains to environmental change”. Within a short period from the changes being made to the Star Carr environment, irreparable and irreversible damage was done to its archaeology.

I was pleased to see in chapter 11 of the Highways England preliminary environmental information report that the potential impacts of the construction of the scheme at the eastern end—over the Countess roundabout—were being looked at. Some opportunities to avoid or mitigate the impacts by influencing the design of the proposed scheme were noted. However, from the information given in that document, it is very difficult to see exactly how Highways England has reached its conclusions. There is no account of what it envisages the weight of the road being, or the weight of the flyover. It is very difficult—indeed, impossible—to tell what minimisation looks like in this context. Does minimisation mean an absolutely negligible impact? I sincerely hope so. Either way, we deserve to have that information, so that we can ascertain whether the conclusion that the

“proposed scheme would have no likely significant permanent adverse effects”

is true, and if so, the extent to which it is true.

Dr Murrison: My hon. Friend is being very generous. Would he acknowledge that there is a clear and present danger, not only to people who live and breathe in villages such as Chitterne, with the rat-running that currently goes on, and Chicklade, which sits along the route of the A303 and is blighted by that road at the moment—their lives are being adversely impacted by the A303—but to the built environment, which is also being adversely impacted? We need to do something about that. The proposals for Stonehenge would go some way towards improving those settings, the lives of those who live there and the built environment in the sorts of villages I have described.

Alex Burghart: I thank my hon. Friend for those remarks. As I said to my hon. Friend the Member for North Wiltshire (James Gray) a moment ago, I fully

[Alex Burghart]

understand the need for some form of road improvement in the area. All I am asking for is an assurance that we are doing everything in our power to protect the archaeological environment.

James Gray: I am so sorry to interrupt once again. It really is the most interesting speech, and we are learning a great deal. My hon. Friend says in passing that some form of road improvement might be necessary. That matter has concerned the road traffic authorities and the people of Wiltshire for two or three generations. It goes right back to the first world war—that was the first time people started talking about what we were going to do about Stonehenge. Therefore, simply to say, “Oh, I’m very worried about the archaeology, and if we can’t save it we must find some other way of doing it,” is not enough. If he does not like the flyover at the Countess roundabout, what else does he propose?

Alex Burghart: I think I made it clear to my hon. Friend the Member for South West Wiltshire (Dr Murrison) that I am not a road engineer. I am a simple Member of Parliament with a historical and archaeological bent. The experts should find a means of answering such questions. It may be, for all I know, that they have already done so, but from the information that I have seen and that has been made available to the public, my concerns have not been allayed. Clearly, the archaeological community and international community have not had their concerns allayed either.

UNESCO and its sister group in the UK, the International Council on Monuments and Sites, have said on a number of occasions that the current proposals are not what they would wish. To quote UNESCO from earlier this year, the project is

“not adequate to protect the authenticity, integrity and Outstanding Universal Value (OUV) of the property.”

In April of this year, ICOMOS said:

“ICOMOS-UK wishes to register a strong objection to these proposals in view of the substantial negative and irreversible impact we believe that the dual carriageways at both ends of the tunnel would have on the attributes of OUV of the WHS of Stonehenge, Avebury and Associated Sites.”

Unless we can allay those fears, there is a danger that the status of the world heritage site will be affected. That would be extremely bad for us all, and is something that I am sure none of us wants, although I acknowledge that local MPs and local constituents will want improvements in the area.

I must put on the record the fact that my hon. Friend the Member for Salisbury (John Glen) is here. As a Minister, he is unable to speak. I am very sorry he is in that position, because I know that he would want to raise a lot of issues on behalf of his constituents.

Steve Double (St Austell and Newquay) (Con): Does my hon. Friend acknowledge that it is not just local MPs in Wiltshire who want the dual carriageway to be built, but MPs from across the south-west, particularly in Cornwall, Devon and Somerset, where we rely heavily on tourism? The fact that we have only one main trunk road linking us to the rest of the country is a real barrier to the growth of the tourism industry. The establishment of a second dual-carriageway link would be a huge boost to our local economy, and is vital to our economic future.

Alex Burghart: I thank my hon. Friend for his comments. I was on my way to Cornwall when President Obama so rudely interrupted my holiday, so I appreciate my hon. Friend’s point.

