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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 13 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

WALES

The Secretary of State was asked—

Universal Credit

1. **Anna McMorrin** (Cardiff North) (Lab): What progress is being made on the roll-out of universal credit in Wales. [905727]

5. **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What progress has been made on the roll-out of universal credit in Wales. [905731]

8. **Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): What progress is being made on the roll-out of universal credit in Wales. [905734]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Universal credit is already operating in 15 jobcentres across Wales, with a further nine scheduled for roll-out this month. The number of people receiving universal credit in Wales is now over 40,000, and 36% of them are in employment. Wales's jobcentres are in the latter part of the roll-out schedule and will be fully in place by December this year.

Anna McMorrin: My constituent suffers from Huntington's and early onset dementia. As a result of a 10-week delay to receive universal credit, her rent arrears went up £1,000. A couple of weeks ago, she attempted suicide. Thankfully, I managed to help her on this, but there may be other cases in Wales just like it. Will the Secretary of State work with his colleagues and revise this damaging policy?

Stuart Andrew: I obviously cannot comment on the individual case, but I am sorry that the hon. Lady's constituent was in that position. We have tried to do everything we can to ensure that the roll-out has been as smooth and as slow as possible, and where we have had issues such as those that she raised, we have made changes. That is why my right hon. Friend the Chancellor made the announcement in the Budget about the changes—we want to deal with the housing issues that she raises.

Stuart C. McDonald: The IPPR, Shelter Cymru, the National Assembly's Equality, Local Government and Communities Committee, the Bevan Foundation and the Trussell Trust all argue that Wales should have the same powers that the Scottish Government have been using so effectively to mitigate this Government's

horrendous social security cuts. Why will the Conservative Government here and the Labour Government in Cardiff not make it happen?

Stuart Andrew: My understanding is that there has never really been consensus on devolving this to Wales. I also point out that the Scottish Government have many of these powers and are yet to use them.

Mr Sweeney: In Scotland, the transfer from disability living allowance to personal independence payment has resulted in a total of more than £56 million being lost in annual payments. In my constituency, the total loss to people with disabilities is over £2 million a year, so what assessment has the Secretary of State made of a similar impact on disabled people in Wales?

Stuart Andrew: The reason we have introduced PIP is to make sure that people who are living with disabilities are able to have as independent a life as possible. The problem with the old system of DLA is that people were given the payment and their needs were never reassessed. That is the reason why with PIP, we are making regular assessments, so that as those conditions may deteriorate, they will get more support. I also point out that more people are getting the higher rate of PIP than they did of DLA.

Mr Mark Harper (Forest of Dean) (Con): Will the Minister reflect on the fact that it is welcome that the Secretary of State for Work and Pensions has put measures in place to make sure that there is no delay in people getting universal credit, and that it is worth reminding people that universal credit means that it always pays to take a job, and that people are better off as they move up the income scale in work? Those are the important benefits of the policy that people need to be reminded of every day of the week.

Stuart Andrew: My right hon. Friend is absolutely right. People who are on universal credit are spending 50% more time looking for a job than they did on jobseeker's allowance. They are getting into work quicker and when they are staying in work, they are staying there longer. The figures are quite staggering: 86% of people on universal credit are looking to increase their hours, because they can do so, compared with just 38% on JSA.

Chris Ruane (Vale of Clwyd) (Lab): The Department for Work and Pensions' own figures show that 44% of universal credit claimants have seen their arrears rise by the time that they are nine months into their claim. Many of these claimants are vulnerable because they have issues with mental ill health, literacy and using computers, or they may have experienced domestic violence and recent bereavement. Whatever the reason, nearly half of them are suffering financially as a result of universal credit. Will the Minister and his team meet Opposition Members and advice agencies from Wales to discuss these issues and to see how we can improve this dreadful situation?

Stuart Andrew: There are a number of reasons why people who come to universal credit have arrears—I presume that the hon. Gentleman is talking about housing costs arrears and rent arrears. Some of those people

had arrears when they were on JSA. That said, we have listened very carefully. That is why in the Budget we made provision that from now on, people who are going on to universal credit will have two weeks' extra payment to address that need.

Swansea Bay Tidal Lagoon

2. Kelvin Hopkins (Luton North) (Ind): What recent discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy on the Swansea Bay tidal lagoon. [905728]

The Secretary of State for Wales (Alun Cairns): I have regular discussions with Ministers at the Department for Business, Energy and Industrial Strategy on energy matters pertaining to Wales. A statement on the proposals for the Swansea Bay tidal lagoon will be made in due course.

Kelvin Hopkins: The Swansea Bay tidal lagoon is vital to Britain's future energy supplies and is the first of many major schemes to harness the vast marine energy resources around our shores to generate electricity and switch the country to renewables, to reduce and prevent climate change. That is now urgent. Given that, among other things, the Welsh Government have offered to help pay for it, when are the Government going to stop dithering and make the scheme happen?

Alun Cairns: I would really like the tidal lagoon to go ahead, but of course it must prove to be value for money. Tidal projects could have a positive energy potential, but of course they must deliver value for money for the taxpayer. A number of proposals have been made, and I am not sure whether the hon. Gentleman is supportive of just the project he mentions or marine and tidal projects in general.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Secretary of State is fast becoming the grim reaper of Welsh politics—the bearer of bad news. When he pulls the plug on the lagoon there will be huge public anger in Wales. Many people back in the motherland will be left asking not only what the point of the current Secretary of State is, but what the point of having a colonial Secretary at all is.

Alun Cairns: I am disappointed with the tone the hon. Gentleman takes. I would hope that he would recognise the fair funding settlement that we got for Wales—something that the Labour party ignored for 13 years; the Severn tolls announcement; and the city and growth deals that we have got. For Swansea there is a £1.3 billion scheme, and the Cardiff scheme is the biggest in the UK. I hope that demonstrates the value that a Secretary of State for Wales can bring.

Carolyn Harris (Swansea East) (Lab): Electrification—we have not had it. Tidal lagoon—if the *Financial Times* is to be believed, we are not going to have it. When is the Secretary of State going to start speaking up for the people of Wales?

Alun Cairns: No announcement has been made on the tidal lagoon because we are still looking at the numbers. We are doing anything and everything possible

to try to make this fit. The hon. Lady should not want it to go ahead if it is not good value for money for the taxpayer. She will be well aware that Tata is an energy-intensive industrial site right next door to the site for the proposed tidal lagoon. I do not think she or any other Member would want to increase energy prices in a way that could put those jobs at risk.

Geraint Davies (Swansea West) (Lab/Co-op): Will the Secretary of State point out to the Business Secretary that once nuclear energy commands 12% of global output, we will run out of uranium in 10 years and the price will go up, as will the price of fossil fuels, because we cannot use 80% of them if we are to fulfil the Paris agreement, whereas the price of energy from the lagoon will go down over 100 years? Will the Secretary of State point that out, rather than just sit there doing nothing?

Alun Cairns: I am glad the hon. Gentleman mentions the Wylfa project, because it is a great demonstration of the Government being prepared to look at the financial model and adjust it in order to make projects happen. It will be the biggest infrastructure project in Wales for well over 30 years, and it provides fantastic prospects. I hope that tidal and marine energy could offer the same, but we should want a scheme only if it is good value for money.

Christina Rees (Neath) (Lab/Co-op): When the people of Wales and the Welsh Labour Government can see the merit of the Swansea Bay tidal lagoon to the extent that they are prepared to invest more than £200 million to achieve the benefits in jobs, growth and cheap, clean renewable power, why will the Secretary of State's UK Tory Government not even go as far as to sign the same deal they have already concluded with the French and Chinese Government to pay £92.50 per megawatt-hour for nuclear electricity that will be produced at Hinkley C for the next 35 years?

Alun Cairns: The hon. Lady raises an important point, because she talks about projects that are value for money. Of course £92.50 was rightly highlighted as extremely expensive at the time, and we said that that would be the highest we would pay for such energy projects. We have already said that the tidal lagoon, under the current proposals, would be twice the price of nuclear, so clearly we would not want to be in that position. I should add that I really want this project to happen if it is good value for money for the taxpayer, and my record is strong. I was the one who took Tidal Lagoon Power to meet the special advisers at No. 10 at the very beginning of this process in 2012, and it was from that moment on that the project was taken seriously.

Christina Rees: The whole of Wales is waiting for this decision, because the tidal lagoon project is not just about Swansea. If the Secretary of State's UK Tory Government accept Carwyn Jones's kind offer, tidal lagoons for Cardiff, Colwyn Bay and Newport will quickly become real prospects. They could bring jobs and prosperity to the whole of Wales and boost our vital steel industry. This is about the development of technological innovation and bringing it to the point of full commercial productivity. That is what we do in Wales, in stark contrast to the way the Government have proceeded. Were the Government to participate in

a general election in the next few months, what exactly would the Secretary of State be able to claim as the industrial or infrastructure achievement that they have delivered for the people of Wales?

Mr Speaker: I sometimes wonder whether the hon. Lady's questions are more in the manner of an academic thesis. I trust that they will be published, because they are in *Hansard*.

Alun Cairns: The hon. Lady referred to the Welsh Government's commitment of £200 million, but that is merely a small fraction of the cost of the proposal. We are working with the Welsh Government: we have shared our financial analysis of the project and they have not rejected or pushed back on the sharing of that data. That demonstrates the collaborative approach to the project that we want to take. I point out to the hon. Lady that the city and growth deals throughout every part of Wales are a good demonstration of the industrial strategy and of how the UK Government are committed to development and growth in Wales.

Mr Speaker: I call Michael Fabricant.

Michael Fabricant (Lichfield) (Con): Diolch yn fawr, Mr Speaker.

Mr Speaker: Very good—well done!

Tourism

3. **Michael Fabricant** (Lichfield) (Con): What recent discussions he has had with the Secretaries of State for (a) Digital, Culture, Media and Sport and (b) Environment, Food and Rural Affairs on promoting Wales as a tourist destination; and if he will make a statement. [905729]

The Parliamentary Under-Secretary of State for Wales (**Stuart Andrew**): I have regular discussions with my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport, including about how we work together to promote Wales across the globe. Along with the Minister responsible for tourism, my hon. Friend the Member for Northampton North (Michael Ellis), I recently met key figures from our tourism sector to discuss the industry in Wales and the important role that the UK Government and VisitBritain have to play.

Michael Fabricant: Whether it be the beautiful beaches of the Gower peninsula, on which I entice my hon. Friend to join me one day, the Clink restaurant in Cardiff prison, or whitewater rafting—I could go on and on—

Mr Speaker: But you won't.

Michael Fabricant: But I won't; does my hon. Friend agree that the tourism offer in south Wales will be enhanced by the removal of tolls on the Severn crossing?

Stuart Andrew: Given my hon. Friend's participation in the programme "First Dates", I am somewhat perturbed by his proposition. Anyway, I agree that the removal of the tolls will show that Wales is open for business and

that we are determined to get people to come and visit the wonderful sights on offer in south Wales and throughout the country.

Albert Owen (Ynys Môn) (Lab): The fastest-growing industry in Wales is tourism, and as the Minister will know, the jewel in its crown is Anglesey, Sir Môn. Many businesses have been helped to establish themselves by the European social fund; how will that gap be filled post Brexit? Those businesses need the UK Government's help.

Stuart Andrew: Having been born and brought up on Anglesey, I have to agree with the hon. Gentleman that it is a wonderful place to visit. The European funding systems have been very complex and a source of frustration for businesses. We want to ensure that the UK prosperity fund is far more effective for exactly the industries that the hon. Gentleman refers to.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The 24 policy areas held back by Westminster in the European Union (Withdrawal) Bill have now, with Labour's seal of approval, been increased to include state aid. Why are the Government deliberately intervening to deny Wales the means to help ourselves?

Stuart Andrew: The Government are absolutely determined to make sure that our exit from the EU is as smooth as possible and benefits every part of the United Kingdom. We will make sure that in that process, we fight Wales's corner in every part of Whitehall.

Liz Saville Roberts: Last night, the Unionist parties showed their complete contempt for devolutionists by collaborating to ensure that we had no longer than 18 measly minutes to debate the fate of our national democracies. Is this another attempt by Westminster to defeat what a former Prime Minister once described as the "enemy within"?

Stuart Andrew: I have the utmost respect for the hon. Lady, but I completely disagree with her. I am a proud Unionist and I am also proud to be Welsh. I have to say that it was not Members on the Conservative Benches who curtailed the debate; it was the Opposition, who pushed every single Question to a Division.

Chris Evans (Islwyn) (Lab/Co-op): It may be a small thing, but one way of attracting tourism to Wales is to clean up our verges and our roads. There is nothing worse than coming to Wales and seeing rubbish thrown across the sides of the valleys. What are the Government doing to speak to the Welsh Assembly and local councils to ensure that they are cleaning up their roads to attract more people to Wales?

Stuart Andrew: The hon. Gentleman is right. It is actually issues such as that that matter a great deal to people and give a good impression. That is exactly why we have given more and fairer funding, to the Welsh Government. My understanding is that it is £120 per head at the moment.

Heathrow Expansion: Benefits for Wales

4. **Paul Masterton** (East Renfrewshire) (Con): What steps he is taking to ensure that Wales benefits from the expansion of Heathrow airport. [905730]

The Secretary of State for Wales (Alun Cairns): Heathrow airport is an asset for the whole of the United Kingdom and we will make sure that the benefits of expansion are shared as widely as possible.

Paul Masterton: Does my right hon. Friend agree that the logistics hubs are absolutely vital to ensure that places such as Wales and Scotland benefit from Heathrow's expansion plans?

Alun Cairns: My hon. Friend is right, and I know that he is keen to gain a logistical hub in Scotland, which demonstrates that Heathrow airport expansion is a project not just for London and the south-east, but for the whole of the UK. I was in Shotton just a couple of weeks ago, one of the potential sites for a logistical hub, so I suspect that we may be in competition.

Jo Stevens (Cardiff Central) (Lab): Does the Secretary of State agree that the demand for the Heathrow rail spur link is of paramount importance now, and that the original date for implementation and opening of 2020 should be adhered to?

Alun Cairns: The hon. Lady raises an important point. Public transport is an important part of the expansion of Heathrow, including the western rail link. I am as keen as she is to see that progress as quickly as possible.

Jack Lopresti (Filton and Bradley Stoke) (Con): I welcome the moves that my hon. Friend is taking to ensure that Wales benefits from Heathrow expansion. I have a Heathrow hub in my constituency, just on the other side of the Severn. Aside from removing the tolls on the Severn bridge, which is an excellent thing to do, what else is he doing to try to strengthen economic links between the south-west of England and Wales?

Alun Cairns: My hon. Friend raises an extremely important point, because the removal of the Severn tolls creates a great opportunity to create and generate a new economic region. I held a Severn growth summit in Wales in January, and more people attended from the south-west of England than from Wales, which demonstrates the will to combine the capacity of the area to compete with the northern powerhouse, the midlands engine and London and the south-east.

Ian C. Lucas (Wrexham) (Lab): Liverpool and Manchester airports serve north Wales. Will the Secretary of State ensure that those airports, which want further contacts with Heathrow, are not relegated to a position behind Heathrow on the issue of service access to airports?

Alun Cairns: The hon. Gentleman makes an important point. He talks about Liverpool and Manchester. Part of the condition of the expansion of Heathrow airport and the construction of the third runway relates to the

protection of 15% of slots for regional airports around the UK, and Liverpool and Manchester stand to benefit significantly from that.

Community Transport

6. **Jessica Morden** (Newport East) (Lab): What discussions he has had with the Secretary of State for Transport on the potential effect on community transport providers in Wales of changes to the way in which section 19 and 22 permits are issued. [905732]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Community transport operators provide vital services to the people of Wales. The Government have recently consulted on how to align domestic law on section 19 and 22 permits with EU legal obligations, as well as updating existing guidance on permits. We are now analysing the responses and will respond in due course.

Jessica Morden: As the Minister said, community transport operators in Wales have many valuable functions, including helping isolated people get to the shops, doctors, friends and family. They will be hit very hard by Government changes in terms of extra licensing and certification. The Community Transport Association says that this will affect 95% of operators, so what will the Minister do to help the Department for Transport listen and make changes?

Stuart Andrew: I completely agree with the hon. Lady that community transport operators provide vital services, particularly in Wales, where there are an estimated 2 million passenger journeys over a total of 6 million miles. But we do have to align ourselves with the EU regulations, so we are consulting widely and looking at the responses in detail to ensure that we come up with the right answers.

Mr Philip Dunne (Ludlow) (Con): The Minister will be aware that community transport providers along the Welsh border play a vital role in helping patients get to hospital and undertake some school contracts. I encourage him to speak to his colleagues in the Department for Transport to ensure that these vital services continue, irrespective of the court ruling, so that these services can be maintained in rural areas.

Stuart Andrew: My hon. Friend is absolutely right. These services often carry some of the most vulnerable and isolated members of society, which is why we are being careful to consult widely. I assure him that I already have an appointment in the diary with the Under-Secretary of State for Transport, my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman).

Chris Elmore (Ogmore) (Lab): Bridgend Community Transport has some specific concerns about having to employ a transport manager costing in excess of £35,000. There is a real risk of that if the regulations go through after the consultations by the Department for Transport. May I ask the Minister, with all sincerity, to please be aware that these measures will have real implications if the Government simply do nothing to support community transport organisations?

Stuart Andrew: I am aware of the real concerns of many operators. I have seen a lot of letters that have come in. There have been more than 500 responses to the consultation, and 550 operators attended each of the events around the country. We will ensure that we look at this in detail. [*Interruption.*]

Mr Speaker: Order. We are listening to exchanges about the effect of section 19 and 22 permits on community transport providers in Wales, upon which we need to hear the inquiry of the right hon. and learned Member for Rushcliffe (Mr Clarke).

Mr Kenneth Clarke (Rushcliffe) (Con): Will my hon. Friend press his colleagues in the Department for Transport to query the legal advice that has changed the interpretation of these European Community rules, because it seems to be ultra-cautious? Will he ensure that genuine community services with unpaid, voluntary drivers and unpaid staff—providing services that no commercial operator would provide—are not put out of business by quite unnecessary regulations and costs?

Mr Speaker: In Wales.

Stuart Andrew: Yes, indeed, in Wales, Mr Speaker. Well, I defer to my right hon. and learned Friend's expertise in all matters legal. I would therefore, perhaps, in preparation for my meeting with my hon. Friend the Under-Secretary of State for Transport, ask for my right hon. and learned Friend's guidance and advice so that I can present a case for the people of Wales.

Air Pollution: Chepstow

7. **David T. C. Davies (Monmouth) (Con):** Whether he has had discussions with local councillors in Monmouthshire on air pollution in Chepstow; and if he will make a statement. [905733]

The Secretary of State for Wales (Alun Cairns): I have met Monmouthshire county councillors and share their concerns regarding air pollution around Chepstow. The abolition of the tolls on the Severn crossings represents a huge opportunity for economic growth in Chepstow and Monmouthshire, but we must also be alive to those sorts of pressures.

David T. C. Davies: I thank my right hon. Friend for the interest that he has taken in this issue. Will he continue to press the Welsh Labour Government to fulfil their obligations by building a Chepstow bypass and showing the same commitment to clean air and a better environment that is being shown by this Conservative Government?

Alun Cairns: My right hon. Friend the Secretary of State for Transport has established a strategic roads group in Britain, in which we can discuss cross-border issues. A meeting was held just last week. I am disappointed that the Welsh Government were not present, but we can continue to engage on a positive basis to ensure that these cross-border opportunities are exploited to the best of our ability.

Ben Lake (Ceredigion) (PC) *rose*—

Mr Speaker: I was about to say to the hon. Gentleman that Ceredigion is a considerable distance from Chepstow, but I am sure that he will construct his question in terms that make it orderly.

14. [905740] **Ben Lake** My colleague Simon Thomas is leading the way on tackling air pollution and has proposed a clean air Act for Wales. Does the Secretary of State agree that there is a case for transferring responsibility for fuel duty income so that the National Assembly has the additional resources to tackle air pollution?

Alun Cairns: The hon. Gentleman makes an extremely important point about air quality, which is why the Government have launched their clean air strategy. There have been significant improvements in this field since 2010, but we absolutely recognise the challenges. I am not sure about the second element of his question, which relates to further devolution of fiscal policy.

Steel Industry

9. **Mark Tami (Alyn and Deeside) (Lab):** What recent discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy on the steel industry in Wales. [905735]

13. **Liz McInnes (Heywood and Middleton) (Lab):** What recent discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy on the steel industry in Wales. [905739]

The Secretary of State for Wales (Alun Cairns): I regularly discuss the role of Welsh steel plants in supporting a successful UK steel industry with my right hon. Friend the Secretary of State for Business, Energy, and Industrial Strategy. We remain committed to supporting the sector to remain competitive in a challenging global marketplace.

Mark Tami: US steel tariffs represent a major threat to the Welsh steel industry, so what are the Government doing not only to get the US to see sense, but to limit the threat of displaced steel being dumped in the UK and further undermining our steel industry?

Alun Cairns: The hon. Gentleman will be well aware that my right hon. Friend the Prime Minister has raised this matter directly with the President of the United States. The Secretary of State for International Trade has also raised it with his counterpart, and I have spoken to the UK's trade commissioner in the US and to the US ambassador here in the UK. It is only by working with the European Union on these issues that we can bring about the best pressure. I am confident that the UK can play a leading part in those negotiations.

Liz McInnes: It is estimated that 100,000 tonnes of steel will be needed for the Swansea Bay tidal lagoon project, so what representations has the Secretary of State made to his colleagues to show that scrapping the project would mean denying the Welsh steel sector that vital opportunity?

Alun Cairns: We had a series of questions on the Swansea Bay tidal lagoon earlier, and we said that the project should only go ahead—I would really like it to go ahead—if it represents good value for money for the taxpayer. The hon. Lady notes the amount of steel that

would be needed, but that is less than a month's output for a major steel plant. The project has an important procurement role, but it should not be overstated.

North Wales Growth Deal

10. **Susan Elan Jones** (Clwyd South) (Lab): What recent discussions he has had with the north Wales economic ambition board on the progress of the north Wales growth deal. [905736]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): I am meeting the leaders of the growth board later today to discuss the progress they are making towards a deal, and last week my right hon. Friend the Secretary of State met members of the CBI in north Wales to hear what business needs. I remain committed to securing a deal, but it must deliver a step change in economic activity.

Susan Elan Jones: North Wales has a thriving voluntary sector and some excellent social enterprises. What engagement are Ministers in the Wales Office having with them?

Stuart Andrew: The hon. Lady might be interested to know that I have met every single council leader in north Wales—I had a particularly good conversation with the leader of Conwy Council about this issue—and I am encouraging them to involve the sector in the growth deal bid.

Leaving the EU: Benefits for Wales

11. **Owen Smith** (Pontypridd) (Lab): What recent assessment he has made of the benefits for Wales of the UK leaving the EU. [905737]

The Secretary of State for Wales (Alun Cairns): The Welsh economy approaches EU exit from a position of strength. Leaving the EU will allow us to shape our own ambitious trade and investment opportunities, in Europe and beyond, and put Wales and the wider UK at the forefront of global trade and investment opportunities.

Owen Smith: Some 67% of Welsh exports are to the European Union. Yesterday, the Office for National Statistics reported that manufacturing in our country declined by the greatest amount in the past five years, and Ernst and Young says that our exports are nosediving. How is Brexit going to help?

Alun Cairns: I would say in the first instance that the hon. Gentleman is calling for a second referendum, which would create the greatest uncertainty for the UK, both economically and constitutionally. I also point out that exports from the UK are growing, and at a faster rate than areas outside the European Union, and he well knows that exports from Wales cannot be taken in isolation without considering the wider procurement and networking of businesses across the UK.

15. [905741] **Scott Mann** (North Cornwall) (Con): Wales and Cornwall have benefited from objective 1 funding and subsequent funding. What discussions has the Secretary of State had on the shared prosperity fund and how its funding will be allocated?

Alun Cairns: My hon. Friend is obviously very interested in how the successor to European aid programmes will work, as I am in relation to west Wales and the valleys in general. We have committed to a UK shared prosperity fund, which will allow us—this is one of the benefits of leaving the European Union—to come up with a much simpler and more targeted approach that can help the poorest communities across the UK.

Exports

12. **Stephen Kerr** (Stirling) (Con): What recent discussions he has had with Cabinet colleagues on supporting Welsh companies to export. [905738]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): My right hon. Friend the Secretary of State and I hold regular discussions with colleagues on the promotion of Welsh exports, and I am pleased to say that those exports continue to grow. The latest figures show that the value of exports from Wales, including those to destinations outside the EU, increased by more than 7% over the past year.

Stephen Kerr: E-commerce gives even the smallest Welsh businesses the opportunity to get into exporting. What will the Department do to encourage the use of e-commerce among small and medium-sized businesses in Wales?

Stuart Andrew: My hon. Friend is absolutely right to mention that. Indeed, a good example is Net World Sports in Wrexham. That is an example of Welsh success in the retail market. Over 60% of its sales were in foreign markets last year, and it has won numerous industry awards in recognition of its success. There will be more of that in the future.

Mr Speaker: When the Government Chief Whip is comfortably seated—I do not want him to be discombobulated—and the Under-Secretary of State for Wales is happily seated, we will proceed to questions to the Prime Minister.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [905812] **Gareth Thomas** (Harrow West) (Lab/Co-op): If she will list her official engagements for Wednesday 13 June.

The Prime Minister (Mrs Theresa May): Tomorrow marks one year on from the Grenfell Tower fire. I know that Members on both sides of the House will join me in saying that this unimaginable tragedy remains at the forefront of our minds. On Monday, I had the privilege to attend the very moving vigil in memory of those who were lost that night, and I was honoured to take part in an iftar with members of the local community. Let me again reassure the House that we are doing everything we can to see that the survivors of Grenfell get the homes and support that they need and the truth and justice that they deserve.

I would also like to take this opportunity to wish the England men's football team the very best in the upcoming World cup.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Gareth Thomas: I am sure the whole House will want to echo the Prime Minister's comments about the Grenfell tragedy 12 months ago. My constituents certainly will want me to echo her good wishes to the England football team.

Last year, the top five co-operatives in our country paid more than four times the corporation tax of Amazon, Facebook, eBay, Starbucks and E.ON. I am sure the Prime Minister will want to praise the patriotism of those who have signed up to the Fair Tax Mark campaign. Might this not be an opportunity to encourage the Department for Business, Energy and Industrial Strategy and the Treasury to take a more proactive and supportive interest in the growth of co-operative and mutual businesses?

The Prime Minister: I thank the hon. Gentleman for his comments about his constituents' support and thoughts for all those affected by the Grenfell Tower fire.

On the issue of taxation, the hon. Gentleman may have noticed that Her Majesty's Revenue and Customs has been requiring some of the large companies that he referenced to pay more tax and has ensured we get that tax from them. It looks fairly across all types of institution that operate in this country.

Q3. [905814] **Mr Mark Harper** (Forest of Dean) (Con): One of the key reasons why people voted to leave the European Union was to get back control of immigration policy, so that we could welcome people to our country based on their skills and talents, not the country they are from. We cannot stay in the European economic area, which we will debate later, without continuing with free movement of people. May I urge the Prime Minister to stick to our policy of leaving the single market, getting back control of our immigration policy and not listening to the many Labour voices who want to continue with unlimited migration from the European Union?

The Prime Minister: I absolutely agree with my right hon. Friend. The Labour party used to say that it wanted control of our borders. Now what it wants is free movement. We will take back control of our borders.

Jeremy Corbyn (Islington North) (Lab): I wish the England team all the best in the tournament in Russia and hope that it goes really, really well—[*Interruption*]—and that England win!

This week is national Carers Week, and I want to take this opportunity to pay tribute to the thousands of usually unpaid carers whose commitment to family and friends too often goes unrecognised.

As the Prime Minister pointed out, tomorrow marks the one-year anniversary of the Grenfell Tower fire. I will be meeting families again tomorrow at their silent march. The sad truth and reality is that many of them are still waiting for the security of a permanent home one year on from that disaster.

When the Prime Minister met President Donald Trump last week, did she do as the Foreign Secretary suggested and ask him to take over the Brexit negotiations?

The Prime Minister rose—[*Interruption.*]

Mr Speaker: Order. Mr Geraint Davies, you are a senior and supposedly cerebral Member of the House—in a leap year anyway—and you must attempt to recover your composure, man. I am worried about you, and I am worried for you.

The Prime Minister: On the Brexit negotiations, I might remind the right hon. Gentleman that, before December, Labour cast doubt on whether we would get a joint report agreed—we did—and before March, he cast doubt on whether we would get an implementation period, and we did.

I wanted, if I may, just to respond to the comment that the right hon. Gentleman made about the very important subject of providing those who were the victims of the Grenfell Tower fire with permanent homes. Just so that I can make it clear to the House: 203 households were in need of a new home; every household has received an offer of temporary or permanent accommodation; and 183 have accepted an offer of a permanent home.

I just wanted to say this, because it is not just about the buildings; it is not just about the bricks and mortar of a home. People who suffered that night are having to rebuild their lives. Many of them lost somebody—members of their families—with whom they had been living and making a home for years. They lost all their possessions; they lost their mementoes; and they lost anything that reminds them of the person they loved. When they move into that new home, they will be restarting their lives, and I wanted to pay tribute to all the victims of the Grenfell Tower fire for the strength and dignity that they have shown.

Jeremy Corbyn: I, too, pay tribute to the families for all they have been through and all the fortitude they have shown, but, sadly, the reality is that some of them have still not got a permanent home to move into. It is very important for the mental wellbeing of everybody that they have somewhere they can call home and they know it is their home.

Last week, the Prime Minister confirmed we would leave the European Union in March 2019 and the transition would end in December 2020, but we now know the Government are working on the basis that the transition could continue for a further year, till December 2021. Could she be clearer today? Which December are we talking about?

The Prime Minister: No, the right hon. Gentleman is quite wrong in the way he has put this to the House, so let me be clear to the House. I think what he is trying to talk about is the backstop arrangement that we have agreed. Let us be very clear what this backstop is: this is an arrangement that will be put in place in the circumstances in which it is not possible to put the future new customs arrangement in place by 1 January 2021. It is there to ensure that, if those new customs arrangements are not in place, we are able to continue on the basis that there is no hard border between Northern Ireland and Ireland. We are working to make sure that the future customs arrangements overall deal with the issue of ensuring no hard border between Northern Ireland and Ireland. We do not want the backstop to be necessary. We are working to ensure that we can have our future customs arrangements in place on 1 January 2021.

Jeremy Corbyn: I am not really sure whether it is a backstop or a backslide that the Prime Minister is talking about here.

Last week, I asked the Prime Minister about this, and I am sorry to bring this subject up again because it is probably quite painful for her, but when is the Government's Brexit White Paper going to be published? She did say it would be published before the June EU Council summit. Is that still the case?

The Prime Minister: No, I did not actually say that. I said the White Paper would be published, and we will be publishing it. We will be bringing Ministers together. [HON. MEMBERS: "When?"] Just calm down. We will be bringing Ministers together after the June Council, and the White Paper will be published thereafter.

Jeremy Corbyn: It gets ever more confusing, because at the weekend the Minister for the Cabinet Office told the BBC that it would not now be until July. Can I offer a solution to the Prime Minister? Instead of worrying about this White Paper, on which the Cabinet would have to agree, how about making it a Green Paper in which all their disagreements are in the open, and we can all comment on it? If the Government do not, as looks likely, have their detailed proposals ready for the June summit, surely the Prime Minister cannot be going to Brussels without anything to negotiate on, so is she going to seek a delay to that summit while the Government decide what their position actually is?

The Prime Minister: Perhaps I could just help the right hon. Gentleman. The June European Council is not a summit about the Brexit negotiations. There will be many issues that the European Union leaders will be discussing at the June European summit, including the important issue of sanctions against Russia. I will be pressing to ensure that we maintain sanctions against Russia, because the Minsk agreements have not been put in place, and indeed I think there are some areas where we should be enhancing that sanctions regime.

The right hon. Gentleman says that my right hon. Friend the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office said that the White Paper would be published in July and that that is different from what I have just said. I have to say to him that after the June European Council is July. But if he wants to talk about differences of opinion, I will tell him what division really is: it is Labour Members—[*Interruption.*] It is all very well the deputy leader of the Labour party pointing like that. Division is members of the Labour party circulating instruction manuals on how to deselect all the Labour MPs sitting behind him.

Jeremy Corbyn: "You've got to face the fact there may now be a meltdown." They are not actually my words, but those of the Foreign Secretary, even as his fellow Cabinet Ministers are preparing people for the Government's negotiations, which he clearly thinks are going to end in disaster. Last week, he also took aim at the Treasury—the Chancellor is sitting absolutely next to him—calling them "the heart of remain". He criticised them, saying:

"What they don't want is friction at the borders. They don't want any disruption of the economy".

Does the Prime Minister back the Foreign Secretary in wanting more friction and more disruption to the economy?

The Prime Minister: Let's talk about the positions on this issue. Labour said it wanted to do new trade deals—[*Interruption.*]

Mr Speaker: Order. I want to hear both the questions and the answers, and as the record shows—[*Interruption.*] Order. I do not require any assistance in this matter. As the record shows, that will always happen, however long it takes. There is a lot of noise and much gesticulation from Members on both sides of the House, but I want to hear the questions and I want to hear the answers.

Mr Dennis Skinner (Bolsover) (Lab): Answer the questions—you're in government.

The Prime Minister: The hon. Member for Bolsover (Mr Skinner) is absolutely right: we are in government, not Labour. We have set out our position on the border, but what we see is a Labour party that said it wanted to do trade deals, and now wants to be in a customs union that would stop that. They said they wanted to control our borders, and now they want free movement. They said they would respect the referendum, and now they will not rule out a second referendum. That is the difference between us: the Conservative party in government is going to deliver on the will of the British people.

Jeremy Corbyn: In the parallel universe inhabited by the Foreign Secretary, we are apparently not respecting the referendum result unless we want friction at the borders and disruption of the economy.

The Cabinet is divided, and they are briefing against each other—they are even whispering during Prime Minister's Question Time. The Prime Minister has been left with no White Paper on which to negotiate. Last week the transition period was delayed by a year, in the space of 24 hours. Yesterday a deal with her Back Benchers was reneged on within hours. Meanwhile, the economy is weakening and industry is increasingly alarmed at the sheer ineptitude of her Government. How much more damage is the Prime Minister going to do to this country before she realises that the important thing is to get a deal for the people of this country, not one to appease the clashing giant egos of her Cabinet?

The Prime Minister: It is the Labour party in opposition which is trying to frustrate Brexit. It is the Labour party which is trying to stop us getting a deal for the British people. This Government will deliver on Brexit. This Government will deliver a Brexit for jobs. This Government will deliver a Brexit that is good for Britain. If the right hon. Gentleman wants to talk about the economy, the last Labour Government left office with half a million more people out of work than when they went into office. What has happened under the Conservatives? We have seen nearly half a million more people in work just over the past year: that is the Conservatives delivering on a Britain that is fit for the future.

I have heard that the right hon. Gentleman is trying to organise a music festival, Labour Live. I will pass over the fact that it is going to have a "solidarity tent", which obviously won't have any Labour MPs in it. I do not know if all Members of the House are aware of the headline act at Labour Live. The headline act at Labour Live are the shadow Chancellor and the Magic Numbers—that just about sums them up.

Hon. Members: More!

Mr Speaker: Order. The House must come to order. We must now hear a most courteous fellow, Richard Drax.

Q5. [905816] **Richard Drax** (South Dorset) (Con): Will my right hon. Friend join a growing number of her Ministers who are very supportive of our bid for a one-off grant of £18 million to repair Weymouth's harbour walls and improve flood defences? This work—not my wall, Weymouth's harbour wall. If only, Mr Speaker! This work is essential if planning permission is to be granted to redevelop an important retail and housing area in the resort, thereby safeguarding existing jobs, creating new ones and providing more homes.

The Prime Minister: I commend my hon. Friend for his work. I know he has worked hard on the issue of flood defences. I am sure, however, he will understand that Ministers need to consider the various options for allocations of the fund very carefully. We need to ensure we are getting the best possible outcomes across the whole country. The scheme to which he refers is on the list of projects being considered for the £40 million fund. It is intended to support high risk communities and I can tell him that we anticipate the decision will be made by summer 2018.

Ian Blackford (Ross, Skye and Lochaber) (SNP): The Prime Minister gave a commitment that she would treat Scotland as part of a union of equals, yet last night she pressed ahead with a power grab in direct opposition to Scotland's elected Parliament. The Prime Minister silenced Scotland's voice. Having broken constitutional convention and plunged Scotland into a constitutional crisis, will the Prime Minister now commit to bringing forward emergency legislation, so that the will of the Scottish Parliament can be heard and, more importantly, respected?

The Prime Minister: We expect—and it will happen—that the outcome of the whole process of Brexit is going to be a significant increase in Holyrood's decision-making power. It is not the case that this is in any way a power grab. More than 80 areas of decision-making responsibility will flow directly to Holyrood. Only the Scottish National party could say that was a power grab. If the right hon. Gentleman is concerned about the legislative process the House has followed, he should really ask why the Labour party used procedural manoeuvres last night to ensure that there was no debate on the amendments that referred to Scotland.

Ian Blackford: I really hope that the people of Scotland listened very carefully to what the Prime Minister said. The reality is that powers enshrined under the Scotland Act 1998 are being grabbed back by this House—it is a power grab—and MPs from Scotland were not given the courtesy even of being allowed to debate the matter last night. It is a democratic outrage. The people of Scotland will not be disrespected by this Parliament. In the circumstances, given the disrespect shown, I have no option but to ask that this House now sit in private.

Mr Speaker: I am not hearing that at this time, and I am not obliged to do so—that is my clear understanding.

Ian Blackford *rose*—

Mr Speaker: Order. The right hon. Gentleman can resume his seat. I will happily take advice, but I do not think I am obliged to hear the matter at this time.

I think the relevant Standing Order requires that the matter be put, if it is to be put, forthwith—*[Interruption.]* Order. It might be for the convenience of the House for the matter to be addressed at the conclusion of Prime Minister's questions, and if the right hon. Gentleman, who had not signalled to me his intention to do this now, wishes—*[Interruption.]* Order, order. I am always grateful for the moral support of the right hon. Member for Broxtowe (Anna Soubry), even when chuntered from a sedentary position. I realise it is done for my benefit, but I think I can handle the matter. We could have the vote now, or it could be taken at the end. If the right hon. Gentleman wishes to indicate a desire to conduct such a vote now, so be it.

Ian Blackford: I beg to move, That the House sit in private.

Mr Speaker: My advice—I have had a mixed sequence of advice—*[Interruption.]* Order. This has not happened before. *[Interruption.]* Order. My view is that it is better for the vote to be conducted—*[Interruption.]* Order. My view is that it is better for the vote to be conducted at the conclusion of questions to the Prime Minister.

Ian Blackford *rose*—

Mr Speaker: Order. I always admit of the maximum number of votes and Divisions, as the right hon. Gentleman should know from his experience in the House, and I hope that he will trust that I know of what I speak. There can be a Division, and it will be at the end of questions, not now. That is the end of the matter. I call the Prime Minister.

The Prime Minister: Mr Speaker, might I ask—

Ian Blackford *rose*—

Mr Speaker: No, resume your seat, Mr Blackford. *[Interruption.]* No, you are not moving anything. Resume your seat!

Ian Blackford *rose*—

Mr Speaker: Resume your seat. No, no. Mr Blackford, resume your seat. No, no. Resume your seat. No, no. Resume your seat. *[Interruption.]* Order, order. The House will have heard very clearly—*[Interruption.]* Order, please. The House will have heard very clearly my acceptance that there can be a vote on this matter—

David Linden (Glasgow East) (SNP): Now!

Mr Speaker: Order.

David Linden: Now!

Mr Speaker: Mr Linden, I say to you, and I say it in the kindest possible spirit: do not tell me what the procedures of this House are. I am telling you that there can be vote at the end of questions, and not now. I am not—

Ian Blackford *rose*—

Mr Speaker: No, no, Mr Blackford. Order, order.

Under the power given to me by Standing Order No. 43, in the light of the persistent and repeated refusal of the right hon. Member for Ross, Skye and Lochaber

(Ian Blackford) to resume his seat when so instructed, I order the right hon. Gentleman to withdraw immediately from the House for the remainder of this day's sitting.

The Speaker ordered Mr Blackford, Member for Ross, Skye and Lochaber, to withdraw immediately from the House during the remainder of the day's sitting (Standing Order No. 43), and the Member withdrew accordingly.

Mr Speaker: Order. *[Interruption.]* Order! Mr Jayawardena, you are a very jocular fellow, but you are a little over-excitable today. Calm! There is a long time to go. *[Interruption.]* Order. I say only to the House, what a pity that the Scottish National party Members have left the Chamber, because some of them have questions on the Order Paper, and, as colleagues know, I always like to get to the end of the Order Paper. They would have had their chance, and they have lost that chance by their own choice.

I call Mr Luke Hall.

Q8. [905819] **Luke Hall** (Thornbury and Yate) (Con): Thank you, Mr Speaker. Given the number of people who are leaving the Chamber, I feel as though I am making one of my after-dinner speeches. *[Laughter.]*

Youth unemployment in Thornbury and Yate—*[Interruption.]*

Mr Speaker: Order. I recognise that the House is in a state of some excitement—even Mr Hollinrake, who is normally a model of solemnity, is looking as though Christmas has come early—but I beseech the House to try to resume calm, not least out of courtesy to Members who have questions on the Order Paper, to whom, and to whose questions, we wish to listen. Luke Hall.

Luke Hall: Thank you, Mr Speaker.

Youth unemployment in Thornbury and Yate has fallen by 23% in the last year, and the scrapping of stamp duty for more than 80% of first-time buyers means that more people in south Gloucestershire can afford a home of their own. Does the Prime Minister agree that while the Labour party can offer only higher taxes, fewer jobs and broken promises on student debt, this Government will focus on finding opportunities for young people up and down the country?

The Prime Minister: I am pleased to hear that a significant number of young people in Thornbury and Yate now have jobs. If we look at the figures, we see that, nationally, youth unemployment has fallen by about 141 every single day since 2010. However, my hon. Friend is absolutely right: it is not just about ensuring that young people are in jobs, but about helping them get on the housing ladder so that they can get a home of their own. That is why we are building more homes, and that is why the cut in stamp duty has been so good for young people, enabling them to be in work and to have their own home.

Q2. [905813] **Sandy Martin** (Ipswich) (Lab): Will the Prime Minister tell the House what actions she has taken to ensure that no further EU citizens who have been resident in this country for more than 30 years will be refused British citizenship, as the former Mayor of Ipswich was?

The Prime Minister: I am not aware of the particular circumstances of the former Mayor of Ipswich. However, what we have done in relation to the European Union citizens who are living here in the United Kingdom as we leave the European Union is to negotiate very good arrangements which will ensure that their rights here are protected.

Several hon. Members rose—

Mr Speaker: In congratulating the hon. Member for Harwich and North Essex on his knighthood—and I do so with some warmth and feeling, as we have known each other for 30 years—I call Sir Bernard Jenkin.

Sir Bernard Jenkin (Harwich and North Essex) (Con): Thank you, Mr Speaker.

May I join my right hon. Friend in remembering the anniversary of the Grenfell fire and commend her for the way she has established the inquiry looking into that tragedy. May I testify to her, having met victims of the Grenfell fire, as she has, that they are showing growing confidence that the findings of that inquiry will be what they want, to make sure that such a thing never happens again? That is a testament to my right hon. Friend's personal courage and persistence in making sure that the inquiry was not blown off course by the understandable anger that immediately followed the tragedy.

The Prime Minister: I add my personal congratulations to my hon. Friend on his knighthood. I absolutely agree with him about the importance of ensuring that the inquiry into the Grenfell Tower fire is able to provide the truth, to get to the answers of exactly why what happened happened and to ensure that justice is provided for the victims and survivors. It is a statutory inquiry; it has the power to compel witnesses and the production of evidence, which is important, and anyone who is found to have misled the inquiry would face prosecution. I hope this gives confidence to the survivors and people in the local community that this inquiry will indeed get to the truth.

Q4. [905815] **Julie Cooper** (Burnley) (Lab): My constituent Ian has lifelong profound learning and physical disabilities: he is doubly incontinent, cannot wash, dress or cook for himself, has no notion of personal safety and if left unsupervised is at risk. He is able to live independently thanks to the support of his elderly mother who is herself unwell, and by virtue of a local authority social care package. Now Ian's personal independence payment application, which he needs to fund this care, has been refused on the grounds that he can cope unaided. Does the Prime Minister agree that there is something very wrong with a system that punishes citizens whose only crime is to be born disabled? Will she agree to investigate on behalf of the thousands of vulnerable people who are being made to suffer?

The Prime Minister: The hon. Lady has raised a specific case and I am sure that she will understand that I do not have the details to address it, and it would not be right to do so here in this Chamber. What I can assure her and other Members is that individual cases that are raised with me in Prime Minister's questions are taken extremely seriously and this one will be no exception. So I will ensure that the case is looked at

urgently by the relevant Minister; obviously cases are complex and multifaceted, but this case will be looked at urgently.

Ms Nadine Dorries (Mid Bedfordshire) (Con): My constituents have been incredibly tolerant in the face of the fiasco of their commuter journeys following the reorganisation of the timetables. However, added to their misery is the fact that when trains do turn up they are incredibly overcrowded. I have written to Govia three times asking it to conduct a risk assessment on the safety of my constituents who are their passengers as they come into London, and three times Govia has refused to answer me. Will the Prime Minister please use her good offices to ensure that our passengers travelling on overcrowded trains at the moment and suffering because of the rail delays are safe?

The Prime Minister: My hon. Friend raises an important issue, and the experience of passengers of Govia Thameslink and also Northern as a result of the change in timetables and the way that was done is simply unacceptable. It is important that they improve the services, and they have plans in place. I think, for example, that Govia Thameslink is introducing a new timetable that is better than the pre-May timetable and will have 200 more planned journeys. But of course passengers want to feel that they can travel in trains that are not too crowded, and I am sure that Govia Thameslink will be looking at that issue very seriously. The Department for Transport is working with that company and Northern to ensure that we can provide the services that people deserve; they pay for a ticket—they book a ticket, they pay for a season ticket—and they deserve to have a decent journey.

Q6. [905817] **Dr David Drew** (Stroud) (Lab/Co-op): The average length of time that a Stroud constituent has to wait to go to the Gloucester and Cheltenham centre for a PIP appeal is now 41 weeks, and the wait for an employment and support allowance appeal is 31 weeks. During that period of time constituents are now losing Motability cars and suffering enormous hardship. Will the Prime Minister promise to get a grip on this and make sure this hardship is not endured any longer?

The Prime Minister: Of course it is important that people are able to have their appeals heard in a timely fashion. My right hon. Friend the Work and Pensions Secretary is looking at exactly this issue to see what can be done in the tribunal system to ensure that people get a more timely result.

Mr John Whittingdale (Maldon) (Con): Will my right hon. Friend join me in welcoming the Speaker of the Ukrainian Parliament, Mr Andriy Parubiy, to Westminster—although I suspect that he is utterly mystified by the events that took place 10 minutes ago? Will she take this opportunity to reaffirm the support of the UK for Ukraine, which is in the frontline against Russian aggression? Does she share the concern of Ukraine, along with Lithuania and Poland, about the strategic threat of the Nord Stream 2 Russian gas pipeline?

The Prime Minister: I am very happy to reaffirm the United Kingdom's commitment to and support for Ukraine. Only a matter of weeks ago, I was pleased to be able to have a further conversation with President Poroshenko about the support that we are able to give

to Ukraine, and about the work we are doing with Ukraine on the reforms that are being put through. Also, as I mentioned in response to a previous question, it is important that the European Union should maintain the sanctions on Russia, because the Minsk agreements have not been put in place and fully implemented. We need to continue to show the Russians that we do not accept what they have done in Ukraine.

Q7. [905818] **Jo Stevens** (Cardiff Central) (Lab): It is almost a year since the Government promised their domestic violence and abuse Bill, and the publication of that Bill will trigger a cross-party amendment that has widespread support to decriminalise abortion across the whole of the UK, which is long overdue. Will the Bill be published before the summer recess, and will the Prime Minister give a commitment today on the Floor of the House that her MPs will have a free vote on decriminalisation?

The Prime Minister: The hon. Lady raises a number of aspects of this issue. The domestic violence and abuse Bill will be published in draft first. We have been taking our time, through the consultation, to work with those involved in working with victims of domestic violence and abuse, and to hear from victims and survivors, because we want to ensure that, as we bring this legislation together in the new Bill, we are getting it right for people. She refers to the issue of abortion. I believe it is absolutely right that a woman should have the right to a safe and legal abortion. As regards Northern Ireland, I believe that the best way—and my preferred way—is for that decision to be taken by the elected politicians in Northern Ireland, because it is a devolved matter. As regards votes on abortion in this House, they have always been treated as conscience matters and they will therefore be subject to a free vote.

Julia Lopez (Hornchurch and Upminster) (Con): This month, the National Institute for Health and Care Excellence—NICE—will decide whether to fund a new treatment for neuroblastoma, a vicious childhood cancer that is affecting my constituent, Isla Caton. Will the Prime Minister encourage NICE and the drugs companies to do a deal to provide new treatments for children in Britain, so that their families do not have to fundraise for them to receive those treatments in America?

The Prime Minister: I know that my hon. Friend has raised this issue on behalf of her constituents; I believe that she has a constituency case involving the issue. NICE is developing guidelines for the NHS on the use of dinutuximab beta—I am not sure if I pronounced that correctly—for the treatment of high-risk neuroblastoma. It has not been able to recommend the drug as a clinically and cost-effective use of resources in its draft guidance, but it has consulted stakeholders on its draft recommendations. This is an ongoing NICE appraisal, and it is not for the Government to intervene in that, but NICE will obviously take all comments into account in its final guidance. I think that the manufacturer of the drug is currently making it available to some NHS patients through a compassionate use scheme, and has agreed to continue the scheme for patients who are currently receiving the treatment.

Mr Speaker: I call Brendan O'Hara. Not here. I call Mr Jacob Rees-Mogg.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Vernon Bogdanor called the noble Lord, Lord Hailsham's amendment, which we rejected yesterday, a "constitutional absurdity". While it is essential that this House should hold the Government to account and have meaningful votes on many things, does my right hon. Friend agree that it is absolutely essential that the separation of powers should be observed, and that it should be made clear in any compromise amendment that the job of the Government and the job of Parliament are different?

The Prime Minister: I am happy to be clear about this situation. We have seen concerns raised about the role of Parliament in relation to the Brexit process. What I agreed yesterday is that, as the Bill goes back to the Lords, we will have further discussions with colleagues over those concerns. This morning, I have agreed with the Brexit Secretary that we will bring forward an amendment in the Lords, and there are a number of things that will guide our approach in doing so.

My hon. Friend is absolutely right about the separation of powers and the different roles of Government and Parliament. As my right hon. Friend the Brexit Secretary made clear in the House yesterday, the Government's hand in the negotiations cannot be tied by Parliament, but the Government must be accountable to Parliament. Government determines policy, and we then need parliamentary support to be able to implement that policy.

The other aspect of this that I am absolutely clear on is that I cannot countenance Parliament being able to overturn the will of the British people. Parliament gave the decision to the British people, the British people voted to leave the European Union and, as Prime Minister, I am determined to deliver that.

Mr Speaker: I call Pete Wishart. Not here.

Jack Lopresti (Filton and Bradley Stoke) (Con): Fifteen months ago, the then Secretary of State for Communities and Local Government, my right hon. Friend the Member for Bromsgrove (Sajid Javid), called in the planned expansion of the Mall at Cribbs Causeway in my constituency. The plan represents huge economic benefit to the Bristol and south Gloucestershire area, and there are 3,000 construction jobs, 3,750 permanent jobs and 150 new homes at stake, as well as a significant amount of infrastructure investment. Will the Prime Minister urge the new Secretary of State for Housing, Communities and Local Government to start as he means to go on and make a good decision quickly?

The Prime Minister: Obviously, my hon. Friend refers to the independent public inquiry, and after that took place the then Communities and Local Government Secretary called in the decision, and the new Housing, Communities and Local Government Secretary is considering the inspector's report. I understand that the Secretary of State hopes to issue his decision on or before the published target date of 2 August.

Q11. [905822] **Jeff Smith** (Manchester, Withington) (Lab): It took nearly 5,000 cancelled trains in just three weeks for the Transport Secretary to notice the Northern rail crisis. If this Government cannot run our railways properly, will the Prime Minister agree with businesses,

council leaders and over 25 newspapers from across the region and give Transport for the North the powers that it needs to do the job?

The Prime Minister: We have given Transport for the North unprecedented powers to influence decisions about transport investment in the north, but what is more we have backed it up with £260 million of Government funding. It has the powers to deliver a transport strategy, which the Government must formally consider, to fund organisations and to deliver transport projects. Those and its other powers are exactly what Transport for the North requested.

Bim Afolami (Hitchin and Harpenden) (Con): The Prime Minister is, I know, aware of the severe difficulties that my constituents have faced with recent delays to train services. Will the Prime Minister reassure me and my constituents that the Government will do everything they can to ensure that Govia Thameslink Railway and Network Rail get into shape to ensure a better-quality train service both now and into the future?