My third and final point is broader. It is about the nature of world heritage sites and us, and it goes beyond what I have been saying about the Stonehenge site. We all know that we are bound by the world heritage convention of 1972—in particular, I am thinking of article 4. As someone who is more of a historian and archaeologist than an expert on travel policy, in looking at the papers I have been struck by the impression that when dealing with road improvements, or indeed any changes, around a world heritage site, the case seems to be back to front. If somebody wants to build a road, a dual carriageway or a motorway through a field, and it is clearly in the public interest to do so, the onus is on others to prove that it should not happen. In the case of a world heritage site, it seems to me that we have already established that the site needs to be preserved and protected. I am sure it is too late to do it in this instance, but in future I would like us to put the question the other way around.

It ought to be incumbent on developers to show that they are not harming the fabric of such a site. I say that for one simple reason. Anyone who has worked in archaeology knows the importance of the Rumsfeldian dictum that there are “unknown unknowns”—one simply does not know what one has not yet found. However, we know that at this site, everywhere we look, every time a new technique is developed, we find something more—something that we did not expect to find, and that tells us something else about our deep and significant past.

We have to think very carefully about our obligation to the past—our obligation to retain extraordinary and unusual things that have been left to us, so that we can pass them on. I hope that there is a way of doing that while satisfying the real concerns of people in the south-west, and in Wiltshire and the surrounding area, about the traffic problems. However, it is important for us to think very hard about protecting a site such as Stonehenge.

Several hon. Members *rose*—

Sir Graham Brady (in the Chair): Order. I call Mr James Gray.

4.54 pm

James Gray (North Wiltshire) (Con): Thank you, Sir Graham, for calling me. My intention was not to speak in the debate at all, not least because I am the MP for North Wiltshire, which is some 20 or 30 miles away from Stonehenge. My constituency therefore does not face the direct impact that will be suffered by, for example, the constituency of my hon. Friend the Member for Salisbury (John Glen). He is, of course, prevented from speaking because of his rank as a Minister. Sadly, that rank has never come my way, although there is plenty of time left. One can never tell—it could be on its way.

I enjoyed immensely listening to my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) introduce the debate. Even having studied Stonehenge for 20 years as an MP, and as a medieval historian for a great deal of time before that, I learned an enormous

amount from his speech, and I congratulate him on it. There was a huge amount of interesting information there that I, for one, simply did not know, and he made some incredibly important points.

I think my hon. Friend spoke for the people as a whole, and for everyone who is concerned about the issue. Of course, I suspect that hardly anyone wants to destroy or damage the archaeology around Stonehenge. We all want to do everything that we can to preserve it; there is no question about that. We do not want one blade of grass that is of historic interest to be damaged by the proposal, and of course we must do everything that we can to preserve the site. That is why so many experts have been involved in the project for so many years.

I think my hon. Friend has missed two things. First, we have to do something. He mentioned that he has been down to Cornwall on holiday on a couple of occasions, and was once stuck in traffic thanks to President Obama. From listening to BBC Radio Wiltshire, I can tell hon. Members that the A303 at Stonehenge is chock-a-block, morning, noon and night, seven days a week. It is the most extraordinary piece of traffic congestion in the country. That does not only affect local people and tourists trying to get down to the south-west—I very much agree with my hon. Friend the Member for St Austell and Newquay (Steve Double) that it is an important traffic link to the south-west—but the stones themselves.

Secondly, of course it is right that a UNESCO world heritage site should be preserved in the way my hon. Friend describes—no one denies that, but I find it hard to imagine that UNESCO could allow a site such as Stonehenge, one of the finest sites in the world, to have a traffic jam through the middle of it. Quite rightly, we decided to close the branch road that goes up towards Devizes. That road was closed because it damaged the site; it went right through the middle of it. Closing that road has actually made the traffic problems worse, but the A303 is within a yard or two of the heel stone. We are talking about the most appalling traffic jam right beside the stones. We may have traffic jams here, outside the Tower of London or Westminster Abbey, but what we see at Stonehenge is significantly worse than that. I cannot imagine why, from a heritage standpoint, anybody could do anything other than welcome the fact that this road is going to be moved. It has to be moved. It is an absolute bunion—a carbuncle, in the words of His Royal Highness the Prince of Wales. It is an appalling sight and we have to do something about it.

My third point was missing from the speech given by my hon. Friend the Member for Brentwood and Ongar, which was extremely well thought through. Of course we have to preserve the archaeology, but we have to do so in a way that modern people can appreciate, and in such a way that they can live their lives. At the moment, that is not happening.