The Prime Minister: As I said in response to the earlier question from my hon. Friend the Member for Mid Bedfordshire (Ms Dorries), the immediate priority is to ensure that we see an improvement in services for Govia Thameslink passengers. That is why it has introduced a new timetable that is not the final timetable, but it is better than the pre-May timetable. We also need to ensure that GTR takes action so that it can bring forward the proposed new timetable, which will provide more services and better services for passengers. In the long term, the Government are working to bring train and track together so that we do not see problems like this in the future.

Mr Speaker: Chris Law—not here.

All these Opposition opportunities are being lost, and I think that should not continue.

Chris Williamson (Derby North) (Lab): The Prime Minister will be aware that schools are often targeted in warzones. A couple of months ago, I met year 7 students from Lees Brook School in my constituency, and they implored me to ask the Prime Minister to sign the safe schools declaration, which I understand has subsequently been signed. Does that declaration mean that she will now veto future arms sales to brutal regimes such as Saudi Arabia, which has been targeting schools as part of its military campaign in Yemen?

The Prime Minister: The issue of the education of girls and boys in conflict zones is an important one, and it is one that was addressed at the G7 summit. We have been clear, as the United Kingdom Government, that we are providing financial support to ensure 12 years of quality education for girls, particularly in developing countries, and the G7 summit gave its commitment not only in financial terms, as we are contributing more to provide for quality education, but to focus on areas where there are conflict zones and particular action needs to be taken to ensure that education can be provided.

Bob Blackman (Harrow East) (Con): Very sadly, my constituent Gena Turgel lost her life last week, aged 95. Gena survived the Krakow ghetto, Auschwitz-Birkenau

and Buchenwald, and she became known as the bride of Belsen when she married her liberator. Will my right hon. Friend join me in celebrating the life of Gena, who dedicated her life to informing young people about the horrors of the holocaust, and in ensuring that, although a light has gone out, her legacy lives on?

The Prime Minister: I am happy to join my hon. Friend in paying tribute to Gena Turgel and to the work she did over so many years. She was one of the first survivors to go into schools to share her story. I have seen, as I am sure other hon. and right hon. Members have, the impact on young people of a survivor of the holocaust going into schools to explain what happened. It is moving, and she showed considerable determination and strength. Her example is truly humbling.

It is right that Gena Turgel is going to live on in the national holocaust memorial and in the accompanying education centre, which will house her testimony for generations to come. We must never forget what Gena taught us. We must fight hatred and prejudice in all its forms.

Q13. [905824] **Anna McMorris** (Cardiff North) (Lab): On her walking holidays in Wales, the Prime Minister must have seen our beautiful beaches, but plastic is killing our oceans and polluting our seas. Will she stay in the Chamber for a few minutes after Prime Minister's questions to listen to me introduce my ten-minute rule Bill on plastic pollution, and will she support it so that we can save our seas?

The Prime Minister: When I go walking in Wales I tend to walk up and down hills, rather than on the beaches, but I know that Wales has some fantastic beaches. The hon. Lady raises the important issue of marine plastic. The UK public, as well as Members across the House, have shown great energy in picking up this cause and in wanting to fight against plastic waste.

Indeed, the UK is going to be leading, jointly with Vanuatu, the newly formed Commonwealth Clean Oceans Alliance, and we are committing £61 million to fund global research and to improve waste management in developing countries to tackle plastic pollution. Again, this is another issue we took forward at the G7 summit and we got commitments on dealing with plastic waste.

I say to the hon. Lady that, with the greatest of respect, I am sorry but I think my diary has already been slightly changed as a result of what has been happening in the Chamber today. I regret that I will not be able to sit and listen to her speak to her Bill.

Philip Davies (Shipley) (Con): Does the Prime Minister agree that those people who want a meaningful vote in this House which would allow the House to vote to stay in the European Union would be betraying the result of the referendum? That shows how much the Labour party has lost touch with working-class people up and down this country. Does she further agree that those people who want to take no deal from the Government's negotiating hand would only incentivise the European Union not to negotiate in any meaningful way, and would betray not only the result of the referendum but the best interests of the British people?

The Prime Minister: As we go ahead with these Brexit negotiations, we are of course ensuring that we make preparations for all eventualities. That is entirely right and proper for the Government to do but, as I set out in response to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), I am also clear that I cannot countenance Parliament overturning the will of the British people. The British people were given the choice on whether to stay in the European Union, and they were given that choice through the overwhelming vote of this Parliament. It is right that we listen to the British people and deliver what they asked us to do, which is to leave the European Union.

Mr Speaker: Angela Crawley—not here.

Chris Evans (Islwyn) (Lab/Co-op): For a number of years we held a march in Islwyn to commemorate the service of test veterans to our country. Last week, test veterans were in the House of Commons to campaign for a medal for their service. Will the Prime Minister look at their campaign with a view to giving them a medal for the service they have given to this country?

The Prime Minister: I think this is the first time the issue has been raised with me, and I will look carefully at what the hon. Gentleman has said in the House.

Giles Watling (Clacton) (Con): As a father of twin girls who, as they are happily growing up in Clacton, enjoy a very equal upbringing and education, I celebrate the announcement of the G7 supporting girls' education. Does my right hon. Friend agree that we should support equality for women across the globe?

The Prime Minister: I am very happy to join my hon. Friend in agreeing with that and in saying that there are many ways in which we can express that and put it into practice, not just in supporting girls' education but in the work we are doing on modern slavery. Modern slavery affects men as well as women, but we see many women from around the globe being trafficked into other countries for sexual or labour exploitation, and we are leading the fight to ensure they have equality and are not put into that position.

Mr Speaker: Alison Thewliss—not here. Tom Brake—

Chris Ruane (Vale of Clwyd) (Lab): Not here!

Mr Speaker: Order. Mr Brake is here. He is always here. He stands every week and he is going to be heard.

Tom Brake (Carshalton and Wallington) (LD): Thank you, Mr Speaker.

The president of the CBI has said today that sections of the UK car industry face "extinction" unless the UK stays in the EU customs union. Is there any level of damage inflicted by Brexit that would cause the Prime Minister to consider supporting the people having a final say on the deal and a chance to exit from a disastrous Brexit? I could also put that to the Leader of the Opposition.

The Prime Minister: As I have said many times in this House, we are looking to ensure that our future customs arrangement with the European Union enables us to have as frictionless trade with the European Union as possible and no hard border between Northern Ireland and Ireland, while also enabling us to have an independent

trade policy and to negotiate trade deals around the world. I have been clear in a number of my answers that I and this Government will deliver on the vote of the British people to leave the European Union. I seem to remember there was a time when the Liberal Democrats thought that the people should have the choice.

Mr Speaker: Finally for today, Mr Iain Stewart.

Iain Stewart (Milton Keynes South) (Con): Today marks the Princess Diana Award's Stand Up to Bullying Day. Although much progress has been made, too many young people take their own life as a result of bullying in schools. Will the Prime Minister congratulate the people at the Diana Award on their work, and recommit her Government to tackling this scourge?

The Prime Minister: I thank my hon. Friend for raising this. I am happy to join him in congratulating the work of all those involved in the Diana Award.

He raises a really important issue. We have made progress but, as he has pointed out, too many young people are bullied in schools, and sadly that sometimes has tragic consequences. We are providing £1.7 million of funding over the next two years for anti-bullying organisations, one of which is the Diana Award, but more needs to be done. We will continue to press hard on this issue and to work hard to eliminate bullying.

Mr Speaker: I must say to the House, before we come to points of order, that for all the turbulence and discord of today's proceedings, the little baby who has been observing them has been a model of impeccable behaviour from start to finish. [*Applause.*] I have just been advised that the father is the hon. Member for Norwich South (Clive Lewis). I am not going to go so far as to say that his behaviour is always impeccable, but the little baby has been impeccable, and we salute that—the future of our democracy and the future of our country. I am most grateful to the Prime Minister, the Leader of the Opposition and colleagues.

Points of Order

1 pm

Douglas Ross (Moray) (Con): On a point of order, Mr Speaker. As he left the Chamber, the leader of the Scottish National party apparently said that it will use parliamentary devices to hold this Government to account—I wonder how you use parliamentary devices when you walk out of this Chamber in a co-ordinated move. As you will know, Mr Speaker, I had submitted an application for an urgent question on the Sewel convention, which I hoped to call Ministers to the Dispatch Box to discuss. I am sure that in your determination of that, you considered the fact that we had a Standing Order No. 24 application in front of us. Because the mover of that SO 24 application has now left the Chamber—been forced to leave in a co-ordinated move—and applications must be lodged by 10.30 am, there is no opportunity for any Scottish Member of any party to raise that now. I wonder if you can tell me how those who remain on these green Benches—who remain here representing our constituents—can address these issues, rather than those who take the pathetic, theatrical route of leaving this Chamber and not representing their constituents by walking out. *[Interruption.]*

Mr Speaker: I am grateful to the hon. Gentleman—I would urge that we try to lower the decibel level. I understand that he feels his point keenly and he has made it with sincerity. He is a very assiduous Chamber contributor and I respect that.

I will not make any personal criticism of any Members. We have had what we have had and people will make their own assessment. The hon. Gentleman's surmise is, of course, correct. I say this as much for people attending to our proceedings as for people sitting in the Chamber: an SO No. 24 application—an application for an emergency debate under the relevant standing order—requires notice by 10.30 am, on a Wednesday, and I fear that the right hon. Member for Orkney and Shetland (Mr Carmichael), for example, who has expressed some interest in this matter, and I will come to him soon, made no such application. Nothing new or urgent has happened since. We have to take things on a case-by-case and day-by-day basis. I cannot be expected to work retrospectively. The fact is that there was an application. It would have been heard. The right hon. Member for Ross, Skye and Lochaber (Ian Blackford) who had made the application chose to put himself in a position in which he would not be able to persist with his application. Responsibility for that choice is that, and that alone, of the right hon. Gentleman. It is not down to the hon. Member for Moray (Douglas Ross) and it is not down to me. Members must take responsibility for their own actions. As to whether there will be either an urgent question on the matters of which the hon. Gentleman has just treated, or indeed an SO 24 application on another day, that is a matter for another day.

Mr Alistair Carmichael (Orkney and Shetland) (LD)
rose—

Valerie Vaz (Walsall South) (Lab) *rose—*

Ian Murray (Edinburgh South) (Lab) *rose—*

Mr Speaker: I see that a former shadow Secretary of State wants to get in, but I will take the right hon. Member for Orkney and Shetland (Mr Carmichael) first, and then the shadow Leader of the House.

Mr Carmichael: On a point of order, Mr Speaker—this is, in fact, further to the point of order from the hon. Member for Moray (Douglas Ross). As you have said, Mr Speaker, applications should normally be made by half past 10 in the morning. Obviously, I did not make such an application, but Standing Order No. 24, subsection (4), allows you, Mr Speaker, to consider an application if

“the urgency is not so known”

at 10.30 am, and notice can be given

“as soon thereafter as is practicable.”

My suggestion to you, Mr Speaker, is that the urgency became apparent at the point at which the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) decided that pulling a stunt was more important than allowing Scottish Members a proper debate on this subject.

Mr Speaker: I am very grateful to the right hon. Gentleman, and I say that with sincerity. He is an accomplished and dextrous lawyer—*[Interruption.]* Well, I think he is an accomplished fellow. What I say to him is “nice try”, but I am afraid that it does not work. The reason why his argument, or thesis, if I may dignify it thus, does not quite work is that the matter in question, which was arguably urgent or even constituting an emergency, was the need for a debate on the Sewel convention, adherence to, violation of or non-compliance with it. That was the urgent matter, and not the fact that there was subsequently an eruption, whether pre-arranged or otherwise, in the Chamber. I do not blame the right hon. Gentleman for having a go—he would not be the versatile lawyer he is if he did not—but I am afraid that it does not work on this occasion. I rather think that the genial smile on his face suggests to me that he knows he was being a cheeky chappie. We will have to return to these matters subsequently—I hope at not such excessive length, but I will take the remaining points of order briefly.

Valerie Vaz: On a point of order, Mr Speaker. May I seek your advice on clarification about this misinformation that seems to be circulating that the Opposition did not want to take part in the debate on devolution yesterday and on the amendments? You will know, Mr Speaker, that the Opposition voted against the Government's programme motion. Initially, we were allocated only 12 hours, but then under pressure, it was extended to two days. My hon. Friend the Member for Glasgow North East (Mr Sweeney) made this point yesterday through a point of order and was shouted down. My hon. Friend the Member for Darlington (Jenny Chapman) mentioned in the debate that the only voice that would be heard was the Deputy Prime Minister's. Could we seek your clarification on the fact that the Opposition did want the extra time to debate the devolution amendments?

Mr Speaker: I am not sure that it is for me to interpret proceedings, and to attempt to place my own construction on motivation not publicly declared, but what I would

[Mr Speaker]

say to the shadow Leader—I think I can say this without fear of contradiction, because it has the advantage of being true, and demonstrably true—is that the Opposition opposed the programme motion. That is a matter of unarguable, incontrovertible fact. There was a Division on the matter, and I was notified by the Opposition Chief Whip, the right hon. Member for Newcastle upon Tyne East (Mr Brown), courteously—he was not obliged to notify me, but he did notify me in advance—of an intention to oppose that motion, so it certainly should not be said that the motion was bought into by or was under the ownership of the Opposition. It was a Government programme motion.

I have tried throughout these difficult altercations of the last 24 hours to be scrupulously fair. As I said to Scottish National party Members last night in the presence of the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, the Minister was not guilty of any procedural impropriety yesterday at all. He was entirely entitled to speak for the length of time that he did in setting out the Government's position and indeed, characteristically, taking a very significant number of interventions, including from people who subsequently complained about the fact that they did not have the chance to speak. He was entirely in order and the Government were procedurally perfectly in order to operate as they did in the construction and submission to the vote of the programme motion. The Standing Order is written in that way presumably for a reason, and it has been written, in a sense, and approved with Government support. There was nothing disorderly about that, but it certainly was not the Opposition's programme motion. It is abundantly clear to me that the Opposition were opposed to the programme motion. I do not think that I need to add anything more beyond that.

Ian Murray: Further to that point of order, Mr Speaker. I am grateful to have caught your eye from such an unfamiliar place in the Chamber. We had lengthy points of order yesterday on what the shadow Leader of the House has just intimated, and we were looking forward to the Standing Order No. 24 application today, so that we could represent our constituents on major amendments relating to devolution and the European Union (Withdrawal) Bill. Given that we no longer have that Standing Order No. 24 opportunity because of the childish antics of certain Members of this House from the Scottish National party, I wonder whether, through you, I could ask the Secretary of State for Scotland, who is in his place, whether he would be willing to bring forward a statement in the House today, or first thing tomorrow morning, so that Scottish Members who are here, with their voice, to represent their constituents can make the points about the Sewel convention that were the basis of the Standing Order No. 24 application and so that the SNP cannot gag us as well as themselves on behalf of the people of Scotland.

Mr Speaker: I am very grateful to the hon. Gentleman for that. I simply say to him that I do not think I need to consult the Secretary of State for Scotland on this point. There is no possibility of a statement on that matter today, even if the Secretary of State were minded to volunteer it. That would interfere with our proceedings

in a way that a lot of Members would regard as frankly unsatisfactory. In so far as the hon. Gentleman is seeking some guidance from the Chair, I would say that that would not be appropriate today. Tomorrow is another day. I simply point out, without wanting to venture further into this otherwise hazardous terrain, that even had an Standing Order No. 24 application been successful, the debate would not have been today—it would have been on a subsequent day. The debate would not have allowed any vote on any propositions appertaining to parts of the European Union (Withdrawal) Bill; it would simply have been a debate on a “take note” motion. There could be such a debate subsequent to today; tomorrow is another day and let us wait to see what happens.

Margaret Beckett (Derby South) (Lab) *rose*—

Mr Speaker: I must apologise to the right hon. Member for Derby South (Margaret Beckett), because she has an important point of order, which hails from her experience not just as the Member for Derby South, but as a former Leader of the House.

Margaret Beckett: On a point of order, Mr Speaker. Will you confirm that under the rules of order of this House, if the parliamentary leader of the SNP had had his way, not only the baby to whom you referred but every member of the public and indeed of the press would have been cleared from this House? Can you inform me, because I am not now sure about this, whether under present circumstances it would also have led to the cessation of the broadcasting of this House, which would have brought a great loss in public scrutiny?

Mr Speaker: In the first instance, people would have had to exit the Gallery—I am pretty certain of that and the right hon. Lady is quite right. The specific proposition was that the House do sit in private. I do not know whether amid the hubbub people heard that that was the thrust of what the leader of the SNP here was requesting, but it is the gravamen of what he was requesting and it would have required members of the public to exit the Gallery at once. If the motion had been carried, the broadcasting of our proceedings would have had to be halted with immediate effect. It is important that people understand the implications of some of these devices that people use.

I also add, without prejudice to any particular application but on the basis that I think the House will believe me and that the record shows this to be true, that I am very open to urgent questions being heard in this place and to Standing Order No. 24 debates taking place, whether the Government of the day particularly like it or not. I might make the judgment, as Speaker, that it is in the interests of the House for such a debate to take place, but of course if people absent themselves when they have the opportunity to make these applications, they cannot then complain. I really do think it would be a good thing if we perhaps brought to a close the operation of stunts and focused instead on the proper discharge of our responsibilities in this place. I thank the right hon. Lady for her point of order.

Ms Angela Eagle (Wallasey) (Lab): On a point of order, Mr Speaker. Will you confirm that where someone is named, as happened today, they have to leave the

House for the remainder of the parliamentary business? I believe they also give up pay for the day. They certainly cannot vote in any proceedings that happen in the day, so the implication of what the leader of the SNP parliamentary group did today, apart from pull a stunt, is that he made it easier for the Government Chief Whip to get his business through.

Mr Speaker: I hope the hon. Lady will understand when I say that all she needs to know, and all the House needs to know, is that the right hon. Member for Ross, Skye and Lochaber is out for the day. You cannot be half in and half out. You cannot come in and out.

Chris Bryant (Rhondda) (Lab) Not like the customs union.

Mr Speaker: We are not talking about the customs union. The fact is that the Member is out for the day. He cannot speak today and he cannot vote today. The position has now been made crystal clear.

Sir Patrick McLoughlin (Derbyshire Dales) (Con)
rose—

Mr Speaker: The right hon. Gentleman is on his feet, so let us hear the fellow.

Sir Patrick McLoughlin: Further to that point of order, Mr Speaker. I just wondered whether you were aware of a piece of paper that came into my possession just before the start of today's business. It listed points of order to be made on the European Union (Withdrawal) Bill, with eight of them written out. It even had words such as "outrage" and "disappointment" in three of them. I am happy to put this in the Library so that all Members can get hold of it.

Mr Speaker: I simply say to the right hon. Gentleman that there will have to be quite a lot of copies.

Mr Dennis Skinner (Bolsover) (Lab) *rose—*

Mr Speaker: Of course I take a point of order from Mr Dennis Skinner.

Mr Skinner: On a point of order, Mr Speaker. As a bit of an expert on being thrown out, may I just explain to you that there are various ways of throwing people out? Obviously, one is where everybody follows, but that has never happened in my case. Secondly, it has been possible for somebody to be sent by the Speaker's Office to the room upstairs that I inhabited and for them to say to me, "On reflection, the Speaker said you can stay." That is a different way. Another way is where

people are sometimes barred from the House but not from the building. These variations have something to do with the Speaker at the time. So all I want you to explain to me is: just which one is this, because it is different?

Mr Speaker: I am always open to discussing these matters with the hon. Gentleman. I did not discuss this matter with him at 7.30 am, because, obviously, the eruption had not happened by then. However, as I toddled my way back from the health club this morning, we did discuss the question of last night's points of order. He volunteered his opinions to me about that matter with his customary forthrightness, of which I was duly appreciative. He asks what type of exclusion today's was. The answer is that the right hon. Member for Ross, Skye and Lochaber was excluded from the Chamber and from the precincts of the Palace of Westminster for the remainder of the day. I think that is now clear. If there are no further points of order, and I hope there are not, as we have a long way to go and many hours of Chamber debate to come, we will now come to the presentation of Bills.

BILLS PRESENTED

EMPLOYMENT GUARANTEE BILL

Presentation and First Reading (Standing Order No. 57)

Frank Field, supported by Sir Nicholas Soames, Jack Brereton, Margaret Beckett, Stephen Timms, Jeremy Lefroy, Sir Roger Gale, Kate Hoey, Ruth Smeeth, Sammy Wilson, Jim Shannon and Diana Johnson, presented a Bill to require the Secretary of State to guarantee paid employment for six months for claimants of Jobseeker's Allowance, or the jobseeker's component of Universal Credit, who have been unemployed for six months or longer; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 6 July, and to be printed (Bill 224).

Mr Speaker: That is a very good day—the first Friday of Wimbledon.

ANIMAL WELFARE (SERVICE ANIMALS) Bill

Presentation and First Reading (Standing Order No. 57)

Sir Oliver Heald, supported by Sir Roger Gale, Sir Paul Beresford, David Hanson, John Spellar, Mr Ben Bradshaw, Neil Parish, Gareth Thomas, Maggie Throup, Mr Nigel Evans, Jim Fitzpatrick and Sir Mike Penning, presented a Bill to amend the Animal Welfare Act 2006 in relation to service animals.

Bill read the First time; to be read a Second time on Friday 15 June, and to be printed (Bill 225).

Packaging (Extended Producer Responsibility)

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

1.19 pm

Anna McMorrin (Cardiff North) (Lab): I beg to move,

That leave be given to bring in a Bill to require producers of packaging products to assume responsibility for the collection, transportation, recycling, disposal, treatment and recovery of those products; and for connected purposes.

In recent years, Members of Parliament have worked hard on this issue in an attempt to safeguard our wildlife and oceans for future generations. I pay tribute to their efforts, and I am grateful to colleagues from all parties for their support for the Bill. Packaging pollution first came to my attention more than 10 years ago, while I was working as an adviser to Ministers in the Welsh Government. Back then, the impact that packaging and plastic pollution were having on wildlife, natural resources and climate change was becoming increasingly evident. That is why in Wales we introduced the 5p charge on single-use carrier bags, which has resulted in a 71% reduction in their usage since 2011. That is a perfect example of the difference that can be made when a Government acts.

The UK Government followed Wales with a 5p charge in England four years later, but since then their commitment to addressing the overwhelming amount of single-use and non-recyclable packaging that we use every day can only be described as erratic at best. David Attenborough recently said:

“Wherever I go now, whether it be in the mountains, on the moors or on the coast there is discarded plastic everywhere. The government hasn’t a clue, by the time they act it will be too late.”

Only last week, tests carried out by Greenpeace found that even in the remotest parts of Antarctica there is microplastic contamination. Not only is it ruining one of the most pristine environments on the planet, but the tiny shards of plastic—often less than a twentieth of a millimetre wide—can be mistaken for prey by tiny marine animals. Those microplastics then make their way up the food chain, potentially inflicting harm on larger animals such as sea birds and whales, as well as getting into our food chain via shellfish.

My father spent two years in Antarctica with the British Antarctic Survey, from 1961 to 1963. I am really proud of the pioneering work that he carried out there—and even more proud that it was recognised by the naming of the McMorrin glacier after him. I remember from when I was growing up his many stories of life in that vast, beautiful, untouched landscape and of how the natural world shaped him. His passion for the environment and his determination to change things has stayed with me. It is unthinkable that our actions today are threatening those previously untouched landscapes, and many others just on our doorstep.

We have now reached a crisis point. In Cardiff, clean-up volunteers describe seeing on the banks of our rivers piles of takeaway cartons, broken-up polystyrene, and even a swan’s nest made of plastic bottles. The founder of the Cardiff rivers clean-up group said:

“There is a huge opportunity with people wanting to make a difference, the governments need to be a lot stronger, stop talking and just do it.”

A recent study by Eunomia suggests that UK Government figures drastically underestimate how much plastic packaging waste Britain generates. Its analysis suggests that it is a staggering 50% higher than projected. However, that is unsurprising considering that Eunomia also analysed the composition of UK waste and found that the system for calculating recycling rates is inclined to overestimate success. That is not ideal when we use those figures to make decisions and future projections.

In France, there is a proposed 50% penalty for packaging that is not easily separated and that is therefore considerably disruptive to the recycling stream, such as coffee cups and black plastic packaging, which is problematic. Instead of just introducing a higher penalty, the Government need to address a common complaint of producers, which is that the current system does not substantially reward, and therefore encourage, recyclability in product design. A solution could be to introduce bonuses for producers via a reduction in the levy that they pay. The bonuses could cover three categories, including reducing the packaging weight of their product, making it easier to recycle, and raising awareness by applying a clear and correct label to the product.

Why is the Bill so important? Because crucially, with extended producer responsibility currently not enshrined in law, the cost of recycling falls to councils, which are already struggling to pay for social care, education and community services, while also being asked to pick up the tab for recycling and waste management. Currently, businesses that handle packaging are required by law to pay for the recycling and recovery via compliance schemes, whereby the more packaging they produce, the more they pay. Between 2014 and 2016, the average revenue from that compliance was about £60 million a year, but the estimated cost of the delivery of recycling services across local authorities is nearly £600 million. So even if local authorities benefited from the full amount, it would still come to only 10% of the cost borne by local authorities. It is a cheap form of compliance for the producer, but one that means that others pay the cost of ensuring that products are properly recycled and disposed of at the end of their life cycle, which is absolutely necessary. Research shows that more than half of UK councils have had to cut budgets for collections and for communications and advertising for kerb-side plastics recycling.

The aim of the Bill is to encourage producers to take responsibility, not only for the product but for its disposal—to be responsible for the clean-up and not just contribute to it. It would encourage producers to innovate and change the packaging of their products and to contribute more to getting better recycling infrastructure for all councils within whose area their product is consumed.

Most importantly, this Bill is what the British public are calling out for. A recent study shows that almost all 16 to 75-year-olds in the UK are concerned about the effects of plastic waste on the environment, with 54% willing to buy more products made from recycled materials, but there is only so much that consumers can do if alternatives are not available. In my constituency of Cardiff North, students at Rhiwbeina Primary School have started the Kids Against Plastic #PACKETin

campaign. The children collect crisp and chocolate wrappers and post them back to the manufacturers with a letter asking them to switch to packaging that can be recycled. That is a positive campaign that gives our next generation a voice—but are the producers listening?

Some supermarkets are willing to play their part and listen to customers, but they cannot force independent producers to change their packaging. Manufacturers welcome the Bill because it would help innovation and drive growth. That is why I urge the UK Government to take heed, work with me on the Bill and respond to the growing number of voices becoming more and more frustrated by being unable to prevent packaging pollution. The BBC's "Blue Planet" has had a massive impact on our psyche. Who can forget the image of the turtle wrapped in a plastic sack, or the photo of the stork wrapped in a plastic bag? If the UK Government do not use their power to legislate properly, such images are going to keep on coming. I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Anna McMorrin, Mary Creagh, Zac Goldsmith, Ben Lake, Kerry McCarthy, John Mc Nally, Dr Matthew Offord, Jo Platt, Liz Saville Roberts, Mr Barry Sheerman, Alex Sobel and Matt Western present the Bill.

Anna McMorrin accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 226).

European Union (Withdrawal) Bill

[2ND ALLOCATED DAY]

Further consideration of Lords amendments

Mr Speaker: I remind the House that financial privilege is engaged by Lords amendment 3.

Clause 19

COMMENCEMENT AND SHORT TITLE

1.30 pm

Keir Starmer (Holborn and St Pancras) (Lab): I beg to move amendment (a) to Lords amendment 51.

Mr Speaker: With this it will be convenient to discuss the following:

Lords amendment 51, amendment (b) thereto, and Government motion to disagree.

Lords amendment 1, amendment (a) thereto, and Government motion to disagree and Government amendment (a) in lieu.

Lords amendment 2, amendment (a) thereto, and Government motion to disagree and Government amendment (b) in lieu.

Lords amendment 5, and Government motion to disagree.

Lords amendment 53, Government motion to disagree, and Government amendment (a) in lieu.

Lords amendment 4, and Government motion to disagree.

Lords amendment 3, motion to disagree, and amendments (c), (e) and (d) in lieu.

Lords amendment 24, Government motion to disagree, amendment (i) and Government amendment (ii) to Government amendment (a) in lieu, and Government amendments (a) and (b) in lieu.

Lords amendments 32, 6 to 9, 33 to 36, 38, 40 to 42, 159 to 161, 163, 164, 166 to 168 and 170.

Keir Starmer: I rise not only to move amendment (a) to Lords amendment 51, but to support the other Lords amendments that we are considering today. May I start by thanking the other House for its work? In particular, I wish to record our thanks to our Labour Lords team, led by Baroness Hayter and Baroness Smith, who have worked extremely hard to improve this Bill.

The amendments in this group this afternoon, as with yesterday, cover a number of crucial issues, such as enhanced protection for EU-derived rights, environmental safeguards and the charter of fundamental rights. In many respects, that should not be controversial, and I will return to those issues later on.

Let me start with Lords amendments 1 and 2. These amendments, if upheld here, would require a Minister to lay before both Houses of Parliament a statement outlining the steps taken in the article 50 negotiations to negotiate our continued participation in a customs union with the EU. I do not suppose that it is the making of a statement that the Government object to; it is the negotiation of a customs union with the EU. In fact, so

[Keir Starmer]

determined are the Government not to accept a customs union with the EU that they have gone to extraordinary lengths to dream up alternatives.

When the so-called partnership agreement and the so-called maximum facilitation options first saw the light of day last summer, nobody really took them seriously, not even the Brexit Secretary. Within two weeks, he was describing the customs partnership as blue-sky thinking. Thus, when the Prime Minister resurrected them in her Mansion House speech earlier this year, many of us, including myself, were genuinely surprised. Since then, it has become increasingly apparent that neither option is workable, that neither is acceptable to the EU and that neither will get majority support across this House. The Foreign Secretary calls the customs partnership “crazy”. The Business Secretary says that the maximum facilitation option would cost thousands of jobs in manufacturing. It is no wonder that a Cabinet peace summit is planned for July.

The proposal in Lords amendments 1 and 2 that the Government should seek to negotiate a customs union with the EU as part of the future arrangement is a sensible one for many reasons.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): Is the right hon. and learned Gentleman prepared to accept free movement as the cost of a customs union, or is he not?

Keir Starmer: I will come to that issue, but I am sure that the hon. Gentleman is aware that free movement has nothing to do with the customs union.

Mr Ben Bradshaw (Exeter) (Lab): Given the reports that we are hearing just now that No. 10 has rejected the agreement that was made yesterday with sensible Conservative MPs on the Grieve amendment, at least the third part of it, there is no guarantee now—absolutely none—that there will be a meaningful vote. Is it not absolutely essential that a loud voice goes out from this House today to say that we want the least damaging Brexit possible—in the customs union and in a single market?

Keir Starmer: I am grateful for that intervention. I have not seen the news that is just coming through. If that is the case, it is extremely concerning. A strong message needs to go out from this House about the proper role of Parliament in the article 50 process and one that argues for the best possible outcome in terms of a close economic relationship with the EU.

Anna Soubry (Broxtowe) (Con) *rose*—

Keir Starmer: I will give way—

Mr Edward Vaizey (Wantage) (Con): Give way!

Keir Starmer: I have already given way, so I cannot be accused of not giving way.

Anna Soubry: I thank the right hon. and learned Gentleman for giving way. We need to be very clear about this. Something may have happened, but I heard

the Prime Minister saying very clearly from the Dispatch Box that an amendment would be forthcoming, that it would largely incorporate much of the amendment that my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) tabled yesterday, that discussions and negotiations are continuing, that that amendment will be tabled in the Lords in due course and that the job will be done on a meaningful vote involved for this House.

Keir Starmer: I am grateful for that intervention. I have not seen whatever news is coming out, but having observed the proceedings yesterday and the various interventions, it seems to me that what the right hon. and learned Member for Beaconsfield (Mr Grieve) was saying was very clear for us all to hear. He spoke about the specific paragraphs that were of huge importance, and we heard about what the proposed amendment in the Lords would contain. Obviously, we will have to wait and see what the wording is, but, from my point of view, as someone who was observing it, I thought that it was pretty clear what was being said from the Front Bench about what was likely to happen in the course of next week.

Frank Field (Birkenhead) (Lab): Will my right hon. and learned Friend give way on that very point?

Keir Starmer: I will, but I must say that I was not anticipating spending the whole afternoon on re-interpreting yesterday, but let us see how we get on.

Frank Field: Does my right hon. and learned Friend agree that, though it was fun yesterday, the truth is that, if this House wants a meaningful vote, there are ways and means by which we will have a meaningful vote irrespective of what the legislation says?

Keir Starmer: I could not help noticing yesterday that, as my hon. Friend the Member for Greenwich and Woolwich (Matthew Pennycook) was spelling that out, the Government’s position was that, should article 50 be voted down, they guarantee that they will make a statement within 28 days and that that was not particularly convincing—the Brexit Secretary himself found that to be a cause of some amusement. That is certainly not enough. What is needed is the opportunity for this House not only to vote on the article 50 deal, but to have an appropriate and proper role if the article 50 deal is voted down. I am afraid that we are rehearsing yesterday’s argument, but we on the Labour Benches voted for the amendment, which would have given not only a meaningful vote, but a proper role for Parliament afterwards to decide what happens next.

Mr Speaker: Order. The right hon. and learned Gentleman is completely innocent in this matter, but he has, almost unavoidably, been diverted from the path of virtue as a result of interventions. I simply want to remind not just him but the House that we are supposed to be focused on amendments that relate to the European economic area. What we must not do is have a replay of yesterday’s proceedings.

Mr Vaizey: Well said, Mr Speaker.

Mr Speaker: Well, that is very generous of the hon. Gentleman—

Mr Vaizey: It's right hon. Gentleman.

Mr Speaker: Well, the right hon. Member for Wantage (Mr Vaizey). Well, my cup runneth over today. I am having moral support from sedentary positions both from the right hon. Gentleman and from the right hon. Member for Broxtowe (Anna Soubry) to boot. It is clearly my lucky day.

Keir Starmer: I will press on, make my case and take some further interventions later on.

I was saying that the proposal in Lords amendments 1 and 2 that the Government should seek to negotiate a customs union with the EU as part of the future arrangements is a sensible one for many reasons. The first is the economy. Over a number of decades, our manufacturing model has adapted to the arrangements that we currently have with the EU, including the customs union. Thus, typically, we see, across the UK, thousands of manufacturing businesses that operate on the basis of a vital supply chain in goods and parts from across the EU. The car industry is an obvious example, but not the only one.

Such businesses operate on the basis of a just-in-time approach. Whereas years ago there were stockpiles of parts and so on, these days there is a just-in-time approach. Parts come in and are assembled, and the finished product then goes quickly and seamlessly across the UK and/or out to the EU. That is the manufacturing model that this country has operated for many years, and MPs across the House know that that is what goes on in their constituencies.

Emma Reynolds (Wolverhampton North East) (Lab): The outgoing president of the CBI said today that manufacturing sectors, particularly the car industry, would be severely damaged if the UK did not stay in a customs union with the EU. Does my right hon. and learned Friend agree that those comments are very concerning?

Keir Starmer: One of the risks for Members taking interventions is that the very next point we are about to make is stolen, but my hon. Friend is absolutely right. I will just remind the House that the president of the CBI this morning said:

“If we do not have a customs union, there are sectors of manufacturing society in the UK which risk becoming extinct... Be in no doubt, that is the reality.”

This is at the heart of the debate. If we destroy the manufacturing model that I just described, we destroy a vital part of the economy and job losses will be considerable. That is why there are such high levels of concern across the business community about the Government's current approach.

Charlie Elphicke (Dover) (Ind): The right hon. and learned Gentleman is being very generous in taking interventions. Will he just tell the House whether he believes that Britain should remain in the EEA—yes or no?

Keir Starmer: For the benefit of the House, I am going to go through the customs union argument before moving on to discuss the EEA and the single market,

and then I have other remarks to make. If the hon. Gentleman will forgive me, I will deal with his point when I deal with the EEA. I am currently dealing with the customs union.

Sir Edward Leigh (Gainsborough) (Con): Is Labour in favour of staying in the customs union, or a customs union that approximates to a customs arrangement that would allow us to make free trade deals with states other than the EU—the customs union, or a customs arrangement?

Keir Starmer: The current customs arrangements are in the membership treaty. Therefore, if they are to be replicated and if there is to be a customs union that does the work of the current customs union, there needs to be a new treaty. That is why we are in favour of a customs union, but a customs union that does the work of the customs union that we are currently in. Although this was a point of great heat and discussion weeks and months ago, I think most people now understand that there will have to be a new agreement that replicates and does the work of the current customs union.

Several hon. Members *rose*—

Keir Starmer: I am going to make some progress; I have taken a lot of interventions and I will take others later.

The concern about the customs union is not confined to the business community. It inevitably extends to trade unions, on behalf of those they represent; those who depend on the manufacturing sector; and those who work in and operate our ports and places of entry and exit. I have visited Dover to look at the operation there and to talk through with management and staff the impact of any change to the current customs arrangements. I have also visited Holyhead, the second biggest port, where there are high levels of concern.

Kevin Hollinrake (Thirsk and Malton) (Con): I know that the right hon. and learned Gentleman wants to separate out the customs union from the single market, but we cannot separate those two things if we are talking about frictionless trade and just-in-time deliveries. Checks would be required not just for customs and rules of origin, but for product regulations and conformity with standards. Further to the question from my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke), is the right hon. and learned Gentleman therefore willing to accept free movement of people as the price of access to the single market?

Keir Starmer: I assure the hon. Gentleman that I will discuss the single market and the EEA, and I will deal with his question then. At the moment, I am making a case on the customs union, although I accept the proposition that the customs union on its own does not produce frictionless trade, and nor does it answer the question, “How would you prevent a hard border in Northern Ireland?” I will specifically deal with this matter later in my speech, and I will take further interventions then.

Mrs Madeleine Moon (Bridgend) (Lab): Is my right hon. and learned Friend aware that the Dutch Government and the European Commission have begun to advise

[Mrs Madeleine Moon]

businesses not to take car parts produced in the UK for export because of concerns about rules of origin. Will today's proposals address that?

Keir Starmer: I had heard that. It is not an isolated example; there are others. This is deeply troubling, which is why the amendments before the House today are so important.

Stephen Timms (East Ham) (Lab): My right hon. and learned Friend has already reminded the House that the Cabinet has not made up its mind on what sort of customs arrangement it wants. Is it his understanding, as it is mine, that the maximum facilitation option would entail infrastructure on the border in Northern Ireland, so it would get us back to the hard border that everyone says we want to avoid?

1.45 pm

Keir Starmer: The main problem with maximum facilitation is that it involves technology yet to be invented and certainly yet to be made to operate. Nobody knows quite what it is, whether it can be developed and delivered, and if so, when. On the Northern Ireland border—although I will speak about Northern Ireland later—the commitment is to no infrastructure, no checks and no controls. I will come to that point specifically when I deal with Northern Ireland.

Rushanara Ali (Bethnal Green and Bow) (Lab): My right hon. and learned Friend will be aware that the permanent secretary of Her Majesty's Revenue and Customs indicated that the implementation costs of maximum facilitation would be £17 billion to £20 billion a year. This information was shared across Whitehall, so Ministers are well aware that it would be damaging to our economy.

Keir Starmer: Yes, I did see that figure. It is deeply concerning that those sorts of costs are even contemplated for that option in relation to technology that has not been developed or, in many respects, even invented. That is why there is such a bitter dispute going on in the Cabinet.

Mr John Baron (Basildon and Billericay) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I am going to press on, if the hon. Gentleman does not mind. I will take other interventions later.

I realise that all sorts of fanciful promises about new customs arrangements were made during the referendum and have been made since, but we have a duty to protect our economy, jobs and the manufacturing sector across the UK. That is at the heart of today's debate. The only way to uphold that duty is to negotiate a customs union with the EU.

There is, of course, another important aspect. In December last year, our Government made a solemn promise in the phase 1 agreement: no hard border in Northern Ireland. And that was spelt out—no infrastructure, no checks and no controls. Now, in all the to-ing and fro-ing yesterday, what may have been

missed is that one amendment that went through, without any dissent from the Opposition, was a Government amendment to Lords amendment 25 for that obligation to be legally binding in UK law. That is a very significant amendment; after the political commitment in December to no hard border, no infrastructure, no checks and no controls, we now have a binding law to that effect. This goes to the issue of maximum facilitation, because if maximum facilitation does involve infrastructure, checks or controls, it would be unlawful under the provision passed yesterday. Therefore, it cannot happen.

Heidi Allen (South Cambridgeshire) (Con): The right hon. and learned Gentleman is right. We did not get to debate that amendment because we ran out of time yesterday, but it is huge. It means that, logically, we will have to come to a customs union agreement, partnership—*[Interruption]*—I'll do that. I do not care what we call it, but that is what we will need to avoid any border at all in Northern Ireland. It is great progress.

Keir Starmer: It is a significant amendment, and it was also a significant amendment in the Lords. Even as amended—taking it back to being closer to the wording of the phase 1 agreement—the amendment is still a very significant measure.

Mr Dominic Grieve (Beaconsfield) (Con): It also goes further than that, does it not? Not only will we have to stay in a form of customs arrangement amounting to a union, but we will also have to have a high level of regulatory alignment. Otherwise, the life that takes place along the border will be impossible because of different regulations on either side.

Keir Starmer: I agree, and I will develop that argument, because a customs union alone will not solve the conundrum of how to keep to the solemn commitment to having no hard border in Northern Ireland.

Mr Kenneth Clarke (Rushcliffe) (Con): I will not repeat what my hon. Friend the Member for South Cambridgeshire (Heidi Allen) and my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) have said, because I was about to make the same point. It was the most significant thing that happened yesterday, but given the circus that surrounded everything and the timetable that stopped us debating it, nobody so far has taken any notice. However, it does bear on today's debate, because yesterday's legally binding commitment extends the needs of the Irish border to the whole United Kingdom. We are talking about Dover—and we settled that yesterday—and we are not having a border down the Irish sea. The United Kingdom has therefore got to negotiate an arrangement with the EU as a whole that has no new frontier barriers. Effectively, we are going to reproduce the customs union and the single market, and the Government will be unable to comply with yesterday's legal obligation unless it does so.

Keir Starmer: I am grateful for that intervention. When the phase 1 agreement was reached in December, I thought that commitment was the most significant thing that had happened since the referendum, with regard to indicating what our future relationship with the EU would be. I think that it is clear to everyone who has considered this and visited Northern Ireland to talk

it through that the only answer to having no hard border, in the end, is a customs union and high-level single market alignment, and that is why yesterday was so significant. The fact that that was accepted by the Government and turned into domestic law gives it a status that it did not have until yesterday, because previously it was a political agreement at international level. I am not suggesting for one moment that it was not solemnly entered into by the Government, or indeed that they would resile from it as a matter of international negotiation, but it will now become a matter of domestic law. It is probably the most significant thing that happened yesterday.

Mr Baron: May I just remind the right hon. and learned Gentleman that the vast majority of people, not only at the referendum but at the general election—85% of those who voted—voted to leave the customs union and the single market? It was a very clear result. Let me ask him this one straightforward question, for clarity: in their search for a customs union, are the Opposition willing to sacrifice our ability to negotiate trade deals outside the EU in order to achieve that customs union with the EU?

Keir Starmer: We all want new trade deals. At the moment we have got an excellent trade deal with the EU, and we have 37 additional agreements with 67 countries through our membership of the EU. The first thing we need to do is preserve that. Lots has been said about new trade agreements and how they will be fast and how we will get much better terms than would be offered to any other country in the world. In fact, we are told that they will be queuing up to give us preferential treatment, and quickly. I think the Brexit Secretary said that by March next year we will have had trade deals with countries in an area that is geographically 10 times larger than the EU. Well, he has only a few months left to pull that one off. The Opposition consider that if new trade deals are struck together and jointly with the EU, we have a better chance of getting quicker and better trade deals.

Karin Smyth (Bristol South) (Lab): On Monday I was in Ireland with the British-Irish Parliamentary Assembly, and I think that what happened yesterday will be welcomed across the island. I remind the House that many things that happened in Northern Ireland over the past 40 years did not necessarily arise because of a border; they arose because of civil rights discussions across the island. The House must be mindful that, as we go forward in these discussions, we need to be careful when talking about our relationships across the island, both north and south, and within the United Kingdom.

Keir Starmer: This is a matter that I know every Member across the House is really concerned about. The commitment to having no hard border in Northern Ireland, which was set out in the Good Friday agreement, was not just a question of how technically one might get people or goods across a line in the road between the Republic and the north, and nor is it as we go forward; it is a manifestation of peace. I had the privilege of working for the Policing Board in Northern Ireland for five years, implementing some of the Good Friday agreement. Having talked to both communities consistently over those five years, I know that this is deep in the

hearts of everybody there. This is more than a technical issue; it goes to the heart of what was achieved 20 years ago. We must always bear that in mind.

Owen Smith (Pontypridd) (Lab): My right hon. and learned Friend speaks truthfully and eloquently about preserving peace in Northern Ireland, and of the centrality of the border to that. He also says that in order to achieve that we must effectively be in a single market and a customs union. Does he accept that one of the concrete ways we might deliver that is to be in the customs union and the European economic area, which is entirely possible, as Michel Barnier pointed out yesterday?

Keir Starmer: I assure my hon. Friend that I will come to the EEA later and take interventions on it, but first I want to deal with the customs union.

Lady Hermon (North Down) (Ind): I am grateful to the right hon. and learned Gentleman for allowing me to intervene. He referred, quite rightly, to his service to the people of Northern Ireland through the Policing Board in earlier years. I am aware that he visited Northern Ireland recently and met the present chief constable of the Police Service of Northern Ireland. He will therefore be aware that the chief constable has recently withdrawn from sale three unused border police stations and asked for funding for an additional 400 police officers to deal with the border arrangements after Brexit. Can he throw some light on why on earth the chief constable would do that if we are not going to have a hard border?

Keir Starmer: I did go to Northern Ireland recently and I did have a meeting with the chief constable, who I know in any event. We spoke in confidence, and I will not break that confidence, but the facts about staff, posts and buildings, as the hon. Lady has just laid out, are right. Although having no hard border was a political commitment made in December, and it is now a legal commitment, there is a concern that that should be delivered. That is not a concern solely of the Police Service of Northern Ireland; it is a concern across the piece.

Several hon. Members rose—

Keir Starmer: I will take two more interventions, from the hon. Member for East Worthing and Shoreham (Tim Loughton) and my hon. Friend the Member for Slough (Mr Dhesi), but then I really must press on—I keep saying that, and I must do it.

Tim Loughton (East Worthing and Shoreham) (Con): May I just bring the right hon. and learned Gentleman back to the question from my hon. Friend the Member for Basildon and Billericay (Mr Baron)? My understanding from his answer, as it tailed off, is that he is only in favour of trade deals severally and jointly with the European Union. Is he not aware that currently the EU has trade deals in operation with under 10% of the world's economies? Is he saying that under Labour's vision we would be unable to secure trade deals with the other 90%? Does his vision also include the fact that at the moment four fifths of the tariffs collected under the customs union are paid to Brussels? Does he want to see that sort of arrangement continue under his vision?

Keir Starmer: The EU has trade deals with 67 countries through 37 agreements. It has a further 49 agreements with developing countries. There are 200 countries in

[*Keir Starmer*]

the world, 28 in the EU, and 67 are already in extra agreements with the EU, and there are 49 in the developing country agreements. That is a considerable number of countries in the world.

2 pm

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Does my right hon. and learned Friend agree that the crux of today's debate is whether we want a close working relationship with our neighbour and social, cultural and economic partner, the European Union? Ultimately, that is why so many of us—including the business community, trade unions and many Opposition Members—want a customs union.

Keir Starmer: I am grateful to my hon. Friend for his comments, and I agree.

Several hon. Members *rose*—

Keir Starmer: I just want to finish this point—*[Interruption.]* I do not think that anybody could accuse me of not having taken interventions. I need to move on.

Mr Speaker: Order. I am extremely grateful to the right hon. and learned Gentleman. There was a less than wholly polite chunter from a sedentary position. I warn the hon. Member for Wyre Forest (Mark Garnier) that I might need to have a word with family members of his who live in my constituency, who would expect him to behave in a seemly manner. I simply say to the shadow Brexit Secretary that I am listening to his disquisition with great interest, and will do so, but I know he will be sensitive to the fact that although we have six hours for debate, there is a very large number of Members wishing to contribute.

Keir Starmer: I am grateful for that, Mr Speaker.

To finish my point about Northern Ireland, I think that the conclusion of the vast majority of people who have considered this in great depth and with concern is that there is no way of delivering on the solemn promise that there should be no hard border in Northern Ireland unless the UK is in a customs union with the EU and there is a high level of single market alignment. The so-called backstop argument that has been going on in recent weeks is testament to that, because the Government are trying to find a post-implementation period phase when in truth we will be in a customs union and in high-level regulatory alignment with the single market. For our economy, and to enable us to keep our solemn commitments on Northern Ireland, I urge hon. and right hon. Members to vote to uphold Lords amendments 1 and 2.

I now turn to the EEA and amendment (a) to Lords amendment 51, which is in my name and those of other shadow Front Benchers. I understand why their lordships have become so concerned about the state of negotiations that they want an amendment to cover the single market. The Prime Minister's red lines of October 2016 were a profound mistake. If we are to keep to our duty of protecting our economy, including the manufacturing sector and the services sector, and our solemn promise in relation to Northern Ireland, we need a customs union with the EU, and we also need a strong single market deal based on shared regulations and institutions.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): Can my right hon. and learned Friend explain the tangible difference between us being in a customs union with full access to the single market and our being members of the EU, other than the fact that we will not be electing Members of the European Parliament?

Keir Starmer: Obviously, politically, we will not be in any of the institutions, and we will not be a member of the EU. We are dealing with the question of whether we should have a close economic relationship with the EU, which everybody recognises is a critical issue, and working through the best configuration for that. I do not think that the mere fact that there has been a vote to leave the EU can be interpreted as the wish of anybody who voted to make our economic relationship with the EU any worse. I do not think that anybody was voting to harm the ability of businesses in this country to do business.

Several hon. Members *rose*—

Keir Starmer: I am going to press on and then I will give way again.

The EEA has a number of real benefits with regard to shared regulations and shared institutions, but it also presents real challenges. I have taken this option very seriously. I went to Norway to discuss it with that country's political leaders, trade unions and businesses, and I also visited an EEA border—the Norway-Sweden border—to see what it was like.

The EEA undoubtedly works well for Norway, Iceland and Liechtenstein, but their economies are very different from ours, as is their size—Norway has 5 million people, Iceland has 300,000 and Liechtenstein has 37,000. Those countries chose not to be in a customs union with the EU. The European Free Trade Association is, after all, a free trade association, and those countries have struck trade deals in their own right as a group. I am sure that those trade deals work well for them, but I think that the 37 trade deals that the EU has struck work better for the UK than the EFTA trade deals would.

Mark Garnier (Wyre Forest) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I will just complete this point.

The EEA excludes agriculture and fisheries, which presents a problem in relation to the solemn commitment to no hard border in Northern Ireland. When I went to the border between Sweden and Norway, there was infrastructure, checks and controls—not for people, but for goods. The EEA also provides very little flexibility on the four freedoms, including freedom of movement and the way in which single market rules are implemented. Some say that those challenges can be overcome. I will continue to listen to those arguments, because there is no doubt that, in addition to a customs union with the EU, we need a strong single market deal, but I do not think we can ignore those challenges.

Angela Smith (Penistone and Stocksbridge) (Lab): Despite their small populations, Iceland and Norway represent the two biggest catch sectors in Europe's fishing industry. If the exclusion of the common fisheries policy is so bad in terms of UK membership, how on earth is it that Iceland and Norway, which depend heavily on fishing, are still in the EEA and benefit from it?

Keir Starmer: I am obviously not making my point in the right way. If the question we are trying to answer is how we ensure there is no hard border in Northern Ireland, it is very difficult to see how we can answer that by adopting the EEA model as it is, because agriculture is outside of the agreement that Norway, Iceland and Liechtenstein have struck. That is the point I was trying to make.

Mr Jonathan Djanogly (Huntingdon) (Con): It seems to me that the right hon. and learned Gentleman is, in effect, making the same argument on this issue as the Government, which is that we want to negotiate a free trade deal without the bureaucracy or the regulations—in other words, to have the best of the EU and the single market but without the downside. That is a very valid position to take, but can he confirm that he is in concurrence with the Government's position on that?

Keir Starmer: No, our position is not the same as the Government's at all. I recognise that we need a strong single market model. All I am saying is that I think there are challenges in the EEA model, which is not the only model, and that we would be better off with a model that does not tie us to a particular deal that another country has done. However, and this is why our amendment is important, that model should ensure full access to the single market and no new impediments to trade, with common rights, standards and protections as a minimum, underpinned by shared institutions and regulations. That is a long way from the Government's position because they are not prepared to sign up to those commitments. The frustration in the negotiations is that nobody yet knows, because the Cabinet is still divided, whether the Government really want to negotiate something that is close economically to the EU, which will require shared regulations and institutions, or if they want to negotiate something else altogether.

Frank Field: I hope that all of us who support Brexit wish the UK to have access to the single market on the terms we have now, with the conditions about regulation that will follow from that. A key part of the campaign was that we should have control of our borders and not be subjected to foreign courts. Does my right hon. and learned Friend accept that we might have to pay for the privilege of gaining free access to the single market but controlling our borders?