Something has to happen and people have been considering the matter for generations now. The proposal we have come up with seems to me to be the least bad of the options available to us. Of course, there may be some downsides and a bit of impact from the weight of the flyover and one or two other things, which we will try to make better, but we have got to do something. In reply to an intervention, my hon. Friend the Member for Brentwood and Ongar said that that was not a

matter for him—he comes from Essex and does not know anything about road engineering. He knows about wetlands and things of that kind, but he does not understand the realities of the place itself. He does not understand the misery that local people and tourists to the west country are currently going through.

In considering my hon. Friend's very fine and important archaeological points, it is also necessary to consider at the same time how those things can be sustainably maintained—in other words, kept in their pristine condition in a way that allows modern people to live their modern lives.

Tim Loughton (East Worthing and Shoreham) (Con): Will my hon. Friend give way?

James Gray: Of course, I am happy to give way to my hon. Friend from Essex.

Tim Loughton: Or indeed, Sussex. I am grateful to my hon. Friend. I am sure that everyone here would agree that the imperative is to make sure that when he inevitably gets his ministerial car, it can speed without any encumbrance across the A303 to his constituency. Will he acknowledge that the Stonehenge UNESCO world heritage site was in place almost 5,000 years before the invention of the internal combustion engine? While we absolutely need to make sure that modern life can be compatible with its preservation, will he acknowledge that the problem with the scheme is that it does not sufficiently take account of the heritage value of the site? The site is not just the stones themselves. It is a much wider area that is of significant archaeological importance, as recognised in the wider UNESCO world heritage site—one of only 31 such sites in this country.

James Gray: I am most grateful to my hon. Friend for his intervention, but I must correct him on two small points. It shows how little he knows of the geography of the area. If someone were to travel in their ministerial limo from north Wiltshire to London, they would not go anywhere near Stonehenge—they would be some 30 miles away from it. One of the first things he ought to do is to take a glance at a map of Wiltshire and find out exactly what is affected by this proposal.

Secondly, when he says that the UNESCO world heritage site was in place 5,000 years ago, I suspect that UNESCO was not around 5,000 years ago. None the less, that is a small oversight on his part.

Of course, we are all *ad idem*. We are in agreement. All of us in this room are in agreement on these matters, and it is quite wrong to try to make it into an argument. We are all in agreement. There is no question about that. Of course we must do absolutely everything in our power to preserve the archaeology, the heritage, the wildlife and the biodiversity of the area. It is an incredibly important area. We in Wiltshire are more proud of Stonehenge than almost anything else, apart from perhaps Salisbury Cathedral and Malmesbury Abbey—just to throw them in. Of course we must do those things, but we must do them at the same time as allowing modern people to live their lives.

Steve Double: My hon. Friend is making a powerful and well thought out speech. Does he agree that we have got to come to a balanced position, where we balance preservation against progress, and protecting the past against allowing the future to take place?

[*Steve Double*]

The one option we cannot allow is doing nothing. Something has to be done, but it has to be done in a balanced way that embraces both sides of the argument.

James Gray: My hon. Friend makes an extremely good summary of my points. He is absolutely right that this must be balanced.

I hope that the Minister will take account of the important points that my hon. Friend the Member for Brentwood and Ongar made in his speech. Of course we must take account of every single archaeological detail. We must do what we can to preserve this hugely important site, and we must improve the UNESCO world heritage site by removing the traffic from the middle of it. Of course all those things are true, but we must also find a way of allowing people in Wiltshire and throughout the west country to enjoy their way of life.

I personally believe that the conclusion we have come to with regard to the tunnel and the approaches to it is the least bad of the options available. Nothing is great and there are problems with it, but I think we have taken account of most of the issues as best we can. I very much hope that those who are responsible for these matters will have listened very carefully to the important points made by my hon. Friend, and where improvements can be made, I am certain that they will be, but I would be extremely concerned if those kinds of concerns were to cause the delay or, even worse, the failure of the scheme as a whole.

Sir Graham Brady (in the Chair): I remind hon. Members that we need to move to the wind-up speeches by 10 past 5. I call Dr Murrison. If you would exercise a little restraint, that would be welcome.

5.5 pm

Dr Andrew Murrison (South West Wiltshire) (Con): I shall be very brief. Like my hon. Friend the Member for North Wiltshire (James Gray), I did not intend to speak in this debate. I will start by declaring an interest. My home and a small piece of land that I own runs down to the A303, although much further west than Stonehenge.

I congratulate my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) on his speech. He did a great job in trying to steer that middle course between serving the interests of people who live and breathe today and our interest in archaeology, which we hold to be extremely important in Wiltshire. It is very much the repository for archaeology, and I know that my hon. Friend the Member for Salisbury (John Glen), who is unfortunately prevented from speaking because of his ministerial position, agrees with me that we must preserve all we possibly can. However, it is important to say that we cannot make an omelette without breaking eggs. It would be very foolish for any of us to suggest that archaeology is not going to be disrupted by the proposal for the A303.

My hon. Friend the Member for St Austell and Newquay (Steve Double) is absolutely right to say that a balance must be struck. In my opinion, the right balance has been struck. The tragedy would be if the project was delayed any more because we were concerned that we should not disrupt any piece of archaeology in this extremely cramped—in archaeological terms—site in

Wiltshire. I regret to say that that would be impossible. In the event that it was shelved, my constituents, who live alongside the A303 and who have their lives blighted on a daily basis by this extraordinary road, and those in all the villages roundabout that are used as rat runs when there is congestion on the A303, which is pretty much all the time, would have their lives blighted for years and years to come.

I have my own concerns, which the Minister will know about, about the choreography of some of the work, particularly in relation to the village of Chicklade. I will continue lobbying on behalf of my constituents to make sure that we get the second phase sorted out very quickly indeed. However, none of that should delay this crucial piece of work through Stonehenge. At this particular juncture, I think we need to just crack on with it.

I admire very much the extraordinary account by my hon. Friend the Member for Brentwood and Ongar of the history of the site. It seems to me that tunnelling under most of the archaeological remains is the most sensitive way of dealing with that, notwithstanding the poisonous gases to which he referred and of which I have to confess I was not aware. I understand his concerns about either end of this tunnel—particularly the Amesbury end—and I hope very much that we are able to approach the work in as sensitive a way as we possibly can, but it would be foolish for any of us to suppose that some of it will not be disruptive. That, I am afraid, is the price that we pay.

My hon. Friend referred to Stonehenge as a Mesolithic destination. Stonehenge was sited there for a reason: it was because it was accessible by tracks and by river. That is part of the reason Stonehenge is where it is. I think we sometimes have to give a little respect to the much-maligned A303; the part it has played in our history is sometimes understated and underestimated. It is important and is part of the overall Stonehenge story.

5.8 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Graham. I thank the hon. Member for Brentwood and Ongar (Alex Burghart) for opening the debate in such a fascinating way and drawing us into so much of the history, which he clearly has such a passion for. His sharing that was a privilege for all of us. He was absolutely right to remind us of the importance of our past and the still undiscovered past, which we will learn so much about. That is why today's debate is so important and timely, given the proposals, as an opportunity to reflect once more on how to preserve our heritage to ensure we still have the opportunity to dig into our past—literally—and understand our history.

This is also about our future—hon. Members made that point well. The air quality along the A303 has an impact not only on the site itself but on the residents living in the area. Air quality is a real challenge in many areas of our country. Road users are among those who experience the worst air quality. It causes 40,000 premature deaths in our country every year, so we urgently need more action on that front.

I recognise the importance of the site—I remember going there as a child, back in the days when people could run around the stones—but this is not just about the stones. The point was made eloquently this afternoon

that the whole of the site is significant—not just its aspect, but its richness and depth. It is important that the proposals preserve the site, because once it is damaged we cannot get it back. We really need to reflect on those considerations.

Several communities use the space. The local community, which uses it for commuting and obviously lives along the site, needs to find a resolution too. It is important that Wiltshire County Council looks at how to prevent rat runs, which hon. Members mentioned, and ensures that villages are not disturbed by traffic charging through them. There is more it can do to step up in that area.

Then there is the tourist traffic. I understand that about 1.58 million people go to visit Stonehenge every single year, which is of huge significance. We therefore need to understand how best to accommodate tourists. They do not have to park right next to the stones, and obviously there have been developments over time to pull that traffic further back. We need to think about how tourists approach the area and about whether we can do more to reduce the traffic using the area for that purpose. The Minister knows I am a keen advocate of modal shift. I have looked at the maps, and it is very doable on a bicycle—he and I are both cyclists. We must find alternative ways for people to reach the site and take that journey into Stonehenge. That is really important for the future.