Keir Starmer: I accept that freedom of access was bound up with the referendum, and that is why every time I have stood at this Dispatch Box, I have said that we accept that freedom of movement will end when we leave the EU. The question is: what comes next, what does it look like and how do we negotiate it with the EU? That does not make things easy, but I think the Government's approach, which was to abandon any argument for the customs union or the single market at the outset for fear of having that discussion with the EU, was wrong in principle.

Caroline Flint (Don Valley) (Lab): I absolutely agree with my right hon. and learned Friend that, when we leave the European Union, freedom of movement should end, and this is about what comes next. Does he agree that the EEA Norway-Liechtenstein-Iceland model does not allow us to have control over how freedom of

movement will change and ties us in to “no say”? Norway, Liechtenstein and Iceland have signed up to having no say over freedom of movement.

Keir Starmer: I have looked very carefully at the provisions in the EEA agreement, and there has been a lot of discussion about articles 112 and 113 in particular. I have to say that my reading of those articles is that they are what are called “in extremis” provisions, which actually do allow some flexibility on all obligations under the EEA agreement, but only in extreme circumstances and for a short period. The argument that others have put to me is that there is a different interpretation, but we are still discussing that matter.

Wayne David (Caerphilly) (Lab) rose—

Keir Starmer: I will give way once more and then I really will have to get on.

Wayne David: Does my right hon. and learned Friend agree that the EEA would become a viable option only if Britain were able to negotiate fundamental changes to the EEA agreement, which would be a huge challenge for the United Kingdom?

Keir Starmer: In fairness to those who advocate joining the EEA, there is a recognition that the EEA agreement, unamended, would not be the right deal for the UK, but the argument is that it could be amended.

Several hon. Members rose—

Keir Starmer: I am going to press on because I have used up far too much time.

Our amendment (a) puts forward a strong single market proposition—*[Interruption.]*

Mr Speaker: Order. I say very courteously to the hon. Member for Chelmsford (Vicky Ford) that we cannot have an intervention by what I would call “proffered chunter” from a sedentary position. If the right hon. and learned Member who has the Floor wishes to give way, it is open to him to do so. *[Interruption.]* Order. The blame game taking place between the right hon. Member for Wantage (Mr Vaizey) and the hon. Member for Wyre Forest (Mark Garnier) about who else chuntered, with each pointing at the other, is not altogether seemly.

Keir Starmer: I am going to press on because I have taken lots of interventions and engaged with them. I have been on my feet for nearly 45 minutes, which is not fair to colleagues on both sides of the House who want to speak.

Our amendment is a strong single market proposition. It sets out the kind of new relationship we want to achieve with the EU—a close economic relationship, with full access, while ensuring there is no lowering of common standards and protection, and recognising that shared institutions are required to achieve that. It is a million miles away from the Government's position on the single market. It does not set a narrow route; it sets the parameters of the new single market relationship we want to achieve, and it leaves options open to achieve that. I urge all Members on both sides of the House to support it.

[Keir Starmer]

Let me turn to the question of human rights and other protections. Lords amendment 4 sets out enhanced protections for employment, equality, health and safety, consumer standards, and environmental rights and standards. The argument is very simple; it was very simple at the start and it is very simple now. At the moment, these rights have enhanced status because we are members of the EU. They are being converted into our law—the Government said they would convert them and they are converting them; I will come on to the charter of fundamental rights in a minute—but not with any enhanced protection. All the amendment says is that if those rights and protections are to be changed, that should be done by primary legislation.

The amendment is not contentious, and it does not even say that the Government cannot change those rights. It just says that if they believe in these rights and think they should have enhanced protection, they should for heavens' sake put them into a form that means that if they want to change them, they have to use primary legislation to do so. The only reason I can think of for resisting that is that somebody thinks it might be a good idea to chip away at these rights without doing so through primary legislation.

The Solicitor General (Robert Buckland) *indicated dissent.*

Keir Starmer: The Solicitor General shakes his head. If that is not the case, he should accept Lords amendment 4 and get on with it. This is the same argument we have been making since the Bill started its life back in September 2017.

There is good reason to be concerned. I know these are old examples, but they are real ones. The Foreign Secretary has complained of “back-breaking” EU workers' rights, and the Secretary of State for Environment, Food and Rural Affairs has claimed that the Government should

“have the potential to...if necessary rescind”

employment protections after Brexit. Such examples give Opposition Members, trade unions and working people across the country huge cause for concern that, in the absence of enhanced protection, these rights will be vulnerable.

2.15 pm

Mr Grieve: The right hon. and learned Gentleman is making a very powerful case. I can tell him that Government Members should also be concerned about this matter. I am sure he agrees that it is perfectly possible to carry out Brexit—without incorporating the charter of fundamental rights, which I know is a subject of difficulty—while at the same time securing these rights through this perfectly sensible amendment.

Keir Starmer: I am grateful for that intervention. I would have thought that this is not controversial. The Prime Minister said that she did not want to reduce these rights, and we take her at her word, but if the Government convert them into a form in which they lose their protection, they make them vulnerable. I would have thought that any Government who want to

change these rights would have the decency to do that through primary legislation so that this House can carry out the proper scrutiny process. It is very straightforward.

I now turn the charter of fundamental rights. Through the Bill, thousands of EU provisions are being converted into our law—only one is not being converted. All the others can be converted, changed, modified or brought into our law in some shape or form, but the charter apparently cannot be converted, and that is wrong in principle.

Mary Creagh (Wakefield) (Lab): I am very interested in my right hon. and learned Friend's point, particularly in relation to the charter of fundamental rights. Does he agree that amendment (c) in lieu of Lords amendment 3—it talks about environmental principles, and potentially rights, being put into primary legislation—may leave us in the anomalous position of having more environmental rights after Brexit than social and civic rights? Is that not a disgrace?

Keir Starmer: I am grateful to my hon. Friend for that intervention. She makes the case very well and powerfully. As far as the charter is concerned—

Kevin Hollinrake: Will the right hon. and learned Gentleman give way?

Keir Starmer: I will make this point about the charter and then I will give way.

The charter has enabled the evolution of important rights, adding significantly to the fields of equality and non-discrimination, especially lesbian, gay, bisexual and transgender rights, and the rights of children, workers and the elderly. As Liberty, Amnesty International and the Equality and Human Rights Commission have argued, excluding the charter from the Bill

“will lead to a significant weakening of the current system of human rights protection in the UK”.

Human rights develop over time. This country and the House have played long and distinguished roles in that development. Brexit should not be used to end that tradition or to reduce our human rights protection in the UK. We therefore call on right hon. and hon. Members across the House to vote for Lords amendments 4 and 11.

I shall now come on, briefly, to the environmental provisions. Lords amendment 3 seeks to maintain environmental principles and standards as we leave the EU. The amendment has our full support. The EU's environmental principles are hard-wired into the treaties, and they underpin all its environmental policies and laws, which are then enforced by EU institutions and agencies. These environmental principles and the enforcement mechanisms that uphold them must be retained and replaced if Brexit is not to weaken protection for our natural environment.

I know that amendment (c) in lieu, tabled by the right hon. Member for West Dorset (Sir Oliver Letwin), is designed to address some of those concerns. If it is supported by the Government—I assume it will be—it will introduce some helpful developments in the Government's policy, including proposals to enable the

watchdog to initiate legal proceedings. However, it does not go far enough, so we urge Members to support Lords amendment 3.

Mary Creagh: Does my right hon. and learned Friend agree with me that the amendment, as it stands, asks the Government not to act in accordance with the duty on them, but only to have regard to it, which is a much less stringent legal test? Does he also agree that while it creates the ability to initiate legal action, it does not provide a legal remedy or access to justice for UK citizens?

Keir Starmer: I agree with my hon. Friend, which is why I am saying it is a step in the right direction, but it is not enough on its own and more is needed.

I turn finally to the question of refugee family reunion. I am pleased that Lords amendment 24 is before us, and I pay tribute to Lord Dubs for his tireless campaign on this issue. Labour supports Lords amendment 24, which is long overdue. We recognise that some concern has been raised about the scope of family reunion that qualifies under the Government's clause, and I would welcome any clarification from the Minister on that issue. However, in general, Labour will support the amendment.

In conclusion, the Lords amendments address crucial issues. Along with Labour's single market amendment, they would be a huge step forward in improving the Bill and protecting jobs and rights. I hope that right hon. and hon. Members will support them today.

The Solicitor General: It is a pleasure to rise in this debate to set out the Government's stance on these important amendments. The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) was properly concerned about the effluxion of time. I share that concern; there is a lot to go over, and I will do my very best to cover all the amendments before us and, of course, to take interventions, as I always strive to do.

May I first echo the opening remarks made yesterday by my right hon. Friend the Secretary of State, who talked about the important role of the other place as a revising Chamber? There is no doubt that in some instances the other place has made some constructive improvements to the Bill, which the Government have every reason to support. However, on other matters, which were debated at length and agreed to by this elected House, the other place chose to ignore decisions that were taken here. Instead, we have a set of amendments that, I am afraid, are not properly thought through and would have a negative impact on our plan for a smooth and orderly exit.

We heard from the right hon. and learned Member for Holborn and St Pancras that the Opposition do not accept Lords amendment 51, which seeks to make continued participation in the EEA a negotiating objective for the Government. Well, we are sure about his position, but we are not so sure about that of certain other Opposition Members. However, on this issue, we are certainly in broad agreement.

This country is party to the EEA agreement by virtue of its membership of the EU. After the implementation period ends, that agreement will no longer apply to the UK. Seeking to participate in the EEA agreement beyond that period does not pass our test—that our future

partnership with the EU must respect the referendum result. It does not deliver the control over our laws, and indeed other aspects of our domestic policy, that we seek. On borders, it would mean that we would have to continue to accept all four freedoms of the single market, including the free movement of people.

Mr Grieve: May I just pick my hon. and learned Friend up on his point about law? We are signed up to thousands of treaties in international law that bind us, and including on international tribunals. Membership of the EEA does not require any direct effect of that law in this country, so I fail to see how, on that point, the Government can be right. It is perfectly plain that we can be a member of the EEA without any direct effect from the European Court of Justice.

The Solicitor General: I am sorry, but with respect to my right hon. and learned Friend, I do not agree. He knows that the EEA is a creation that came after what were the European Communities. As I will go on to explain, we have significant concerns about what will happen not just to the EEA as it stands now, but with the inevitable development of EU rules, which will mean that we have little say. The issue of being law takers rather than lawmakers is particularly important to me.

Mr Grieve: Will the Solicitor General give way?

The Solicitor General: No, I will not give way.

I made that point during the long debates in the referendum campaign. As a dedicated and fervent remainer, I said that when we leave the EU, it means we leave the whole shebang—there is no cherry-picking when it comes to not only the attitude of the UK but, importantly, the position of our negotiating partners.

John Redwood (Wokingham) (Con): I entirely agree with the Solicitor General. Does he agree that a customs partnership—a customs union—is a non-negotiable nonsense that the EU thinks comes with all four freedoms? Will he further confirm that we have many fine industrial companies in this country, with complex supply chains operating just in time, importing components from non-EU countries?

The Solicitor General: My right hon. Friend is absolutely correct to draw our attention to the wider world and the reality of trade in the United Kingdom. I absolutely understand the point about just-in-time supply, representing, as I proudly do, large motor manufacturing companies in Swindon. I get the point, which is why the Government's policy to seek trade that is as frictionless as possible has been at the very heart of everything we have set out to do right from the beginning of the negotiations.

Andrew Percy (Brigg and Goole) (Con): Representing a constituency that voted by a margin of almost seven to three to leave the EU, I am getting a little tired of hearing people who lost the referendum try to write the terms of our exit. To be totally clear on this, the Solicitor General is absolutely right that it was not just the issue of free movement that was of concern to my constituents and others in the north of England who voted in huge numbers to leave the European Union. There was also the issue of parliamentary sovereignty—

[Andrew Percy]

being in control of our own laws. Therefore, I am afraid that being a rule taker has to be 100% out of the question on our exit.

The Solicitor General: My hon. Friend makes a powerful point about democracy. One of the complaints that was constantly levelled against our membership of the EU was the lack of democracy, and I am pretty sure that if we end up in the position of a rule taker, those arguments will only grow louder and longer.

Liz Kendall (Leicester West) (Lab): Is it not the case that if we are no longer a member of the single market and we want full access to the single market, we will have to be a rule taker?

The Solicitor General: Therein lies the problem with amendment (a) to Lords amendment 51, tabled by the Labour Front Benchers. What precisely does that amendment mean? Everybody should ponder that question, because I do not think that even they can answer it. The truth is that we are back to the old chestnut of access to the single market, and that in truth means subjection to the four freedoms.

Vicky Ford (Chelmsford) (Con): During my time chairing the Internal Market Committee in the European Parliament, there were many occasions when Norwegian officials came to ask me to lay amendments to legislation on their behalf, particularly in areas such as offshore oil and gas and financial services. There were other sectors where their interests and our interests were more closely aligned with those of Europe, and alignment made sense. Does my hon. and learned Friend agree that the Government's position of continuing close alignment on issues such as medicines, chemicals and aviation makes complete sense, but that having regulatory co-operation and dialogue in other areas also makes sense?

The Solicitor General: My hon. Friend speaks with considerable experience from her time in the European Parliament. I agree with the approach that she urges; that is, of course, the Government's approach, and it is understood not just here but, importantly, by those with whom we negotiate. It is vital in these debates for us never to forget that we have to put ourselves in the shoes of our negotiating partners and to understand what they will accept, before we become too carried away with positions that quite frankly—I say this with respect to Members on the Labour Front Bench, and particularly to the right hon. and learned Member for Holborn and St Pancras—just cannot be sustained.

Dr Sarah Wollaston (Totnes) (Con): I thank my hon. and learned Friend for giving way. Does he accept that disrupting complex supply chains in the motor industry can lead to economic disaster, but when we disrupt complex supply chains in medicines, I am afraid it means that people will turn up at their pharmacy and the drug they need might not be available on the shelves? The public will never forgive us for that. I am really sick and tired of hearing some colleagues say that those who “lost” the referendum have no right to have any say in the type of Brexit we have.

The Solicitor General: As my hon. Friend knows, I was one of the 48%, and I do not forget that. That means that I do listen to the voices of concern about the supply of important goods and life-saving medicines. That is the Government's position. That is why we are striving to make sure that we achieve trade that is as frictionless as possible.

Several hon. Members *rose*—

The Solicitor General: I will give way in a moment, but I need to develop—[*Interruption.*] Ah, the hon. Member for Perth and North Perthshire (Pete Wishart) is back! Shall I give way?

Hon. Members: No!

The Solicitor General: Oh, go on.

Pete Wishart (Perth and North Perthshire) (SNP): I have to say, I have never been given quite such a greeting for an intervention, but I am very grateful to the Solicitor General for giving way. Will he confirm that this is all about immigration? Immigration is the cold beating heart of his Brexit. What is he going to do about nations such as Scotland, which require immigration to keep our economies competitive?

2.30 pm

The Solicitor General: Welcome back. The hon. Gentleman clearly does not know me very well when he describes the Brexit that I and many other colleagues want to achieve as some sort of cold Brexit. We want to achieve the openness and willingness to trade that embodies the spirit of what it is to be British. That includes immigration that we can truly control in a way that the British people will accept. Frankly, although it is nice to see him back, I do not think I will be taking any more interventions from him.

Hilary Benn (Leeds Central) (Lab) *rose*—

The Solicitor General: I will, however, taken an intervention from the right hon. Gentleman.

Hilary Benn: I am very grateful to the hon. and learned Gentleman. Since one of the Government's objectives is to maintain membership of the European Medicines Agency, to which the hon. Member for Totnes (Dr Wollaston) referred a moment ago, will he confirm that that will require the United Kingdom to abide by the rules of its operation and to accept judgments of the European Court in respect of its operation? If that is the case, has he not just confirmed that we are in fact going to be a rule taker?

The Solicitor General: The right hon. Gentleman, as ever, makes a pertinent point. [*Interruption.*] Well, I am being polite to the right hon. Gentleman, because I think that is what he deserves. I say to him that questions about participation in international institutions will be made on the basis of the United Kingdom being a third country and the status of the United Kingdom becoming somewhat different from that which it currently enjoys. The point is that the consent to such further international ties will lie here in Westminster. That answers the point that has been raised, quite properly, by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), on the signing of treaties and the fact that the United

Kingdom has, on many occasions in its history, chosen to share the power it has enjoyed and participate as a full and vigorous member of the international community.

Anna Soubry: As ever, my hon. and learned Friend is quite outstanding at the Dispatch Box, but I have to ask him this: what is the Government's solution to ensuring that we have frictionless trade? What is the Government's policy to deliver it?

The Solicitor General: As my very old and good friend knows, the Government have indeed—[*Laughter.*]

Mr Speaker: There is no need for a commotion. The Solicitor General is usually extremely felicitous of phrase. I think the word for which he was unsuccessfully groping was “long-standing”.

The Solicitor General: I ask that the record be corrected.

As my right hon. Friend knows, the White Paper published some months ago sets out the options the British Government have been looking at. Option 1 is the proposed new customs partnership, and option 2 is the streamlined customs arrangement. Currently, two ministerial groups are taking forward work on those models. We accept that the precise form of any new customs arrangements will of course have to be the subject of negotiation.

Sir Edward Leigh: It is obvious, as we listen to the debate, that there is a real tower of Babel in this place in Members' different views. I listened very carefully to my hon. and learned Friend yesterday, when he was replying to questions posed to him by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve). Is my hon. and learned Friend quite clear—this is a very serious and important question—that there is no way, given the complexity of the negotiations and the likely outcome, that the Government will allow the House of Commons, by a voteable resolution, to influence, unpack or defeat those negotiations?

The Solicitor General: Mr Speaker, I might risk straying into yesterday's business, but I will briefly say that my hon. Friend knows that I have said repeatedly that we do not support or endorse the notion of this House mandating or directing the Government by resolution. We believe in full, vigorous democratic accountability, but that, frankly, is not the way that negotiations are conducted or treaties signed.

The shadow Secretary of State dealt with the question of Northern Ireland in some detail. We of course recognise the unique circumstances that apply to the border with the Republic of Ireland, and we have been consistent in our commitment to avoid a hard border. We believe that our joint report commitments can be fulfilled through the overall UK-EU future partnership, but it is necessary to ensure there is a backstop solution for the Northern Ireland border that avoids a hard border and protects the constitutional integrity of the UK internal market. No Prime Minister could ever sign up to the solution for Northern Ireland and Ireland that, I am afraid, the Commission has set out, because it threatens the constitutional and economic integrity of our United Kingdom. We are Unionists and we are proud to be so.

Chuka Umunna (Streatham) (Lab): Does the Solicitor General accept that if we were to leave with no deal and we were trading under World Trade Organisation rules, that would necessitate a border, and that leaving with no deal is therefore inconsistent with Government policy as he has just stated it?

The Solicitor General: I entirely agree. The Government's policy is to achieve a deal, because we are mindful of the points the hon. Gentleman and others understand.

Nigel Dodds (Belfast North) (DUP): I am very grateful to the Solicitor General for his remarks. Indeed, the Prime Minister's remark about no British Prime Minister being able to accept the EU version of the backstop was also what the shadow Secretary of State said, when he said that the Labour Front Benchers could not accept such a proposition. I welcome that. Yesterday's amendments apply to the powers in the Bill itself. Having said that, nobody in Belfast, among all the parties in Northern Ireland, or in London or Dublin, is advocating a hard border in the island of Ireland. Our point has been that what is agreed must not come at the expense of a border down the Irish sea, or of hiving Northern Ireland off into a special set of rules. In terms of taking back control of our borders, laws and money, the EEA proposition is clearly defective. Does the Solicitor General therefore share my surprise that one of the parties in Northern Ireland that does not want a hard border is actually advocating that proposition, despite what the shadow Secretary of State has quite properly enunciated today?

The Solicitor General: The right hon. Gentleman is absolutely right. I am surprised that there can be that level of divergence on what is a most important point. He makes the vital assertion, which I think is right, that the important amendments considered yesterday, which were outlined very carefully, relate to the powers in the Bill and how the Bill will operate. Of course they are consistent with Government policy, and there is absolutely no question but that their terms are entirely consistent with what the British Government want to achieve. It is important to note, however, that they relate to the powers in the Bill: a correcting power, the withdrawal agreement power, consequential powers and transitional powers.

Hywel Williams (Arfon) (PC): Does the Solicitor General not accept that the answer he has just given to the right hon. Member for Belfast North (Nigel Dodds), on the nature of the border between Dublin and Belfast, necessitates similar arrangements between Dublin and Holyhead if we are to sustain the Union between Northern Ireland and the rest of Great Britain?

The Solicitor General: The issue of the border will apply to the length and breadth of our United Kingdom. I have no doubt about that. I think the right hon. Member for Belfast North (Nigel Dodds) made the proper point that we do not want a hard border in the Irish sea between one part of our kingdom and another. That is a different point, I think, from the one made by the hon. Member for Arfon (Hywel Williams).

Lady Hermon: In the light of what the Solicitor General has just said in response to the right hon. Member for Belfast North (Nigel Dodds), and given that no one

[Lady Hermon]

wants a hard border on the island of Ireland—the new IRA dissidents would become very active along the border, it would agitate Sinn Féin to campaign for a border poll and it would do the United Kingdom no good at all—may I urge him to tell the Prime Minister to stop using the phrase “no deal is better than a bad deal”?

The Solicitor General: I was with the hon. Lady until her last point. We need to make sure in these negotiations that the other side understand where we are coming from. When negotiating, one must negotiate hard, one must negotiate tough and one must negotiate in a way that advances the interests of the whole United Kingdom. She is absolutely right to talk about a border poll. I am not glib about that—I am far from complacent about what might happen. Both she and I understand that.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am very clear: I do not want to see a hard border on the island of Ireland or down the Irish sea, not least because of the implications it would have for Welsh businesses and ports. Is the Solicitor General aware that Labour’s sister party, the Social Democratic and Labour party, which does not have a voice in the House at present, has made it very clear that it urges the House to support Lords amendment 51 because EEA membership allows the regulatory alignment that would enable us to avoid a very hard border?

The Solicitor General: I say to our friends and colleagues in the SDLP—I think in particular of Margaret Ritchie, the former Member for South Down, who, as we know, is rather unwell, and who was a dear friend and colleague prior to the election—that I must respectfully disagree with them on this issue. A commitment to the EEA is, I am afraid, a problem in the sense that I have outlined—it is a gateway to the four freedoms.

I want to deal with the issue of Liechtenstein and other countries. Liechtenstein has, of course, negotiated an immigration quota system, but it is a country of only 37,000 people. It is probably less than half the size of most of our constituencies. I do not see a permanent exemption on free movement being afforded to a country of the size of the United Kingdom, and that is why the intervention from the right hon. Member for Don Valley (Caroline Flint) was so important. For all those reasons, we cannot accept amendment (a) or the original Lords amendment on the EEA.

James Cartledge (South Suffolk) (Con): One consequence of free movement is that we restrict unskilled migration to Europe. Is it not the case that if we no longer have free movement but have a single immigration system, unskilled migration will, by definition, have to be open to people from anywhere?

The Solicitor General: My hon. Friend is quite right, and that is why we need to create a system that does not discriminate between EU and non-EU countries.

Peter Kyle (Hove) (Lab): Sir Martin Donnelly, the former permanent secretary at the Department for International Trade, said recently in a speech:

“To provide UK business with guarantees of full and equal access to the single market without equal acceptance of EU regulatory structures would require not so much a skilled negotiating team as a fairy godmother specialised in trade law.”

Is that not the truth? Is it not the truth that the EEA exists, whereas the Solicitor General’s negotiating stance and wish list do not and will not?

The Solicitor General: The hon. Gentleman is normally a great optimist and a man of sunny disposition who never lets anything get him down, least of all some of his local issues, which I know he has undeservedly suffered from in the past. He needs to have the courage to understand that in these negotiations there are interests on both sides—the UK and our friends in Europe—that must drive us towards the sort of arrangement or deal that will not only facilitate trade from our country to theirs but will protect, preserve and enhance the important business in goods and services that exists between us and other EU members.

2.45 pm

Catherine McKinnell (Newcastle upon Tyne North) (Lab): One group that has made its position very clear is the North East England chamber of commerce, which represents 3,000 businesses in my region. It has said that the north-east is hugely reliant on the EU for global trade, that 62.3% of exports go to the EU and that remaining in the EEA will reduce barriers and give chamber members the best chance to make a success of Brexit. Should the Government not be listening to the creators of thousands of good jobs in my region?

The Solicitor General: Of course we are listening to the job creators—I have mentioned that in the context of my own constituency experience, which is not dissimilar to the hon. Lady’s—which is why we have committed ourselves to the most frictionless possible trade. That said, any deal will have to represent Britain’s position as a third country rather than a part of the EEA structure.

Mr Baron: May I return the Solicitor General to what seems to have been the Opposition’s first admission that they are seeking a customs union that would not allow us to negotiate trade deals with countries outside the EU? They might be pessimistic about the way forward—they have quoted the CBI—but many people out there are saying that, provided we can negotiate trade deals with countries outside the EU, the future is very bright. It is a vital point that Labour would let down the electorate by not allowing us to trade.

The Solicitor General: My hon. Friend is right to remind us of one of the key planks of the Government’s policy: that important freedom to negotiate free trade deals that comes from being in law a third country.

Geraint Davies (Swansea West) (Lab/Co-op) *rose*—

The Solicitor General: Not yet. I always enjoy interventions from the hon. Gentleman, who is a king of YouTube, but I will stop there—and perhaps draw a veil of charity over that.

On the customs union, I want to reiterate the commitment given by my right hon. Friend the Leader of the House last week that the Trade Bill and the

Taxation (Cross-border Trade) Bill will be brought back to the House by mid-July at the latest, which will give all right hon. and hon. Members the opportunity to have the debate that I know they are itching to have on these important issues. I am sure that they will therefore forgive me if I move on to deal with the other important points the amendments raise.

I want to deal with amendment (c) in lieu of Lords amendment 3, which was tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and which we support, as I think I have already indicated to him. It enjoys support from many corners of the House, and I would commend it as a clear commitment to what is after all the Government's policy. It respects the position their lordships took about the need for a report, and we urge the House to vote for it.

Vicky Ford: Will my hon. and learned Friend give way?

The Solicitor General: I had better not. I have to move on, I am afraid, and I have taken an intervention from my hon. Friend already.

I want to deal with the charter of fundamental rights, which was mentioned by the right hon. and learned Member for Holborn and St Pancras. We continue to strongly believe that it would not be right to retain rights of action based on incompatibility with the charter or the general principles of EU law after we have left. To keep these in our domestic law, as Lords amendments 5 and 53 seek, would undermine two crucial principles. First, it is not consistent with the proper restoration of parliamentary sovereignty if legislation, including primary legislation, can continue to be disapplied or quashed by the courts on the basis of elements of the EU legal system intrinsically linked to our membership and obligations.