There is also the east-west traffic, which moves down into the south-west. We want to see a significant modal shift in that area, so we have to think creatively. There are real opportunities: proposals are being put forward for peninsula rail—there is an aspiration for it to reach the south-west with Great Western. There are opportunities for a modal shift in the regular commute of those who use the road. We need to look at how to draw traffic off the road. One thing we know about road-building expansion is that it can lead to induced demand. Major expressways can suck traffic off other routes and leave us facing similar challenges.

Steve Double: I am listening very carefully to what the hon. Lady is saying, but can she clarify whether the Labour party supports the development of this new road and the solution of the tunnel under Stonehenge? It is important that those of us in the south-west understand what the Labour party's position is.

Rachael Maskell: I will get to that point shortly. I want to talk about the other opportunities we must explore to ensure a modal shift. That is at the heart of the Labour party's transport policy: we do not believe the future should be taken as it is now. We need to get people on to public transport, whether for leisure or business.

Scott Mann (North Cornwall) (Con): I accept the hon. Lady's point about modal shift, but people will be going on holiday to Cornwall and Devon in the next six weeks, and our population is likely to double. At the moment, they are stuck going down the M5 and the M4. Any alterations to the A303 will make a huge difference to the people coming to visit Devon and Cornwall, so I would really like to know what the Labour party's position is.

Rachael Maskell: As I said, I will come to that point shortly. In York, we get 7 million visitors a year, so I understand the challenges that the hon. Gentleman faces. We believe the Government can do far more on modal shift. Obviously, there has been a bit of a crisis in rail in the past week or so, but we know that rail is a significant player in moving people around our country. We want public transport to be the mode of choice for the future. That will have a significant impact on people travelling by car. That is at the heart of our policy.

The Government's proposal is a compromise. They are trying to do something to move traffic away from the current road location and take it through a tunnel, but it is a compromise and there are risks to their strategy. We recognise that there is a compromise on the resources. The question is not about the tunnel itself but about its length and the impact that cutting the throughways will have on either end of the tunnel. I learned a lot about water tables from the hon. Member for Brentwood and Ongar this afternoon. I did not realise the effect they can have on the moisture of the land. I will certainly go back and have a look at that issue. The Government need to look again at where the tunnel is cut and where it is placed. My response to the hon. Members for St Austell and Newquay (Steve Double) and for North Cornwall (Scott Mann) is that that point needs to be reviewed. We understand the significance of the site, and cutting the western end of the tunnel could have a significant impact on the long barrows, which we have heard about this afternoon.

Steve Double: Just to clarify, is the hon. Lady saying that the Labour party does not support the current plans and would not support the development of this road?

Rachael Maskell: I am saying that we believe there are other alternatives, which would be far more significant in reaching the right balance, which the hon. Gentleman talked about earlier. We certainly do not believe that the solution that is on the table at the moment is the only one that needs to be looked at. There are opportunities to get this right for everybody.

Serious concerns and objections have been raised about the proposal, not least by the archaeological community. We note that English Heritage and the National Trust support it, but English Heritage also supported making a change of real heritage significance in my constituency, and it was only prevented by pressure from the community. We wanted the right solutions to be put in place. Our focus must be on getting this right for the future.

We must also scrutinise the Government's decisions. In Transport questions just before the recess, I talked about ancient woodlands, and the Minister said that many ancient woodlands were planted only a couple of decades ago. The way he dismissed something that is important to the community of Arundel on the A27 puts doubt in my mind about whether proper work has been done on the detail, and about whether we have reached the ultimate conclusion. We clearly have concerns about the impact of the proposals on the archaeology. I look forward to hearing the Minister's reflections. I hope he will give us all confidence that everything is being done to ensure that the wider Stonehenge site is preserved.

5.19 pm

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): May I say on behalf of us all, Sir Graham, how brilliantly you have chaired today's proceedings with your normal aplomb and energy?

I congratulate my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) on securing the debate and on his excellent contribution. I was interested to learn that in his previous lives he has frolicked around the stones—I am sure not defacing but enjoying them, and I hope not breathing too close to the road—celebrating his druidical background. As such an erudite and scholarly man, he is a great adornment to the Commons. He has brought that bookish sentiment to this debate. If I may mis-quote John Osborne, with the current Member, there is no “book lack in Ongar”. I will allow the Chamber to enjoy that.

My hon. Friend quoted those famous experts in the area, Spiñal Tap. It would be wrong of me not to remind him of this important moment in the lyrics of “Stonehenge”, as he will recall from the film:

“Stonehenge! Where the demons dwell
Where the banshees live and they do live well
Stonehenge! Where a man's a man
And the children dance to the Pipes of Pan.”

Unfortunately, as matters stand, the children will not be able to dance, because they will probably get run over, and in any case they would not be able to hear the pipes because of the noise of a road travelling so close to the ancient ruins.

To engage with the point made by the hon. Member for York Central (Rachael Maskell), I thought her phrase the “undiscovered past” was a brilliant one and perfectly captured the proper concern that she and my hon. Friend the Member for Brentwood and Ongar framed. She was right to draw attention to air quality and the community-use aspects of the site. Her joy in cycling, I am pleased to say, will be enabled and furthered by the greenways planned as part of the renewal of the site, alongside the removal of the A303. I must, however, put it on the record that I am very surprised and, frankly, sorry that the Labour party's position is not to support the project. *[Interruption.]* I invite the hon. Lady to correct me. If the Labour party is ready to support the project, she is absolutely welcome to intervene and say that it will.

Rachael Maskell: I have made it very clear that we need to ensure that we have done absolutely everything possible to preserve the site. As I said, I was looking forward to the Minister's speech to convince me that that is the case.

Jesse Norman: I am grateful for that clarification—if it was one—so let me say this. If the hon. Lady wishes to intervene before I finish to say that I have given her such assurances, that will reassure the many people in Exeter and Plymouth who might be worried about whether the Labour party supports the project.

Let me frame the proposals in their wider context. As hon. Members know, the A303 is the most direct strategic route between the south-west and the south-east and indeed the east of England. That makes it a vital arterial corridor, as has been noted throughout the

Chamber during this debate. Several sections of the road, however, are single carriageway, causing congestion, delays and greater risk of accidents.

Would it were the case that only a visit from a serving President of the United States of America was required to interrupt the traffic and cause congestion. Tragically, as has been pointed out, congestion is absolutely an everyday feature—I visited the stones recently and sat in a traffic jam. The experience is a rotten one for all involved, awful for the site and not good for the stones themselves. Those points are sometimes forgotten.

One of the congestion points is precisely at Stonehenge. The distance of the road from the stones when it passes near them is 165 metres, or less than 200 yards, which is an astonishing fact. The sight, smells and sound of stationary traffic are brought directly into the centre of a unique prehistoric environment. That is bad for road users and local communities, while a world heritage site is cut in half and the setting of that iconic landmark is harmed. After many delays and many years of prevarication, therefore, the Government have decided that we need to take the chance to enhance the setting of such an extraordinary monument and to improve access to the surrounding landscape, while opening the south-west for further tourism and other business.

In the 2014 road investment strategy, the Government committed to a scheme at Stonehenge, and we are following through on that. The project is part of a longer-term strategy to create better links between the M3 in the south-east and the M5 in the south-west by upgrading the entire A303-A358 corridor to dual-carriageway A-road standard, thereby transforming it into a continuous high-quality route to the south-west, with significant benefits for tourism, jobs and the economy. As the House knows, we have already committed funding to three schemes: Stonehenge; the Sparkford to Ilchester stretch; and Taunton to the Southfields roundabout. The hope is to commit to the full upgrade of five other sections of road along that corridor in ensuing investment strategies.

The A303 and the Stonehenge site suffer significant congestion because of additional traffic. Given how little time I have remaining—I think only two minutes—I shall cut straight to some of the key points. The proposed road alterations include a twin-bore tunnel of at least 1.8 miles in length and other features mentioned today, such as the Longbarrow and Countess junctions. Both the Department for Transport and Highways England very much appreciate that the world heritage site contains an abundance of early prehistoric monuments. They are committed to minimising the impacts of the planned scheme. The heritage monitoring and advisory group, which includes a range of prestigious organisations, provides advice to ensure that heritage is at the fore of scheme design decisions, advising on archaeological surveys and the like. The scientific committee has directly influenced the scope of the archaeological evaluation strategy adopted for the scheme.