I will deal right away with the comparison made with the Bill's treatment of the principle of the supremacy of EU law. It is not a comparison that I accept. I would draw a clear distinction between the need to maintain, in a strictly limited sense, a rule that has been central to the hierarchy and interpretation of our statute book for over 40 years and the charter itself.

The latter document came into effect in 2009. It was expressly intended only to reaffirm rights that exist elsewhere, as protocol 30—signed up to by the United Kingdom and Poland—made clear. Suddenly to remove the principle of supremacy would have significant and unintended consequences and would be likely to result in a confused and incoherent statute book. It would merely introduce more uncertainty to the law's meaning and effect.

Mr Grieve: Has my hon. and learned Friend not just highlighted the problem himself? Supremacy carries with it implications that the law, by its very nature, can override other laws. The reason why the general principles of EU law existed before they were incorporated in the charter was a wish to ensure in part that such laws could not apply abusively; yet we are keeping the supremacy and removing the mechanism by which the abuse can, in exceptional cases, be challenged. That seems a very strange thing for a country that wants to enhance its freedoms to do.

The Solicitor General: My right hon. and learned Friend and I have debated this matter before, and I do not want to repeat the issues that were raised then. Let me simply say to him that what we are doing is bringing back retained EU law, which will be an ever-dwindling body of law. It is not now the case that, as was feared by my hon. Friend the Member for Stone (Sir William Cash) and others, the law will constantly expand and increase to fill the spaces. I think that certainty must trump other considerations here.

As I was saying, the charter is really a catalogue of rights, rather than something that is integral to the way in which the entire legal system functions. Those very points were made with considerable eloquence and persuasive force by many experienced and expert peers, not least a number of former Law Lords. I cannot put it better than Lord Brown of Eaton-under-Heywood, a former Justice of the Supreme Court, who strongly opposed what he called both the "constitutional incongruity" of keeping the charter when we leave the EU and the "striking vagueness" of many of its articles. Lord Brown argued that, if the amendment were passed, "certainty and clarity...would be very far from advanced. This would be wonderful for the lawyers, but frankly, for few others."—[*Official Report, House of Lords*, 23 April 2018; Vol. 790, c. 1350.] I entirely agree.

Those arguments were echoed by a considerable number of other Members of the other place from all sides, including Lord Hope of Craighead, Lord Faulks, Lord Howarth of Newport—from the Labour Benches—Lord Judge, the former Lord Chief Justice, Baroness Deech and, of course, the former Lord Chancellor, Lord Mackay of Clashfern. Lord Mackay said:

"once we are out of the EU, surely the fundamental part of our constitution should be respected—that is, that the courts of Westminster Hall, as they were, and the courts of justice of our land have no jurisdiction to set aside Acts of Parliament."—[*Official Report, House of Lords*, 23 April 2018; Vol. 790, c. 1361.]

I wish that I could replicate Lord Mackay's wonderful Scottish brogue, but I dare not do so in the presence of true Scots.

Wera Hobhouse (Bath) (LD): In the Exiting the European Union Committee, we heard that absolutely the opposite was also the case: that not retaining the charter would create a great many legal uncertainties. The position remains that if we are taking EU law into our law, the underpinning of that EU law—the charter—should be part of that as well.

The Solicitor General: I hear what the hon. Lady says, but I disagree with her. I think that the arguments in the Lords were very finely balanced. I am sure she has read parts of the Lords *Hansard* and will have noted the force of the arguments that were put against the position that she occupies—and, indeed, the view of the House of Commons when we dealt with this issue in Committee and on Report.

I was disappointed that the Lords were not even willing to consider our own significant amendment in respect of the general principles, which I will come on to. I understand fully the concerns that have been raised about the protection of rights. It is, of course, vital that as we leave the EU, we do not see any dilution of domestic protections for our rights and liberties. I do not, however, accept that these amendments are necessary to the realising of that aim.

[*The Solicitor General*]

The charter did not create any more rights. It reaffirmed the rights that were already recognised in EU law—the law being retained in the UK under the Bill. The charter applies to EU institutions and member states only when they are acting within the scope of EU law. It is not—I repeat, not—as broad a body of law as the European convention on human rights and should not be compared to it.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Article 26 of the charter concerns disability rights. Liberty and Amnesty International specifically say that it

“goes further than domestic laws and provides for specific measures to ensure the ‘independence, social and occupational integration and participation’ of disabled people in community life.”

That provision is stronger than domestic law. How will the Government ensure that it is protected?

The Solicitor General: The hon. Lady and I share an interest in—indeed, a passion for—the position of people with disabilities in this country. However, I think that that analysis is wrong: I do not think that article 26 enhances rights in the way that both she and I would understand. It does not give any extra domestic remedy to people with disabilities who might face discrimination or other injustices. I know that she is familiar with recent important Supreme Court decisions relating to benefits. We already have an important and vigorous domestic legal system whereby people who live with lifelong conditions or, indeed, other disabilities can challenge the authorities and seek redress of grievance.

Debbie Abrahams *rose*—

The Solicitor General: With respect to the hon. Lady, I must press on.

I am concerned that some people—including no less than the former Attorney General, Lord Goldsmith—seem almost to be contradicting themselves 10 years on. Lord Goldsmith, who was the Attorney General, made his position absolutely clear to Parliament:

“The United Kingdom’s position, like my position, has always been that the charter affirms existing rights, it does not create any new justiciable rights in any member state and does not extend the power of the courts.”—[*Official Report, House of Lords*, 9 June 2008; Vol. 702, c. 427.]

It was not the noble Lord but, I think, the right hon. Member for Leicester East (Keith Vaz) who described the charter as having no more significance than a copy of *The Beano*. I simply ask: what has changed? For that reason, I do not accept that the rights contained in the charter will add anything to the rights of individuals in our country. Equally, I do not accept that rights saved by the Bill will not be justiciable if general principles challenges are excluded. Other sources of rights will continue to exist and operate in UK law.

None the less, we have listened to the concerns that have been raised, particularly in relation to accrued rights. We want to get the balance right. When we last debated the matter here, I agreed to a change that delayed the prohibition of certain rights of challenge on general principles grounds, when the cause of action arose before exit day, for three months after exit. This week, we tabled an amendment in lieu that goes considerably

further. It delays that prohibition for three years, subject, of course, to the normal statutory limitation periods, which will continue to apply.

Mr Grieve: Having had a gentle dig at my hon. and learned Friend a moment ago, I now thank him, because I know that it was his personal intervention which at least secured that. It is a great improvement, and I think it will be greatly valued. It is likely to apply in very few cases, but it provides a higher level of support.

The Solicitor General: I am grateful to my right hon. and learned Friend. I have listened to representations from him and from other Conservative Members on the issue. I believe that we have now struck a reasonable and fair compromise between the concerns and arguments raised by Members in all parts of the House, and I urge Members to support the Government’s amendment.

It is the Government’s ambition to leave our environment in a better state than that in which we found it. That is what we owe to our children and our grandchildren, and that is why the Prime Minister said in January:

“We will use the opportunity Brexit provides to strengthen and enhance our environmental protections—not to weaken them”.

On 10 May, my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs launched a consultation on the development of a new independent statutory body to safeguard the environment alongside approaches to embed EU environmental principles in our own domestic law. However, the Government have listened to concerns raised in both Houses that certainty is required more quickly, and we recognise the intentions behind the amendments tabled.

3 pm

Caroline Lucas (Brighton, Pavilion) (Green): The trouble is that there is a huge gulf between the lovely statements that the Environment Secretary has made and the reality of this amendment. The hon. Member for Wakefield (Mary Creagh) has already pointed to some of the criticisms of it, but there is also a major criticism that it only focuses on the role of central Government; it does not cover local authorities or arm’s length bodies, and moreover it seems to address only policies, not day-to-day activities. Those are two big problems.

The Solicitor General: The hon. Lady deals with the nub of the issue, and I shall address those particular points in turn. While she makes an important point about the reach of this provision, my main intention is to try and replicate what were general EU principles in the same way, to create the framework in domestic law that both she and I would embrace and which will allow the development of statutes here in Parliament and the policies that will I think in very large measure deal with the issues she is concerned with. [*Interruption.*] I am sorry that she is shaking her head; I am doing my very best and I will explain in further detail.

My right hon. Friend the Secretary of State announced that we will bring forward an environmental principles and governance Bill in draft form in autumn of this year to deliver those proposals, with the introduction of a Bill early in the second Session of this Parliament. For this reason we warmly welcome the amendment tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) in lieu of the amendment tabled by Lord Krebs. Despite the good intentions behind Lords

amendment 3, we cannot accept it. It would create legal uncertainty; it does not take into account that a significant proportion of environmental legislation and policy is devolved.

That is one of the issues I wanted to address directly to the hon. Member for Brighton, Pavilion (Caroline Lucas). As we have seen today, we have already had a number of tensions about devolution, and the Government therefore tread very carefully in the field of domestic law before expanding too widely upon policy areas that are rightly the province of Edinburgh, of Cardiff and indeed, when the Assembly sits, of Stormont.

Geraint Davies: Will the Solicitor General give way?

The Solicitor General: Not at the moment.

Lords amendment 3 would create a risk-averse approach to the design of better and more effective environmental standards. For example, it would require the Government to extend the scope to all public authorities—the hon. Lady's point. That goes much further than the European Commission, which can take action only against a member state, not individual public authorities within that state. The Government therefore have instead proposed that the body should focus on national Government, to retain that focus on the most significant national issues. The requirement of a direct duty in Lords amendment 3 to apply those environment principles listed in the amendment across a wide range of Government activities goes far beyond the way it works at EU level currently. Such a far-reaching duty does not exist anywhere in EU law, so instead of replicating and bringing down those principles, we are in danger of creating some intended consequences that would cause concern to Members across this House. However, we recognise that an early reassurance of our intentions is needed, and we therefore move to support the amendment in lieu.

Richard Benyon (Newbury) (Con): I was tempted by their lordships' amendment, but I do think we have managed to produce something that can satisfy everybody in this House, because, as my hon. and learned Friend has just said, there is subsequent legislation that we can build on. This is the framework; the principles will be in the Bill and we will be able to construct a national policy in the way that my hon. and learned Friend has just outlined.

The Solicitor General: My right hon. Friend is right. He was an outstanding Minister in the Department and I am grateful to him for his continued passion for the causes he represents so eloquently.

The amendment in lieu provides further reassurance for the House and sets out that the Government will publish draft legislation no later than six months after Royal Assent to this Bill.

Caroline Lucas: On that point of timing, there is a real problem, particularly if we end up with no deal, because then we would not have a watchdog and the principles in place fast enough; we would have a yawning governance gap. What measures is the hon. and learned Gentleman planning to put in place as a contingency in the event of no deal, and in particular will he look at having a shadow body, just as there was a shadow climate change committee, that would get up and running as soon as possible?

The Solicitor General: As I have said, the backstop is six months—no later than—rather than the full period, and in any event I can reassure the hon. Lady that the domestic framework of environmental law, which is, rightly, among the most stringent in the world, will continue to apply. What we are talking about here are the general principles of EU law, which will be replicated domestically; it is not about the directly effective remedies, very analogous to the position regarding disability, that I know she and others will be concerned about. So I have no doubt that those existing frameworks carry on, whether there is a deal or no deal.

Mary Creagh rose—

The Solicitor General: I give way to the Chairman of the Committee.

Mr Speaker: Order. Before the Solicitor General does so, I gently remind him that he had indicated to me that he might speak for up to an hour, and if that is his intention, so be it, but he will realise that he is now into the last quarter of that allocation. He is a very courteous and considerate fellow and would not want a situation to evolve in which significant numbers of hon. and right hon. Members who wish to speak in the debate were prevented from doing so on account of too lawyerly speeches, whose eloquence and erudition were equalled only by their length.

I call Mary Creagh.

Mary Creagh: Thank you, Mr Speaker; I have almost forgotten my point now, but I will try to grab it back. The Solicitor General raised a couple of issues. The first is the applicability to local government. At present, all agencies of government have to act in accordance with the environmental principles. Can he confirm that that will be the case with the new body?

The Solicitor General also mentioned the issue of fines. At present the Government are taking action on air pollution only because of the threat of fines from the European Court of Justice. What remedy will citizens in this country have if the Government pollute with waste and water pollution after we leave the EU?

The Solicitor General: I am grateful to the Committee Chair and I reassure her that we are seeking to replicate the framework that currently exists. There is going to be legislation and the consultation is, of course, a vital part of that. I know that the hon. Lady will play a vigorous and active part in that. We can get this right and deal with many of the concerns and issues she so strongly puts forward, not only today, but on all occasions when she speaks on these matters.

Geraint Davies: Will the Solicitor General give way?

The Solicitor General: Very well, I will give way to the hon. Gentleman; why not?

Geraint Davies: Does the Solicitor General accept that with the new powers of Ministers to change things as appropriate they could reduce our air quality standards to below that required by the EU, and we would not have the institutional framework to fine the Government and enforce those standards even if they were lower?

The Solicitor General: No. That is not true, I am afraid. Perhaps I will be a bit more polite to the hon. Gentleman and say that he raises a proper concern, but I can reassure him that that is not the case, and it is certainly not the approach of this Government.

May I now deal with the issue of the protections?

Mr John Hayes (South Holland and The Deepings) (Con): Will my hon. and learned Friend give way?

The Solicitor General: No; may I develop this point?

This amendment will deliver robust protections. In particular, it acknowledges that there may be circumstances where the new environmental body should be able to take the Government to court; this is the important enforceability point. That power will be proportionate and appropriate, and used only as a provision of last resort, supplementing established processes including parliamentary scrutiny.

The amendment also requires that the Government list the environmental principles, such as the “polluter pays” principle and the precautionary principle, in the proposed draft Bill. The draft Bill and forthcoming policy statement will provide further details of how these principles will be interpreted and how they will apply. It will also set out that the principles should have an effect in the UK after we leave the EU that is equivalent to that before we leave. It will ensure that their primary focus will be on the formation of policy at a national level. In addition, the statutory policy statement will set out how, as at EU level now, the environmental principles will be considered in the context of the Government’s wider policy objectives. That includes the applicability of the principle of proportionality.

A policy statement will be presented here in Parliament for scrutiny before it comes into effect. As at EU level, the principles will also be considered in the context of wider objectives to ensure balanced decision making, meaning that Ministers of the Crown will also be required to give proper consideration to other important policy objectives, such as delivering a thriving economy and building the homes that people need, when making decisions. I thank my right hon. Friend the Member for West Dorset for tabling his amendment, and I urge hon. Members to support it.

I want to move on to the important issue of refugees—

Mr John Hayes: Will the Solicitor General give way?

The Solicitor General: Please forgive me, but I need to press on.

The Government recognise and share the strength of feeling in this House and beyond on the important matters of asylum and refugees, not least in relation to unaccompanied asylum-seeking children. I should be clear that what we are discussing here is the situation concerning asylum seekers—that is, people who have made an application for international protection and have not yet had their claim decided. That is entirely distinct from the equally important issue of refugees: people who have had their claims considered and been found to be in need of protection.

We as a country can be proud of the role that we have played in supporting children affected by the migration crisis. Since the start of 2010, we have granted more than 51,000 children resettlement, refugee status or alternative forms of protection. Our resettlement schemes

have provided protection to more than 6,500 children. These are among the most vulnerable refugees, who the Government, with the UNHCR, have brought directly to the UK from conflict regions, together with their family members, so that they do not have to make appalling, perilous journeys to Europe, often in the hands of traffickers or smugglers.

Tim Loughton: I am pleased that the Government have decided to back the amendment tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), which mirrors the amendment that I tabled on Report to extend the provisions on family members in accordance with the Dublin III regulations. Does the Solicitor General also realise that there is a further amendment here that the Government have not yet backed? It would ensure that children seeking asylum could be reunited with their brothers or sisters who might be under the age of 18, who might be their only surviving family members and who might be in good, stable, loving foster care in this country? Under the current terms, those children would not qualify. Surely it must be the intention of the Government to extend this?

The Solicitor General: I will deal with that important point in a moment if I may, because I want to do justice to the amendment tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

In addition to providing protection through those schemes, we have taken a leading role in international efforts to address the root causes of the global crisis with our £2.46 billion of humanitarian aid in response to the Syrian conflict. We have also pledged £30 million to the Education Cannot Wait fund, to deliver better education to more than 4.5 million children in crisis regions. Leaving the EU will not change our international obligations under the UN convention on refugees and the European convention on human rights. We are absolutely clear that our co-operation with our EU partners on the important issue of asylum will be critical in order to ensure that those in need of international protection are able to access it effectively.

Before I address the substance of the amendment, I must remind hon. Members that we are dealing with the arrangements for negotiating a reciprocal agreement, so nothing in the Bill will directly confer leave to enter or remain in the UK. It is the basis on which we will enter negotiations with the EU, and nothing can be achieved unless and until we reach an agreement. It is the terms of the agreement itself, and if necessary its implementing legislation here, that will dictate who shall enter the UK and on what terms.

I want to place it clearly on record that this Government will seek a new reciprocal agreement with the EU to allow unaccompanied asylum-seeking children present in an EU member state to join close family members here in the UK, and vice versa, where it is in their best interests to do so. Any such agreement will be to allow an unaccompanied asylum-seeking child to reside with family members while their claim is being considered. That will not automatically confer long-term status here, or mean that that person will be granted refugee status. As with all claims, the UK will examine those claims in line with our international obligations and domestic rules and legislation—the due process that is such an important element of this.

Turning to Lords amendment 24, I know that Lord Dubs tabled this amendment with the very best of intentions, and I share the tributes that have been paid to him. However, we wish to ensure that the clause is phrased in such a way as to best enable the Government to deliver the intended outcome. We have a number of issues with the current drafting of the amendment, which is why we have proposed alternative wording.

3.15 pm

First, as a consequence of leaving the EU, it is likely that we will no longer be a participating state in the Dublin III regulation. Indeed, the EU is currently finalising the negotiations on what will probably be the fourth iteration of the Dublin scheme. The clause as currently drafted would tie the UK into negotiating to maintain access to part of, but not all of, the current regulation, which would create uncertainty as to what would happen when the EU moved on to the fourth iteration. We remain absolutely committed to providing a safe, legal route for unaccompanied asylum-seeking children to join close family members in the UK, but, with the greatest respect, setting up a negotiation that ties the UK to a specific outcome—specifically, one part of a regulation that is likely to be replaced soon—is not the way to do that. What we envisage with this amendment, and what we have committed to on numerous occasions, is to seek to establish a new, bespoke arrangement that safeguards our commitment to these children, while being distinct from what is after all an internal EU process.

Secondly, even if the Dublin regulation were not undergoing significant renegotiation, there is no capability within Dublin's article 8 mechanism—which covers family connections—for it to be applied in isolation to a third country, as will be the UK's status when we leave the EU. While the EFTA states do participate in the regulation, they do so in its entirety, rather than in the partial manner envisaged by the noble Lord's amendment. When we leave the EU, it will be more sensible and far more effective to have a new relationship that deals specifically with these issues. It is no good trying to shoehorn us into the existing system.

Finally, the amendment as drafted implies that the UK Government must take further actions in addition to negotiation with the EU, but it does not specify what these actions are. This House has a responsibility to pass legislation that is clear and unambiguous. We need to avoid costly litigation wherever possible and provide maximum legal certainty. I go on about legal certainty a lot, Mr Speaker, but as a Law Officer, I believe that it is very much at the heart of our constitutional obligations, and I make no apology for that.

For these reasons, the Government have tabled their amendment in lieu. We have listened to concerns in the other place, and we do not disagree with the substance of Lord Dubs's amendment. Indeed, we have provided assurances in this House and in the other place that it will be our priority in the negotiations to safeguard the rights of unaccompanied asylum-seeking children, and I am pleased to confirm that we will accept amendment (ii) to Lords amendment 24, tabled by the right hon. Member for Normanton, Pontefract and Castleford, the Chair of the Home Affairs Committee.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I welcome the Solicitor General's acceptance of my amendment (ii). I also pay tribute to Lord Dubs for

tabling the original amendment, and to my colleagues on the Home Affairs Committee and to Members on both sides of the House who have pressed for this change. May I urge the Solicitor General again, however, to accept amendment (i) as well? I have a case involving a 12-year-old from Eritrea who was in an adult hostel in Italy and whose 17-year-old brother was in foster care here in Britain. The foster carers had said that they would take his 12-year-old sister as well, so I wrote to the Home Office. It accepted that, under the Dublin III arrangements, those two siblings should be reunited. They have been through all sorts of awful things that none of us would want our teenagers to go through. Under the Solicitor General's current provisions, however, those teenagers would not be covered, so I urge him to accept amendment (i) as well.

The Solicitor General: I anticipated that the right hon. Lady would come back for more, and I quite understand the position that she and my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) have put forward, but the key consideration here must be the best interests of the child. Bringing children to join underage relatives might well be in their best interests sometimes, but not always. It is highly unlikely that the relative would be able to provide care, and there is an issue about pressure on our domestic care system—[HON. MEMBERS: "Oh!"] No, no—we have to be careful to maintain the balance between the need to support families and allow family reunion, and unintentionally incentivising the sort of dangerous journeys that everyone in this House is extremely familiar with. That is why it is important to understand, as we approach the negotiations on the basis that is currently the requirement under the Dublin regulation, that extended family members—grandparents, aunts and uncles—will need to be able to demonstrate that they have adequate resources to care for the child effectively in order for a transfer to be made.

Heidi Allen: While I understand that the interests of the child should be at the heart of everything we do, this is just about a little piece of legal text to say that if it is in the best interests of the child, they should be able to join their sibling. For the limited number of cases that the Solicitor General is talking about, I can see no reason whatsoever why that would not be a kind, compassionate, logical thing to do.

The Solicitor General: My hon. Friend is kind and compassionate, and I think that all Members of the House are kind and compassionate people, but the interests of the child in our domestic law lie at the heart of the courts' consideration. The paramountcy of the best interests of the child is what the Children Act 2004 is all about, and I have to apply that.

Yvette Cooper: The best interest test still applies. It is still in our legislation. Nothing in my amendment (i) removes the best interest test; all it does is replicate the existing arrangements, which are already covered by the best interest test. All the Solicitor General's arguments are completely spurious.

The Solicitor General: I respectfully disagree with the right hon. Lady. There is still an issue with the applicability of that particular amendment and with how it would mesh with our domestic law. We must not forget that

[The Solicitor General]

such changes are not about the conferral of rights. The passage of such amendments does not confer direct rights upon people. This is about the Government's negotiating position. *[Interruption.]* I cannot give way anymore, because I must bear in mind the Speaker's strictures. I have gone a minute beyond the hour and still have more work to do.

Moving on to Lords amendment 4, one of the key principles of the Lancaster House speech and, indeed, the Government's manifesto was to maintain and enhance workers' rights—*[Interruption.]* I have been more than generous in giving way. I pride myself on giving way to Members from whichever corner of the House they may come, and I am sorry if hon. Members feel that I am being ungenerous, but I must respect time, too. That is why I want to press on.

The Bill deals in many places with the status of retained EU law, but much of our debate has turned on how that retained EU law is amended once we have left the EU, hence the core of the concerns about Lords amendment 4. The Government and Opposition are more united than divided here. We both clearly want to maintain the protections and rights that are established in EU law. Our amendments in the Lords have done this for EU regulations and for all the directly effective rights established in the treaties by making them akin to primary legislation—the highest protection we can possibly give in the UK system.

Lady Hermon: Will the Minister give way?

The Solicitor General: I cannot give way, because I really must press on.

We are committed to proper scrutiny and engagement with Parliament and the public on our corrections to EU law and future changes. In addition to all the changes we have already made to the Bill, there will be a presumption in favour of engagement or consultation where it is proportionate and sensible to do so. Of course, Departments will consult where there is a statutory duty to do so. Departments across Whitehall have already undertaken engagement or consultation with stakeholders for active discussions on areas where that has been proportionate and sensible, and that will only increase.

Most of those who have supported Lords amendment 4 are well intentioned, but some must have known that it would have hugely detrimental effects on how we could deliver a functioning statute book ahead of our exit and in the future. Instead of protecting the law in the crucial areas of employment, equality, health, consumer standards and environmental protection, it would weaken it. By calling this amendment “enhanced protection”, some are seeking to hide a great danger.

By limiting the changes that delegated powers could make to retained EU law relating to the specified policy areas to only those that are deemed technical, the amendment would fundamentally limit our ability to properly correct deficiencies. That risks dramatically increasing the amount of primary legislation that needs to be enacted ahead of our exit, putting more pressure on this place ahead of Brexit. Even the changes deemed to be “technical” enough to be achieved through delegated powers would still face a lengthy enhanced scrutiny process, which the Lords could force to be as long as the

18 months required for legislative and regulatory reform orders. In other words, our statute book could not be made ready for exit by 29 March 2019.

Mr Grieve: I note and understand the points made by my hon. and learned Friend, but the intention behind the amendment was not to create difficulty for the Government, but to find an easier way of providing enhanced protection for areas of law. That suggests that the Government should have come back with an amendment in lieu.

The Solicitor General: I hear my right hon. and learned Friend. Both he and I have had anxious discussions about the definitions within the amendment. We are seeking to allow protections to be carried forward through our existing framework, so that the sort of changes that need to be made can apply to a whole range of areas. Changes could relate to the trade in seal products—cruelty to seals—or to protecting people on offshore oil and gas installations from fire and explosions, which is in the working time regulations, or to the protection of the marine environment. We need that element of flexibility.

That is not a way of avoiding the procedures of the House; it is about making the law clear, certain and usable to protect all the different categories that we are dealing with. I am worried that we would be kneecapped, not just as a Government, but as a Parliament. There is a lot of work to be done ahead of Brexit, and we need to concentrate on what is fundamental and what will involve change. Lords amendment 4 fundamentally affects how we can do that, so we must oppose it.

My right hon. Friend the Secretary of State for Exiting the European Union left the House in no doubt yesterday of the importance of this legislation. The Government listened in the other place and showed flexibility by tabling amendments that genuinely improved the Bill, but we rightly held firm on those areas where amendments proposed would have an adverse effect. I am somewhat downhearted that the House of Lords has not shown the same level of respect that we show to them and has sought to overturn decisions taken here on important issues relating to the protection of rights. I therefore ask the House to stand behind the Government tonight in ensuring that this legislation is fit for purpose, respects the referendum result, and respects the constitutional role of this House.

Mr Speaker: I call Stephen Gethins.

Stephen Gethins (North East Fife) (SNP): Thank you, Mr Speaker—*[Interruption.]* As you can tell, there is huge strength of feeling on this issue across the House of Commons, and that is right, because what happens here has a significant impact outside this place. That is why SNP Members will continue to make the case for our constituents in this place. This matters. We have a clear and coherent position on such issues, unlike the two biggest parties in this place. We know that the customs union is important to trade, that the single market is important to jobs, as the UK Government's own analysis has demonstrated, and that the fundamental rights that we enjoy as European citizens are critical to our constituents. People deserve their voices to be heard well outside this place.