On Blick Mead, Highways England is carrying out an extensive heritage impact assessment to ensure that the scheme does not create unacceptable effects for important heritage features. It must be pointed out that Blick Mead is a full half-mile from the proposed entrance to the tunnel. The proposed use of a tunnel-boring machine means that the tunnel will be constructed in a sealed and watertight environment. There are a range of

other mitigations and a great deal of work being done on the water table and the hydrology, as my hon. Friend the Member for Brentwood and Ongar knows. The Star Carr site is in many ways not a relevant comparison, although it may serve as a warning, precisely because it was the victim of ill-thought-through land drains and acidification of the site, which I am afraid reduce its value as a comparator.

To round up, there will always be trade-offs of incommensurables of the kind that we have seen—between the history and value of a site, the economic, community and air-quality benefits to be had from it, and the like. The nature of politics is that we have to make such trade-offs, but only of course with the most careful expert advice and scrutiny, for the minimisation of the impacts, as we have discussed. In this case, we must be philosophers in practice. I would like to think that the Government have done everything that they can to strike the right balance along the lines that I have described.

5.28 pm

Alex Burghart: I thank the Minister for his comments, and I thank all my colleagues for coming and defending the interests of their constituents. I hope that I made my point in defending the interests of the archaeological community, and that the Minister and all the interested parties do everything they can to ensure that the inherent value of the archaeology of the Stonehenge world heritage site remains at the forefront of all our minds.

Question put and agreed to.

Resolved,

That this House has considered proposed road alterations around Stonehenge.

5.28 pm

Sitting adjourned.

Written Statements

Tuesday 5 June 2018

TREASURY

Financial Services

The Economic Secretary to the Treasury (John Glen):

The Government have sold just over £2.5 billion-worth of Government-owned RBS shares, as part of the Government's policy to return the bank to private ownership: 925 million shares (representing approximately 7.7% of the bank) were sold at a price of 271p per share, reducing the Government's shareholding to 62.4%. The sale commenced on Monday 4 June when markets closed and concluded this morning, Tuesday 5 June, before markets opened.

This sale follows the progress RBS has made in addressing major legacy issues and is a further step in the Government's plan to return RBS in full to private ownership.

The Government received advice from UK Government Investments (UKGI) that selling shares through an accelerated book-build represented value for money for the taxpayer. The proceeds of this sale will go towards reducing our national debt.

It remains the Government's objective to return the bank fully to private ownership, and further sales will be made when it represents value for money to do so and market conditions allow. This is in the best interests of the taxpayer and the wider UK economy.

[HCWS734]

HEALTH AND SOCIAL CARE

Carers Action Plan

The Minister for Care (Caroline Dinenege): I am today publishing a "Carers Action Plan 2018-2020—Supporting carers today" in the week leading up to Carers Week (11 to 17 June).

The cross-government carers action plan is an essential step towards realising the Government's commitment to value, recognise and support carers to provide care in a way that supports their own health and wellbeing, employment and other life chances.

The plan sets out a two-year programme of targeted work to support unpaid carers. It puts a focus on practical actions to support carers and gives visibility to the work already under way or planned within Government.

In 2016, the Government ran a call for evidence to seek the views and experiences of unpaid carers. A summary of the 6,800 responses received will be published alongside the plan. Their contributions have informed its development and content, helping us to focus actions around the following five themes:

- Services and systems that work for carers
- Employment and financial wellbeing
- Supporting young carers
- Recognising and supporting carers in the wider community and society
- Building evidence and research to improve outcomes for carers

In this way, we will seek to build accessible carer-friendly communities and public services, promote innovative local projects and support carers to stay in work.

The Government recognise there is more to do and that is why the needs of carers will be central to the forthcoming Green Paper on care and support, as set out in the Secretary of Health's speech in March.

The plan has been developed in close collaboration with Ministers and officials in other Government Departments including the Government Equalities Office, Department for Education, Department for Work and Pensions, Department for Business, Energy and Industrial Strategy and Department for Digital, Culture, Media and Sport.

The Government want to ensure that caring is a choice or responsibility that is always recognised and valued. The publication of this carers action plan today is an important part of that commitment.

"The Carers Action Plan 2018-2020 [for England]—Supporting carers today" is available as an attachment online and on gov.uk.

Attachments can be viewed online at:

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-05/HCWS732/>

[HCWS732]

HOME DEPARTMENT

Biometrics Commissioner

The Minister for Security and Economic Crime (Mr Ben Wallace): My hon. Friend the Minister of State, Home Office (Baroness Williams of Trafford) has today made the following written ministerial statement:

I am pleased to announce that my right hon. Friend the Home Secretary is today publishing the fourth annual report of the Biometrics Commissioner, together with the Government's response.