I have heard from Government Members that this is just procedural, that we should just roll over and that we should not have a voice in this particular debate. Well, that is not what we are here for. Even if we just left this to the Government, they are not making much of a job of persuading even their own MPs.

Ian Murray (Edinburgh South) (Lab): The hon. Gentleman and I share a friendship as members of the Foreign Affairs Committee, and I welcome him back to the Chamber. People watching these proceedings will have seen that the Minister took more than an hour to make the Government's case.

We have to be here to represent our constituents, and the hon. Member for North East Fife (Stephen Gethins) will be as disappointed as I am that the Scottish National party had five questions at Prime Minister's questions today that, incidentally, went to Government Members, because SNP Members had walked out and were not here to ask them.

Stephen Gethins: I have great respect for the hon. Gentleman—[*Interruption.*]

Mr Speaker: Order. The House must calm down. I do not think the hon. Gentleman will be entirely surprised that his rising to his feet occasioned an immediate response from colleagues—he is a grown up and he can look after himself—but, that said, he must be heard.

Stephen Gethins: Thank you, Mr Speaker.

I remind the hon. Member for Edinburgh South (Ian Murray) that, in 1987, Scottish Labour Members marched out of this Chamber because they did not think the Government were taking Scotland's interests seriously. It is remarkable: the Government have not changed in their attitude, but the Labour party certainly has. That is why there are so many fewer Labour MPs.

3.30 pm

Pete Wishart: What my hon. Friend will see, as I see and the people of Scotland will observe right now, is representatives from Scotland being shouted down the minute they get to their feet to put the Scottish interest. It is no surprise and no wonder that the people of Scotland find all these unedifying scenes appalling and repellent. That is why we will continue to put the voices of Scotland.

Stephen Gethins: I will teach Members a lesson on the matter at hand, and maybe they will learn something. If the Government are proposing a very significant change that affects everybody—it affects generations to come much more than it affects anybody in this Chamber—which is what is happening with the EU withdrawal Bill, they should have the courage and the confidence to campaign on more than a blank sheet of paper, which was all the leave campaigners did. They should set out their arguments in a detailed White Paper, for example, and get experts together—maybe even some Nobel laureates—to discuss the key issues, perhaps in a fiscal commission working group. They should then look at the challenges we have, and bring politicians and practitioners together in, say, a sustainable growth commission. That is a sensible way of preparing.

We are in this situation now because two years—two years!—have passed since the EU referendum, but we still do not know what leave looks like. We still cannot get agreement from Government Members. I know that we are to blame the Prime Minister for all this, but I will briefly say something kind about her. Regardless of her failings, those who spent years arguing for leave have had their entire political careers to prepare for this moment, yet they did not lay the groundwork, which has led us into the mess that not just this place and the devolution settlement have been left in, but our economy has been left in, according to the Government's own analysis.

Mr Mark Harper (Forest of Dean) (Con): I take the hon. Gentleman back to the question about immigration that the hon. Member for Perth and North Perthshire (Pete Wishart) raised earlier. Perhaps this was in the Sustainable Growth Commission's report but, when we have net migration to the United Kingdom of over 200,000 people, why are so few of them choosing to make their home in Scotland?

Stephen Gethins: My constituency is rich in immigrants who make our community richer, and not just financially—we welcome them. The hostile environment created by the Government is an abomination that should shame us all.

From the very start—from before the 2015 general election—this has been nothing but an exercise in Conservative party management, and not a terribly successful one at that, yet we all pay the price. Farmers do not know whether they should plant their crops for next year—indeed, the National Farmers Union of Scotland has called for the UK to remain in the customs union. Young people do not know whether they will have the same opportunities that we had, with uncertainty about programmes such as Erasmus. Researchers do not know the kind of collaboration they will be able to rely on, but we all benefit from such collaboration.

Just this week I opened a conference at the University of St Andrews, where Professor Stephen Gillespie, Dr Wilber Sabiiti and Dr Derek Sloan are at the forefront of the international fight against tuberculosis—the conference was held using EU funding. We know that Brexit will be economically devastating—the Treasury has told us that. The Scottish Government have shown that every single Brexit scenario makes us worse off. The Fraser of Allander Institute has also reflected that Scotland is set to lose £8 billion over the rest of the decade.

Before we get catcalls from Government Members, I should say that FAI director Professor Graeme Roy says that the rest of the UK could be even harder hit. That is not something that we or others want to see. That means less cash for public services, and the situation is made worse by the Government's other policies on immigration, with 2,500 doctors refused visas in the first five months of this year. It is a hostile environment. That is why the Lord Dubs amendment—it is being debated today—on the rights of unaccompanied minors and child refugees, the most vulnerable in society, is so important.

Scotland voted to remain, and we know that every Brexit scenario is damaging. That is why the Scottish Government proposed the compromise—the least worst

[Stephen Gethins]

option—of staying in the single market and the customs union. Last night, we had 19 minutes to discuss devolution in the context of legislation that will have the biggest impact on the devolution process since its establishment. That smacks of a lack of respect.

The 2017 general election gave all Members an opportunity. When the Prime Minister asked UK voters for their views on Brexit, they returned a hung Parliament. Only the SNP—and the Democratic Unionist party, to be fair—was returned in a majority of the seats in which we stood. But there should be an opportunity to reach out. Some of the SNP's best policy achievements came during a period of minority Government between 2007 to 2011, when Scottish Government Ministers were required to work constructively with other parties and needed other parties to work constructively with them. No one got everything they wanted in that particular set of circumstances—I know that the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) was in that Parliament—but that is something that we can all learn from. [Interruption.] I hear chuntering from Government Members saying that we lost. Actually, the SNP gained an unprecedented majority having pursued those particular policies.

There has been a particular impact on Ireland—[Interruption.] Government Members would do well to listen to this. The Good Friday agreement has been undermined by Government Members, and right now, we should be listening to Ireland. The best friends anyone can have are honest and we all rely on critical friends. Frankly, right now the UK has no better friend than Ireland. In fact, the UK has benefited from Ireland being a full member state of the EU, as it would if Scotland were a full member state. I have heard so much about how canny the Commission is and how we cannot trust its negotiating position. No one is trying to pull the wool over Brexiters' eyes; it is just that they have come up against the brick wall of hard reality, and that is clear two years on.

All this comes at a time when politics in this place, as has been demonstrated today, could not be poorer. Notwithstanding some fine individuals whom I respect on both sides of the House, we have the most ineffective and incompetent Government in living memory, and they are let off the hook only because they are shadowed by the most ineffective Opposition most of us have ever known, and hopefully will ever know. We want Labour Members to be doing better and we rely on them to be doing better, but at just the time when we need an effective Opposition and Government, we have neither. Given the devastating impact that leaving the EU is having on jobs, the economy and those who have made the UK their home, the UK is on the cusp of becoming a failed state that does not represent its constituent parts and, for the first time ever, leaves the following generation worse off than the ones that came before it. One way or another, there is a better way to do this.

Mr Kenneth Clarke: Mr Speaker, an English Member may restore some of the calm that has not accompanied the Scottish exchanges—thank you very much for calling me. I will try to be as brief as possible. We have a ridiculous situation thanks to the programme motion—we have about three hours left to cover amendments on a whole variety of different subjects that have all been

lumped together. In the interests of time, I will confine myself to discussing the future trading arrangements of this country with Europe and the rest of the world, and the Government amendment seeking to get rid of the reference to “a customs union”. Obviously I will not follow all the Front-Bench spokesmen in being extremely generous in giving way. I apologise in advance, because I do not think I will give way much, if at all, because otherwise a large number of other Members will wind up speaking, as they did yesterday, with three-minute time limits and other absurdities that this House has inflicted on itself by accepting the programme motion.

I come to the issue that we are currently addressing most vigorously, although there are many, many more to come: our future trading and economic arrangements with the rest of Europe and the world. My views are well known, and I set them out in Committee. I wish to see absolutely no new barriers to trade and investment erected between ourselves and the rest of continental Europe. I do not think such barriers are necessary to fulfil Brexit. I certainly do not go along with some of the more extreme advocates, who seem to be positively relishing the idea that we should erect new barriers of all kinds between ourselves and 27 nation states on the continent, while having the most open and exotic free trade approach to the rest of the world, reducing barriers of every kind to other trading nations. In today's globalised world and rule-based order, free trade is particularly essential to the British, and we have to minimise the damage that might otherwise be caused when we implement Brexit.

Let me deal briefly with the argument that is bound to be raised by some—“the moment you mention this, you are defying the referendum.” Again, I shall not repeat what I said yesterday, but I do not think the referendum remotely addressed the important subjects we are debating today; it was a yes/no question on a very broad-brush issue. I took part in a lot of debates up and down the country, doing one or two against Dan Hannan MEP, whom I know well. He is a difficult man to debate against. In my opinion, he is one of the most articulate and informed of the Brexiteer campaigners. I disagreed with him, but I got the clear impression that Dan Hannan was not against the single market and the customs union—that was not his view at all. None of that came through in the debate.

Unfortunately, the national media reporting of the referendum debate was pretty pathetic; it was all about Turks and how much money was going to go to the health service and so on. All this argument about trading arrangements was brought to a head only after the referendum, when the Prime Minister was induced by her then special adviser, Mr Timothy, to give the unfortunate speech at Lancaster House. Suddenly, new red lines were introduced: we were leaving the single market, leaving the customs union and rejecting the jurisdiction of the European Court of Justice. I will not go further on that, as I made the same point yesterday.

I do not remember any ordinary member of the public asking me anything during the campaign about the customs union and the single market. To this day, when I go to my constituency nobody is quizzing me about the customs union and the single market. Nobody is following these debates, except when there is reference to the fact that if we get this wrong, we could do immense damage to the livelihood and wellbeing of very many people. If we do get it wrong and unintentionally

create borders to trade, we will make the prospects for future generations even more difficult. In this debate we have heard great vehemence about the customs union and “the single market” and how appalling they are, but the arguments used against them are very narrow.

The Prime Minister has been absolutely consistent for months. She does not say, “Oh, we’re against the single market”—and not surprisingly, because it was the Thatcher Government who created the whole institution in the first place. Although the Prime Minister is not a Thatcherite entirely, on economic policy she and I both believe in open, free markets. There is nothing undesirable about the single market arrangement, except that it allows the freedom of movement of labour. That is the only objection to it that most Conservative Brexiteers ever raised, unless they are of the hard-line head-banging variety, who go much further than that. That is the only objection that they have.

3.45 pm

On the customs union, to which today’s amendments are most relevant, nobody says that there is anything wrong with it. Nobody says that it is undesirable that we currently have open borders. Presumably, they all accept that it is hugely beneficial to wide sectors of our economy. The only thing wrong with it is that we cannot do trade deals with the rest of the world. I would have thought that the debate should concentrate and focus on those two points.

Mr Baron: Will my right hon. and learned Friend give way?

Mr Clarke: No, because I have almost taken longer than I intended already.

Let us address freedom of movement. Personally, I do not have any hang-ups about freedom of movement—people coming to work here, contribute to the economy, provide skills that we do not have or do unskilled work that British people will not do—but it could be tightened up. People should not come here for benefits and so on, or hang around if they have lost their job. I am sure that we could start to negotiate on the basis of tightening that up.

Mr Baron: Will my right hon. and learned Friend give way on that point?

Mr Clarke: If I start giving way, we will go back to where we were before.

Similarly, on trade deals with the rest of the world, if anybody can devise a method of trading with other countries on our own that is consistent with a sensible customs arrangement and better than the deals that we have now used very successfully for a long time—with our being the leading nation pushing for EU deals with the rest of the world—that is fine, but let us not accidentally drift into a position in which we are making absurd demands of the EU that mean our leaving not only the customs union and single market, but losing all the advantages that particularly the best and most competitive sectors of our economy have by way of their existing access to the European market.

Some people seem to think that we can have an altogether different and better type of trade deal with other parts of the world. Quite irrelevant statistics are

misused to make the case, such as that growth is faster in the rest of the world than it is in Europe. It is an underlying truth that growth in emerging and developing markets, which was very poor until we got going with the rules-based order in the 1990s, is faster than that of developed countries such as our own, and it is always going to be faster. There is also the argument that there is more of the outside world than there is of Europe. That is indeed the case, but for the past 20 years in particular, the United Kingdom has been the most influential player in the European Union in insisting on the steady attempt to negotiate trade deals with the world in general, and the numbers keep growing.

On the British Government’s behalf, I was involved on the fringes of the constant efforts to get an EU deal with the US—the so-called Transatlantic Trade and Investment Partnership. It did not fail because there was something wicked about the EU; the fact is that, unfortunately, protectionist influences in America are very strong, and were even under the Obama Administration. One cannot get any response. I have been involved in all these things—I have talked about trading openings with India and Brazil, which are of course where the population is. It is absolutely absurd to think that there are no protectionist pressures in India and Brazil and that it is simply a question of our present Foreign Secretary walking in, with his bonhomie, and saying, “You will of course now throw your markets open to us”.

It is also absurd to argue that somehow this approach will produce deals with less damage to our sovereignty and fewer constraints. I do not understand those arguments. What is the nature of a treaty embodying a trade deal—or any other treaty, come to that? Both sides agree mutually binding obligations. They agree on tariffs, and remove them where they can. But what is far more important in trade with developed countries, such as the US—I personally think that the few tariffs left there could be abolished both ways with no disadvantage—is talking about regulatory alignment.

In the EU, we have achieved regulatory harmonisation. What one wants is mutual recognition. We agree to say, “We will abide by arrangements on regulatory standards, on which we both agree, and we, the British, will not change them in our House of Commons. We will not go back on them, and you won’t go back on them.” If we listen, again, to the more zealous Eurosceptics, they seem to think that the world will throw open its doors when we arrive saying, “We want a trade deal with you—open trade.” “Fine”, say the Australians. So we say, “The rules are that you agree to this, this and this, and you take this, and we take that.” But then we say, “Of course, we may change the rules—we may change the scope occasionally. We do not, of course, undertake to fetter ourselves by any lasting obligation to what we have agreed with you.”

There are no such deals. It is fanciful, as the Secretary of State for International Trade discovered when he went to America. He no doubt believed, as they all did just after the referendum, that the doors were about to be thrown open and that we would get a deal with the Trump Administration by Christmas. He found, as indeed I did in my dealings with America, that things are different. The current President is hopeless. He wants to reduce the amount that we and others export

[*Mr Kenneth Clarke*]

to America, and he wants to use force in what he says are easy-to-win trade wars to get us to open up more of our markets to exports from the United States in sensitive areas. That is what he is about.

What is a constant in America—it is also true in Australia, New Zealand and Brazil, thinking of some of the bigger and easier markets—is that they are always anxious to have access to our market for their farmers. They produce food on an industrial scale to lower standards of animal welfare and food regulation than we have. President Trump will say, “We are going to sell you our beef and our chicken and some of our cereals on a bigger scale.” What will those countries want us to get rid of? They will want us to abandon the European regulations on animal welfare and food standards and take up theirs. It would cost us the European market if we did that, and we would have to have border guards everywhere because nobody would let us export to the rest of Europe or to Ireland, or be a route for, chlorinated chicken and hormone-treated beef. Australia has hormone-treated beef; it is not just the Americans. I will not go on, because I think I have made my point.

People are of course dismissed any time they try to point out the consequences of our ignoring reality in the modern world and what might happen to our economy—to Scotland and the rest of the UK—if we accidentally put all kinds of new barriers in the way of our trade. Unfortunately, the public have been persuaded by the Eurosceptics to ignore the Bank of England, the Treasury, the CBI, chambers of commerce, and people from key sectors of the economy such as the car industry and pharmaceuticals. It is all scaremongering, apparently—so we are told.

Actually, I do not see how anybody can argue that erecting new barriers between ourselves and the biggest, richest international free trade market in the world can do anything other than make us poorer than we were. That is why I do not understand why the Government are resisting the not very strong or compelling Lords amendment 1, on customs union, at all. They are only being asked to report on what efforts they are making to get there, and I think they are going to have to make efforts to get there.

The amendments in lieu are an attempt to devoid substantial amendments of any meaning. I would not vote with the Government on the meaningful vote yesterday, because I could not see that any commitment had been given; nor could I see any argument against what was on the amendment paper. I was very worried, because I thought that some of my close hon. Friends and colleagues were going to be very angry when they discovered that they had been fobbed off with an agreement just to discuss the possibility of changing the provision. They may yet have the last laugh on me—I am getting to be a cynic in my old age—as this morning they appeared to be getting somewhere in getting a more substantial system put in place, but we have yet to see the Brexiteers mount their full counter-attack. I will wait and see.

I will come back to the subject of this particular debate, as you will want me to do, Mr Speaker. What is being offered as an amendment in lieu, to use the jargon, is pathetic and utterly meaningless. We could save a bit of public money by saving the paper involved

in putting it in the amendment paper and printing it. That probably explains why the amendments in lieu have been tabled by an extraordinarily wide range of Conservative MPs. As well as the Secretary of State, the list includes my hon. Friend the Member for Stone (Sir William Cash), my right hon. Friend the Member for Loughborough (Nicky Morgan), my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) and so on. I know all these people and I do not believe that they agree on anything that has anything to do with the European Union, so what has induced them all to do this? I quite accept that there is a sense of deep loyalty to our party, which I assure the House I actually feel in every other way myself. I think that this is an excellent Government if it were not for their policy on leaving the European Union, but there we are.

What are we being asked to sign up to? The amendment says that it is “a customs arrangement”. Well, that covers anything. It is a phrase that the Prime Minister, for reasons that I have always understood, has slipped into several times because she cannot get the members of her Cabinet to agree on her using any other form of words. So for the time being she has been obliged to slip into talking about “a customs arrangement”. But that includes absolutely everything, from the kind of arrangements that would suit my hon. Friend the Member for North East Somerset to those that would suit my right hon. Friend the Member for Loughborough, but everything in between as well. It is a bit of a waste of a statement, coming back to say what efforts they have made to reach that extremely amorphous destination. Of course, that takes us back to the root of the whole problem, which is trying to arrive at a border policy.

To end on a more optimistic note, I think that most of us have noticed that a most important stride was made yesterday, as I have said, with an amendment tabled by the Government that was described as the Irish amendment. It is part of dealing with the argument about the Belfast agreement, and actually embodies the Belfast agreement in law. It goes further by reinforcing what the Prime Minister has actually been saying for some time, if we have been listening to her—that we are going to have a customs union, in effect, in Ireland, because there is going to be nothing new and no checks on the border. We are, in effect, going to be in the single market as far as Ireland is concerned, because we are having regulatory alignment. We agreed that. I think that the Cabinet agreed it—although some of them do not seem to have noticed—not too long ago, back at the time of the draft withdrawal agreement, which the Government are now trying to finalise. I actually think that that is where we should go.

The Government are still talking about frictionless trade. Unfortunately, thanks to the rows there have been, the slogan is now “as frictionless as possible” trade, which no doubt cheers up the Foreign Secretary. The truth is that we will have to have genuinely frictionless trade through arrangements on customs and regulatory alignment that preserve the benefits of all this for Ireland. Actually, the one thing that I think every Member of the House agrees on is that we do not want new barriers down the Irish sea. Northern Ireland is part of the Union—I am as Unionist as anybody here—and we are not putting up new barriers between the mainland and Northern Ireland when we leave.

4 pm

That means that what we all signed up to yesterday as a legal obligation on the Government actually applies to Holyhead, as was raised by the hon. Member for Arfon (Hywel Williams), to Dover and to the whole United Kingdom, and we would make better progress if we enabled the Government to be a little more open and to settle down to that process. Having wasted two years, we might even be able at least to begin the serious negotiations with the other member states of the European Union, because we have to persuade 27 other Governments, 27 other Parliaments and the European Parliament that we have come back to reality on the subject and are prepared, in our mutual interests, to accept open borders, customs alignment and regulatory alignment, and to trade in the modern world.

I was prepared to listen and go along with the idea of a customs partnership, which was meant to be a way of combining customs union with trade deals with other countries, if we can get them. The difficulty is that “customs union”, unlike “customs arrangement”, has a meaning. Put simply, it means that we have no tariffs or other barriers between us; we have a common barrier around the outside, of tariffs and customs procedures for things coming in. That is why, in principle, we cannot have deals with anybody else, because we cannot have each member state punching a hole in the barrier because it wants to have a trade deal with Brazil on different terms. That is why the sensible thing—it is what we have always done whenever I have been in government—would have been to encourage more EU activity to get deals for all 27 member states.

If the customs partnership—all this stuff about collecting different tariffs and refunding British businesses if theirs are lower—can be made to work, fine. I have my doubts about that. I think the “max fac” idea is utterly ridiculous, because it is incompatible with any open border, and it will not even be invented for some years anyway. I might welcome the backstop if I thought that the present system would continue for 10 years while Brexiteers search for the new technology, but I think that they are unlikely to go along with that too happily. Serious negotiations have to be on the basis that we have described, which for some reason the Government are trying to push away in the Bill with their so-called commitment to an absolutely amorphous customs arrangement.

As I said yesterday, in the present situation this House must give some signals, some messages and some steer. It is not only the Government but the country, businesses and our economy that need us to have a policy on exactly what our patterns of trade will be once, sadly, we have left the European Union, which I am afraid we are doomed to do.

Several hon. Members *rose*—

Mr Speaker: Order. The last speech without a time limit—although I know that he will be sensitive to the demands of time—is from Hilary Benn.

Hilary Benn: It is a great pleasure to follow the right hon. and learned Member for Rushcliffe (Mr Clarke). I shall also follow him in not taking interventions, because many Members wish to speak. I wish to talk about the EEA amendment tabled by our Front Benchers and the EEA amendment that came from the House of Lords, and to explain why I shall be voting for both.

Time is running out, not just in the debate this afternoon but for the country. For far too long over the past two years, we have wasted time with a lot of dreaming—dreaming about the easiest trade deal in history, dreaming about us holding all the cards and dreaming that we will get the exact same benefits. The moment when that finally came to an end was when the Prime Minister spoke at the Mansion House and admitted that it was not really going to be like that. This is the moment when we need to tell each other the truth: there are choices that we face; there are trade-offs that we have to accept; and there are decisions that need to be made, which is the point just made by the right hon. and learned Member for Rushcliffe.

If I may use an analogy, it seems to me that we have decided as a country to disembark from a liner in the middle of the ocean, and we have two basic choices: we can jump into the sea, which is what a hard no-deal Brexit would mean, or we can climb down into a lifeboat and decide where we are going. What are those in the Cabinet doing at the moment? They have spent two years arguing, first about how to create a deep and special lifeboat. They are trying to come up with a lifeboat that will not breach their red lines, and they have broken up into working groups, probably discussing the size, colour and shape of the lifeboat. The only thing that has not happened yet is a Minister getting up at the Dispatch Box and announcing that no lifeboat is better than a bad lifeboat. I tell you, Mr Speaker, it is not funny. The truth is that it is extremely serious indeed.

What does all of this mean? It means that we have not yet agreed as a country what we want for the future of the relationship. Not only is the promised White Paper now not going to appear until next month, but we learned this week that there will be a two-day away day in Chequers where the Cabinet tries to thrash things out. That means there will be one European Council left on 18 October—one—at which to sort out all the things we have been debating yesterday and today and to agree the political declaration, which is all about the future of our country. As a result, we have barely begun to discuss what might be in that political declaration at a time when, as the Prime Minister said in her G7 statement on Monday, the international rules-based order is under a threat that it has not been under at any time since it was created at the end of the second world war.

We are in a perilous place. Business is losing patience; we know that. The EU is frankly bewildered about what is going on in this country. The British people, to judge by the polls, think the whole thing is going very badly. The right hon. Member for Broxtowe (Anna Soubry) made the point really well—it is true—that in this place and outside, people have whispered conversations in which we say, “What on earth is going on?”

The consequences of getting this wrong for the country will be deeply damaging for our future and for the jobs, livelihoods and public services that depend upon our economic strength. That is what we are debating. There is so much at stake that it is frankly difficult to overstate it. Let me say it plainly: we have had enough of management in the party interest. What we desperately need now is leadership in the national interest.

That brings me to the EEA amendment and the question of our future relationship with our biggest, nearest and most important trading partner: the 27 countries

[Hilary Benn]

of the EU. The truth is that on both sides of the House we are all debating, and sometimes disagreeing on, what kind of framework would be best. The Government now accept that we will be staying in a customs union and, in all likelihood, aligning with the rules of the single market for quite some time to come, because nothing has yet been agreed that can possibly replace the benefits we derive from both.

The same outcome will inevitably result from the proposed Northern Ireland backstop, although it is currently silent on the question of regulations and the internal market, which is why I described it last week as half a backstop. That omission will have to be remedied between now and the end of this month, because half a backstop will not do the business when it comes to getting the European Council to agree with it. And by the way, it is ludicrous to debate whether the backstop is time-limited, because the truth is terribly simple: the backstop will remain in place as long as necessary, until something else comes along that can replace it and achieve the same objective, which is maintaining an open border between Northern Ireland and the Republic of Ireland. I am afraid that was about politics, not about policy.

That is also true of the debate about maximum facilitation and the customs partnership, although both ideas strike many people as costly, bureaucratic, burdensome and reliant on technology that is not yet in operation. However, being a generous soul, let me say that even if the Cabinet, on its away day, manages to reach agreement on one or the other, and even if the EU negotiators said, “Okay, let’s give it a go”—I do not think there is any prospect of that whatsoever—we all know that neither of them could be put in place by December 2020. It is too late: too much time has been wasted. That is why the transition period, or a transition period, is going to have to be extended by one means or another, whether that is with the backstop or an agreement on a way forward. That is where we are heading by default, so the question is: what form should the next transition, from January 2021 onwards, take? This is where the EEA comes in, because that would be one way of doing it.

Let me turn to the amendment moved by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and Lords amendment 51 on the EEA. Both are about a future framework and the internal market, and the difference here—apart from the free movement issue, which I will say a word about in a moment—is really quite small, and I very much welcome what was said by my right hon. and learned Friend, who leads for the Opposition, about having an open mind. I will of course vote for his amendment, because who could argue with the notion of full access to the single market? If it is not successful, I will vote for the EEA amendment, because we need to keep our options open. To return to my analogy, it has the one great advantage that it at least looks like a lifeboat, and I have to say that the closer we get to October, the less inviting the cold sea appears to those thinking of jumping off the side of the ship.

I am the first to acknowledge that the EEA option is not perfect. I do not want us to be like Norway, and I am not arguing that we should have a deal like Norway’s. Apart from anything else, we want to remain in a

customs union. As Michel Barnier repeated yesterday, it would be an option to have the EEA plus a customs union. Let us acknowledge that.

We should seek some changes to the way in which free movement currently operates. Some of those could be made within the current rules of the European Union, which we will be leaving. Others would involve discussion of the emergency brake, which is why my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) and I have tabled amendment (b), which refers to “safeguard measures”. The Exiting the European Union Committee, which I have the honour to chair, drew attention, in its report on the future UK-EU relationship, to the possibility of additional flexibility on free movement. We need to make sure that our agricultural and fish exports can continue to move freely.