The Commissioner, Paul Wiles, is appointed under section 20 of the Protection of Freedoms Act 2012. His responsibilities are: to decide applications by the police for extended retention of DNA profiles and fingerprints from persons arrested for serious offences but not charged or convicted;

to keep under review national security determinations made by chief officers under which DNA profiles and fingerprints may be retained for national security purposes;

to exercise general oversight of police use of DNA samples, DNA profiles and fingerprints.

His report is a statutory requirement of section 21 of the Protection of Freedoms Act 2012.

I am grateful to Mr Wiles for this report, which we have published in full.

Copies of the report will be available from the Vote Office. The Government's response will be placed in the House Library.

[HCWS736]

EU Information Systems

The Minister for Policing and the Fire Service (Mr Nick Hurd): The Government have decided to opt in (under the UK's JHA opt-in protocol) to a proposal for establishing a framework for interoperability between EU information systems (police and judicial co-operation, asylum and

migration) and not to opt out (under the UK's Schengen opt-out protocol) of the proposal, to the extent it affects the Schengen acquis in which we already participate.

The proposal will allow law enforcement and border guards to search all the relevant databases with a single query and will link together matching biometric information. It will also create links between related records, and will alert officials when potential multiple identities have been found. It covers three existing databases (Schengen Information System II, Visa Information System, EURODAC) and three planned databases (European Travel Information and Authorisation System, Entry Exit System, European Criminal Records Information System-Third Country Nationals). The UK participates in SIS II, EURODAC and ECRIS-TCN.

The intended aim of the work is to prevent incorrect or fragmented data amongst JHA databases and improve their efficiency and usage by law enforcement. This should prevent identity fraud and reduce inconveniences to honest travellers due to errors or similarities in biographical information. This will have benefits for UK policing being able to identify third country nationals who are victims, witnesses or suspects of crimes and terrorist incidents. It will also improve the quality and scope of data available to asylum officials. The Government support the aims of this work and have made this decision to maximise the benefits to the UK from access to these databases.

The decisions announced here have no implications for our general opt out from the internal border-free zone established by Schengen.

Until the UK leaves the EU it remains a full member, and the Government will continue to consider the application of the UK's right to opt in to, or opt out of, forthcoming EU legislation in the area of justice and home affairs on a case by case basis, with a view to maximising our country's security, protecting our civil liberties and enhancing our ability to control immigration.

[HCWS735]

WORK AND PENSIONS

Personal Independence Payments

The Minister for Disabled People, Health and Work (Sarah Newton): Personal independence payment (PIP) is a modern, personalised benefit that assesses people

on needs not conditions. PIP is a fairer benefit than the old DLA system as it takes a much wider look at the way an individual's health condition or disability impacts them on a daily basis.

We are constantly looking at ways to continually to improve the PIP service. In response to Paul Gray's second independent review and the recent Work and Pensions Select Committee report we outlined numerous further improvements to the PIP service. This included numerous measures to improve the clarity of our communications products and increasing the level of clinical coaching, feedback and support available to each assessor.

A key part of our efforts to improve the assessment process will be making video recording of the PIP assessment a standard part of the process. We will be piloting videoing the assessment with a view to then rolling this out across Great Britain.

We have seen improvements in the overall quality of assessments since 2015 but we recognise there is still more to do to deliver the high quality of service those claiming PIP rightly expect. We will continue to work closely with stakeholder groups and our assessment providers to improve the quality of claimant communications, assessments, decision making and the overall claimant experience.

It is vital for claimants that we continue to have a stable service. My Department therefore intends to explore options to extend the current contracts for approximately two years as this will better allow for a stable transition to any new provision. At the same time we will look to enable more providers to deliver PIP by developing a DWP owned IT system. Throughout this period we will continue to focus on improving the service and the experience of claimants and offering the best value for money for the taxpayer.

We remain committed to understanding how the benefit is working and to continuous improvement in this space. Furthermore we remain committed to working closely with claimants and the organisations who represent them, and will continue to do so.

The measures I have outlined today will improve the claimant experience and we will continue to work with stakeholders to identify and implement further improvements to ensure we are delivering the high quality service claimants rightly expect and deserve.

[HCWS733]

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