Wayne David: Will my right hon. Friend give way?

Hilary Benn: I will not give way, because of the time.

Who knows whether the EEA option may turn out to be a temporary state, but as a potential starting point, with a customs union, it would provide a means of solving the Northern Ireland problem, keep goods flowing freely, ensure common standards, maintain the flow of data, protect employment and environmental rights and enable us to continue to co-operate in really important areas such as aviation, consumer safety, medicines and space research. Crucially, it would also gain us a place in the room when some future decisions are being taken. In the EEA, not all EU legislation has to be transposed, and there are consultation mechanisms and a separate court. When it comes to EU agencies, in many of which UK regulators have led the way, we could continue to influence what happens because we would be part of the conversation, even though we would not have a vote, which is not the case under the transition period that we will shortly be entering.

The EEA option would diminish in part—I acknowledge that it would do so only in part—the rule taker problem. However, given that we are leaving, I see no outcome in which the United Kingdom will be a rule maker. We will have to follow the rules of our biggest export market for goods and services because so much of our prosperity depends on doing so. I think the Solicitor General accepted that in his answer to my earlier question, although he tried to couch it—and I see the argument—in terms of us, as a free sovereign country, being able to choose to follow the rules of other people. Indeed we can, and the same is true of the European Court of Justice and any other part of the agreement that we may seek to reach.

4.15 pm

EEA/EFTA is also something the Brexit Committee said could be an alternative, and I just want to read what we said in our fourth report:

“Should the negotiations on a deep and special partnership not prove successful, EFTA/EEA membership remains an alternative and would have the advantage of continuity of access for UK services. The EEA option is available off-the-shelf and could be negotiated relatively quickly.”

For me, the other attraction of the Lords amendment is that it uses the word “enables”, not the word “requires”, referring to an agreement

“which enables the United Kingdom to continue to participate in the European Economic Area after exit day.”

In other words, it gives us a choice. Now, that may not be the definitive answer, although I note that several right hon. and hon. Members on the Conservative Benches have tabled a similar amendment to the Trade Bill, which we will come to later in the summer. However, at the moment, when we are not entirely sure what options we have available to us, it would be very unwise to discard this amendment.

I finish by making two points. First, to those who say that this would mean Britain staying in the European Union, I repeat what I said yesterday: we are leaving the European Union, as the right hon. and learned Member for Rushcliffe acknowledged, at the end of March next year—that is what the referendum decided. Secondly, however, is anyone seriously arguing that Iceland, which is an EEA member, is a member of the European Union? It is not. So the argument holds no strength at all.

To finish, I somehow suspect that the EEA amendment may not survive the vote later today, but their lordships may come back with something in its place, and I hope that next time there is a proposal before us all of us who know just how much is at stake—now, here—will have the chance to rally round.

Several hon. Members *rose*—

Mr Speaker: Order. For a short period there will be a 10-minute limit, but I emphasise that it will be short. I call Mr Dominic Grieve.

Mr Grieve: Thank you, Mr Speaker. I shall be brief, because I am endeavouring during the course of this afternoon to finalise agreement with the Government concerning matters we debated yesterday, so I have every incentive to be out of the Chamber. However, I would not wish to leave without pausing for a moment to deal with two issues—one of a rather more specific nature, and one of a wider nature, which has already been touched on by the right hon. Member for Leeds Central (Hilary Benn) and my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke).

Let me start with the specific matter. We have had a very interesting debate during the passage of this Bill about what we do with retained EU law and human rights. We have felt our way through this, and at the end of his speech my hon. and learned Friend the Solicitor General made some sensible points about the difficulties around the charter of fundamental rights. I do accept that it sits uneasily with a situation in which we bring laws back to this country, although I highlighted to him the inconsistency of having retained EU law without having general principles potentially to override it, because it itself can override other of our domestic laws. That was the justification for it, and I regret that we are not going to keep it, but I welcome the fact that we are at least going to keep it for three years. To that extent, we have made a little progress; I am genuinely grateful to my hon. and learned Friend, and I will accept that.

That still, however, leaves amendment 4—that of Baroness Hayter in the other place—which sought to provide some enhanced protection for certain areas of EU law. These are areas of EU law that I think many Members of this House would recognise as being of special significance, including

“employment entitlements, rights and protection”

and

“equality entitlements, rights and protection”—

something that has featured more and more in our jurisprudence. In the recent case, for example, of *Benkharbouche*, a lady was discriminated against in an employment setting within an embassy and succeeded, by going to the Supreme Court, in setting aside our existing laws on diplomatic immunity, because they in fact went beyond what was required under the Vienna convention. Those are real areas of progress for our legal system.

Those things will be lost without the charter and the general principles. The worry is that, while I certainly do not think my right hon. and hon. Friends want to diminish areas of equality, employment, health and safety law or consumer standards—we have covered environmental protection, interestingly enough—they have given no protective status whatever to those areas. At some point, the House will have to come back to this and consider whether we should amend the Human Rights Act 1998, which we could do, to do this in a way compatible with our parliamentary tradition and our parliamentary sovereignty. Until we do that, they do not enjoy protection.

Baroness Hayter’s amendment would at least give them this protection: that they could be altered only by primary legislation or by subordinate legislation, which would have to be subject to an enhanced scrutiny procedure to be established by regulations made by the Secretary of State. My hon. and learned Friend the Solicitor General will say that that is massively unwieldy, but actually it is not. All we need is to have a set of regulations that distinguish between technical amendments, which can go through just like that, or other amendments, which would have to be dealt with in a more enhanced form. The flexibility, therefore, is in fact there in the amendment and I do not think it is as unwieldy as the Government suggest. I am afraid that the truth is that, for reasons of their own, the Government just do not want to go down this road. We discussed and debated it at great length in Committee, and although we received delightful and repeated assurances that there was an understanding that these were areas of law that really matter, I am afraid that we did not succeed in getting any further.

I am afraid, because I do not like to have to rebel against the Government line, that I will vote for amendment 4 to retain those protections, when the Government seek to remove them. It is as simple as that. It is, perhaps, a gesture, but it is a gesture designed to put down a marker to say that we cannot ignore this issue for the future. We have pretty consistently ignored them, with the one great exception of what my hon. and learned Friend secured over the three years on the general principles. Respectfully, I will differ from the Government’s approach.

The second issue, which was touched on with great eloquence by the right hon. Member for Leeds Central and my right hon. and learned Friend the Member for Rushcliffe, concerns our future relationship structure with the EU, encapsulated in the EEA Lords amendment, the amendment tabled by those on the Labour Front Bench, and, to an extent, the amendment relating to the customs union or a customs union or a customs arrangement.

[*Mr Grieve*]

Mr Speaker, I do despair. I listen over and over again—every time I stand up in this place, I receive streams of emails—to angry people insisting that the sovereignty of this country is linked to the single issue of being free of the jurisdiction of the European Court of Justice, free of any form of customs union, and free, above all, to keep people we do not like out. That is all very well, and of course one can do those things, but the first thing that completely ignores is the fact that we are subject to myriad international laws, which we observe to the letter—because we are a rule-of-law state—quite cheerfully, and which greatly enhance our commerce, peace and security. We do it all the time because that is the way the world works in a globalised environment, but we have got ourselves so angry and so fixated that we cannot see the wood for the trees anymore.

The consequence of that, which I thought was beautifully put by the right hon. Member for Leeds Central, is that we are careering off trying to do a deal on leaving the EU which entirely ignores the reality of the relationship we have. We have been discussing Ireland's role. We have dealt with the Irish border issue very well and I am pleased with that. I hesitate to say this here, but I remember once going to Dublin and a very nice Irish economist with the Irish Government said, "Of course, we may not like it here, but the reality is that the subzone we operate in is the British economic zone and it dictates how we operate." That is of course why we have a common travel area. Similarly, we are—for all our 65 million people, being the fifth largest economy in the world and all the other things we like to trot out, and our pride in our nation state—part of the European economic zone. That is where we trade and where our commerce goes, and although I would love it if we could enhance it, trade elsewhere and encourage the EU to trade elsewhere, that will never be a substitute for where we are.

George Freeman (Mid Norfolk) (Con): I have a lot of sympathy with the points that my right hon. and learned Friend is making, and indeed those that the right hon. Member for Leeds Central (Hilary Benn) made earlier about the EMA, but will he not agree that the purpose of the Bill is to give effect to the continuity of the law at the moment? We have a Trade and a customs Bill coming after the summit. Is that not where these issues should substantively be addressed? In my view, these are mischievous amendments dealing with substantive issues with which I have a lot of sympathy, but this is the wrong Bill to give effect to them.

Mr Grieve: My hon. Friend makes a very good point, and I understand it—it is a feature of this place that we sometimes debate and vote on issues that are peripheral to the main point—but there comes a point when one has to stand up and be counted. If it is not this week, it has to be next week, and the truth is I am really anxious for my constituents and anxious about our general direction of travel. I respect the decision in the referendum, but we are closing off options as to how we conduct future relationships, in ways that are utterly damaging to ourselves. In a sense, some of our debates yesterday, and the negotiation I am going to conduct—successfully, I hope—in a moment, are all linked to these fixations, and the consequences for us are really damaging. Yes, of

course, the EEA amendment is rather flawed, but it has the merit, unlike Labour's "motherhood and apple pie" amendment, which I cannot possibly support because it is motherhood and apple pie, of at least having some bite, and today is the day I shall be voting for it.

Yvette Cooper: I will start with Lords amendment 24 and the point I raised when the Solicitor General was speaking. This is not a remain or a leave issue. This is not a party political issue. He will have heard the support from both sides of the House for simply continuing with the family reunion arrangements for child refugees that we have right now. I am unable to put my amendment to the vote, because of Standing Orders and the ludicrous programme motion, but I think if I did it would command majority support across the House. It would help a very small number of some of the most vulnerable child refugees, so I urge the Minister to look again at that amendment, simply to continue with the existing arrangements. Whatever arguments we have on both sides of the House about Brexit structures and options, surely we should be able to come together with a humanitarian agreement not to allow Brexit to turn the clock back on this vital help for child refugees.

Frank Field: May I just record that some of us who voted leave joined my right hon. Friend on this point? We have always had a good policy. We know, in looking after these children, that there will always be abuses, but they are far outweighed by the importance of looking after the most vulnerable.

Yvette Cooper: My right hon. Friend is right. There is agreement across leave and remain, and I hope that this is an issue that can unite the House and that the Government will reconsider.

Last Thursday, I was in Berlin discussing Brexit with a German Government Minister, and he asked me what I thought the Government would do next on customs and trade. It was hard enough to talk about—would it be max fac, buffer zones, double-hatted regulations, backstops, front-stops, any possible customs arrangement or partnership, and so on? What was even more embarrassing, however, was that, even as we were speaking, I had to admit that I did not know whether by the end of the meeting the Brexit Secretary would still be in place—he was in and out of No. 10, apparently about to resign—and the Foreign Secretary was promising meltdown and telling us all, "Don't panic!". We are embarrassing ourselves across the world with this "Dad's Army" version of Brexit. We are in danger of turning ourselves into a national joke by not facing up to the real issues.

The Government say they do not agree with the Lords amendments on the customs union and the EEA, but we still do not know what they want instead. As others have said, the new customs arrangements amendment is a further fudge that just kicks the can down the road again, even though the road is running out.

Ministers should accept that, although they have been wrestling with this issue and with each other for 18 months, none of their customs options works, either for Northern Ireland or, crucially, for manufacturing industry, which is the spine of our economy. The technological max fac will not be ready for years; it does not solve the problem of rules of origin checks, nor can it avoid camera infrastructure at the Northern Ireland

border. It will leave businesses with what Her Majesty's Revenue and Customs now says could be a £20 billion annual bill for the bureaucracy involved in explaining where all the ingredients and components come from in a fully integrated supply chain.

4.30 pm

The customs partnership is both bureaucratic and incomprehensible. Only a customs union will give manufacturers the deal that they need. Manufacturing towns across Britain voted to come out, not to lose out. This week, Yorkshire and the Humber CBI and TUC joined local businesses and representatives—both leave and remain—to argue for a customs union as the best deal for Yorkshire manufacturing. Moreover, only a customs union will even give us a chance of addressing the issue of the Northern Irish border. We are the custodians of a peace that was hard won, not by us but by so many others who came before us. We must not be the ones who carelessly throw it away.

Let me now say something about the single market, because we have not yet debated it properly in the House. I will refer to various Lords amendments, and to both amendment (a) and amendment (b), tabled by my right hon. Friend the Member for Leeds Central (Hilary Benn).

At the heart of the single market is the concept of the level playing field, enabling businesses to compete on equal terms, giving workers proper rights so that they are not undercut, and protecting environmental and health and safety standards. I understand why the hardest of free marketeers will oppose that. It is also the case that people voted to be outside a political union, and outside membership of the EU. However, I still believe that there is a majority across the country and across the House—and there would probably be a majority in the Government if individual Ministers were allowed to be honest about the issue—in favour of a close economic relationship, even from outside the EU. That means some version of single market participation: not just access but participation, or as close to it as we can get in the negotiations.

Some Members on both sides of the House have concluded that they cannot support either the EEA or any single market model, because they believe that we need immigration reform and because of the European Commission's response that the four freedoms must be indivisible. I understand that position. For many years, as well as calling for more support for refugees, I have called for reform of free movement, even from within the EU. While I believe that immigration is crucially important to our future, I also continue to believe that change is needed. I believe, for example, that we need to tackle the problem of some employers' use of free movement as a reserve pool of low-skilled labour to undercut terms and conditions; and we need reforms to rebuild consent and consensus around the immigration system. However, instead of turning that into a reason to rule out trying to get as close as we can to full participation in the single market, we should be having a serious debate about what the real options and objectives for our country might be, and the difficult choices and trade-offs that might be involved.

Our Select Committee, the Home Affairs Committee, is trying to do that. It is looking into immigration and trade options and trade-offs. It concerns me greatly that

so far we have had nothing from the Government in that respect, although immigration was one of the central issues debated at that time of the referendum.

Yesterday the Committee heard about a range of immigration options that might be compatible with single market participation in some form or other. We heard about safeguarding measures, including emergency brakes under article 112 of the EEA agreement; permanent safeguarding measures and caps negotiated by Liechtenstein; the current measures negotiated by Switzerland, with requirements to advertise jobs locally first; the previous immigration caps operated by Switzerland in 2012 and 2013, based on its 1999 negotiation; the separate arrangements for Ukraine as part of its association agreement with the EU; new options for emergency brakes or safeguards, put forward by Professor Ambühl, himself a former Swiss Foreign Secretary; the registration scheme operated in Belgium; the benefits regime proposed by Germany; reforms on posted workers proposed by France; reforms on agency workers; and labour market measures from Scandinavian countries, Switzerland, and even Germany and France that prevent undercutting.

I am not today advocating any particular measures, because our Select Committee inquiry is still under way. Nor am I claiming that each and any of them is either the answer to British challenges or achievable in negotiation, and I do not pretend that any of them will give any one of us exactly what we want, but compromises are going to be needed, and the point is that those with some of the most experience of negotiating on free movement in Europe told us yesterday that they think these options could potentially be part of a single market deal. That is why my right hon. Friend the Member for Leeds Central, the Chair of the Brexit Committee, and I have tabled our amendment which adds "appropriate safeguard measures" to the EEA amendment to make it clear that the Government's objectives can and should include both a close single market relationship and immigration reform.

Let me turn now to whether the EEA is the right option or the best model. From the evidence we heard yesterday, it is clear that the EEA as it stands is not the ideal arrangement for Britain, that it would be better to have our own version, and that there are real challenges that have to be addressed on future rule taking, especially on services. But we may have more flexibility, as witnesses recommended to us yesterday, in a bespoke arrangement as Switzerland has, or an association agreement as the European Parliament has suggested. However, this will draw on, and have parallels with, much of the existing EEA regime. I also do not think we should be ruling out the EEA as the backstop, especially if the future partnership takes longer to resolve. It would prevent us from crashing out not just in 2019 but in 2021, without a new deal in place. We accept that we need a backstop for Northern Ireland, but we should be looking at a backstop more widely for all the other issues as well.

I accept that we are not heading towards consent or consensus on this today, however. This reminds me a bit of a 2003 debate we had on reform of the House of Lords. There was an overwhelming majority in favour of reform of the House of Lords, but seven options were put to Parliament and everybody voted in different ways on different ones, and none of them got through, and we have had no reform of the House of Lords since then. That is similar to the situation we are in now, and we are going to have to work harder if we are going to

reach consensus among those of us who believe in a close economic relationship and come up with something that can pull us together rather than divide us. I accept that people are interpreting this amendment from the Lords in different ways—either as the objective or as the backstop, as I think it should be—but if we are going to make progress we must work at achieving consensus.

My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) the shadow spokesperson on Brexit has asked us to abstain. This is a difficult decision for me, and I feel very uncomfortable in doing so. However, in the interests of getting that consensus at the next stage when something comes back from the Lords or when we get to the Trade Bill, I will do as he asks today, although I have huge sympathy with those who will choose to do differently. But I ask my Front-Bench team in return to look very seriously at this issue of the backstop, because this is crucial and the clock is ticking. The Government keep kicking the can down the road; we cannot all keep kicking it down the road as well. We cannot carry on like this; we have a responsibility.

Several hon. Members *rose*—

Mr Speaker: Order. I am afraid that, on account of the level of interest in the debate, the time limit on Back-Bench speeches will be reduced to six minutes with immediate effect.

Heidi Allen: I shall try to be brief, Mr Speaker.

I want to touch on three amendments. The first relates to the customs union or customs agreement. Since the referendum, I have always said that I am not wedded to the customs union. I do not care what it is called as long as we achieve something close to what we have today: frictionless trade, a borderless barrier and free trade with the EU. I do not care whether it is a partnership or an agreement—I really do not care. However, I take great comfort that, when we couple that with yesterday's successful amendment on Northern Ireland, which we have already spoken about today, that is the ultimate backstop. A commitment to avoid a hard border in Ireland, given that there appear to be no solutions to the technology issues whatsoever, tells me that somehow in all this we will come through with a customs agreement, union or partnership.

I think that the Bill is in better shape than when it was first drafted. We now have in the Bill—potentially after today—a customs union or agreement, and we have no hard border in Northern Ireland. I am therefore fairly happy with the direction of travel; we are finally starting to get there. We also have the Taxation (Cross-border Trade) Bill coming back next month, so let us see how the Prime Minister gets on at the end of the month, because there will undoubtedly be more opportunities to debate that—and many Conservative Members will not shy away from doing so if we need to, because frankly we cannot deliver the Good Friday agreement and ensure that there is no hard border in Northern Ireland without a customs agreement or partnership.

Staying on the customs theme, Lords amendment 51 deals with negotiating continued access to the EEA. I see that, plus joining EFTA, as a sensible lifeboat. It is far inferior to the bespoke customs arrangement that

I know the Prime Minister is determined to seek, but if she does not achieve that, we will need this as a plan B. I have already put my name to an amendment to the Trade Bill relating to the EEA, and it is fair to say that I will be keeping my name there and abstaining today to draw a line in the sand to signify that we should not throw this option out. We need to keep every possible option on the table, because I for one am not prepared to plunge into the sea with no lifeboat whatsoever. The majority of Members, and of the British public, do not want to leave the EU with no deal and no lifeboat. That would be absolute economic suicide. The EEA-EFTA option is not my first preference, but it is a possible plan B, so we would be absolute fools to write it off. Let us see where we are with the Trade Bill and find out how the June Council goes, because this could be the lifeboat that we should all grasp with both hands.

Finally, I want to speak briefly to Lords amendment 24—the Dubs amendment. I am pleased that the Government have come a long way on this, thanks in large part to the leadership of Lord Dubs and to the amendment tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). Enshrining in law the inclusion of aunts and uncles in the definition of family members that child refugees can come to is huge, and no one could be prouder than I of what we have achieved as a country in relation to Syria and the region. We have provided unparalleled financial support and taken in large numbers of refugees, and the fact that we are prepared to take on the Dublin regulation, which we would otherwise have lost when we left the EU, is massive.

I cannot begin to imagine the hell and trauma that those children and families have gone through, but I can imagine that family is everything, so I still do not understand the Government's position on amendment (i) to Government amendment (a) in lieu of Lords amendment 24, which was tabled by the right hon. Member for Normanton, Pontefract and Castleford. Will the Solicitor General look at that again? Why can we not extend the provision to siblings under the age of 18? It would affect so few children, but it would be the final piece of the jigsaw with the Dubs amendment. This is a question of competent government and legislation. When we can legislate for the smallest detail, it can have a real effect on individual people's lives. The amendment is now near-perfect, and I urge the Solicitor General and the Government to look at this again. In relation to EEA-EFTA, we will have the Trade Bill coming back, and in relation to this question, we will have the immigration Bill, so if we do not succeed today, let there be no doubt that Members on both sides of the House will again push hard to achieve this aim. For me, this is the important missing piece of the jigsaw. One small tweak could make a tremendous difference, and I urge the Government to look at this again.

Mr Pat McFadden (Wolverhampton South East) (Lab): I want to speak to Lords amendment 51 and the amendment to it tabled by those on my own Front Bench. These amendments focus on our future trading and economic relationships, and our aims on this side of the House are clear. We want to secure frictionless trade with the EU, and we do not want to see new barriers or a race to the bottom on workers' rights, environmental standards or consumer rights, and nor do we want a hard border in Northern Ireland. How can

we achieve those aims? My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) has already said that we are committed to a customs union but, as he also said, a customs union on its own will not achieve those aims. In modern trade, we need to do more than just get rid of tariffs; we need to ensure that multinational supply chains and crucial manufacturing industries—including the automotive and aerospace industries that are so crucial to the west midlands—are not affected by other, non-tariff barriers.

Crucially, 80% of our economy is accounted for by services—we are a country whose economy is dominated by services—and those are governed by common rules and regulations, not by tariffs. In the west midlands alone, service industries account for £93 billion a year of GDP and 74% of our local economy. In the north-west, services account for 75% of the economy and £125 billion. When it comes to trade, we sell over £100 billion of services to the EU every year at a surplus. It is essential to have an agreement that covers both manufacturing and services. The bottom line is that any serious Government party or any Opposition party that aspires to government must care as much about the creation of wealth as about its fair distribution. That is why these questions are so central.

4.45 pm

Turning to the significant features of the EEA, the first one—this is not a facetious point—is that that agreement exists. It has been in operation for more than 20 years. We have seen countless forms of words from both Front-Bench teams about the “exact same benefits” and other laudable things but, whatever their merits, they do not currently exist. The idea of taking off the table the only existing model of full participation in the single market while not being a member of the European Union would be unwise and rash. The EEA covers both goods and services, as well as workers’ rights and consumer rights. I ask hon. Members, particularly Opposition Members, whether we would rather have those workers’ rights enshrined in an international treaty, or entrusted to the tender care of the members of the European Research Group, who have railed against European regulations for years.

Let me turn to one or two of the common objections to the EEA agreement. On the rule-taker objection, it is of course true that non-EU members do not have as full a say as those who are members, but as we voted to leave the EU, we voted to leave our seat at the table where many such rules are decided. That is not intrinsic to the EEA agreement; it is intrinsic to the decision to leave the EU, and that applies not just to the EEA. As an example of rule taking, look at what the Government are about to do. Next March, we will engage in a transition period during which we will have to abide by the whole *acquis* without any say, and all the talk of transitions and backstops have been about that. The Government’s decision and the timetable that they have put in place for next year will form the biggest voluntary surrender of national sovereignty in modern European history. That is rule taking.

Wera Hobhouse: Does the right hon. Gentleman agree that it would be extremely irresponsible of any Government to exclude options that could ultimately lead us away from long-term economic decline?

Mr McFadden: I agree. It is irresponsible to exclude options—that is what I am saying.

The second big objection to the EEA agreement is that there is a customs border between Norway and Sweden, but that exists because those nations have chosen not to be in a customs union. It is our policy to be in a customs union. It is not a matter of irreversible legal necessity; it is a matter of choice. Michel Barnier said just two months ago:

“It was the UK’s decision to leave the EU, but it is not obliged to leave the single market and the customs union because it is leaving the EU.”

As my hon. Friend the Member for Pontypridd (Owen Smith) said, Michel Barnier confirmed yesterday that it is open to us to be in both the EEA and the customs union. If Members are against the EEA, they should be against it because of content, but they should not be against it due to spurious arguments about having to choose between the customs union and the EEA. That is not the case.

The situation in Northern Ireland cannot be dealt with purely by being in a customs union, because it requires regulatory convergence on goods and services that are exported. That fact is clear to our sister party, the Social Democratic and Labour party—sadly it is no longer represented in this House—which wrote to us last night with a heartfelt plea to keep the EEA option available and to vote in favour of Lords amendment 51.

Lady Hermon: Will the right hon. Gentleman give way?

Mr McFadden: I cannot give way anymore because so many Members want to speak.

I know that there is a great deal of working-class disaffection behind the Brexit vote, and that people want action on migration and free movement. My right hon. and learned Friend the Member for Holborn and St Pancras read out a list of things we can address, and former Prime Minister Gordon Brown spoke about others in his speech last week. There are things that we can do, and we need to address working-class discontent, but we do not take the first step in doing so by voting for a path of making our country poorer, and of not generating the wealth required for the public services, regeneration, housing, and the better chance in life that our working-class communities need.

Mr Baron: Before speaking in support of Government amendments (a) and (b) in lieu of Lords amendments 1 and 2, to which I have put my name, I will briefly touch on the issue of immigration, which has been mentioned a number of times, particularly by the Scottish nationalists.

My education was very international. I did not return to start my education in this country until the age of 11. I suggest to those who say that Brexiteers tend to be anti-immigration that what many of us want is an immigration system that no longer discriminates against the rest of the world outside the EU. We are getting a little tired of the line that, somehow, we are anti-immigration. We want a controlled immigration policy, but we also want a fair immigration policy.

I suggest to Opposition Members that a controlled immigration policy—one that is fair to all and that no longer discriminates against any particular region—would actually help the wages of many in this country, because wages are a simple function of demand and supply.

[Mr John Baron]

If we introduce a system of controlled and fair immigration, as Lord Rose admitted just prior to the referendum when questioned by the Treasury Committee, wages would rise faster but big business may not like it. Labour would be well advised to bear thought on that issue.

In addressing Government amendments (a) and (b) in lieu of Lords amendments 1 and 2, I will focus on the nature of the negotiations themselves. We have discovered today from the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) that the price that Labour is prepared to pay to be part of a customs union or the customs union is to sacrifice the right to negotiate trade deals with other countries outside the EU. That came from the Labour Front-Bench spokesman, and I hope that Ministers take that on board, because it is an important deviation from what the Labour party promised at the last general election.

Putting the referendum to one side for a moment, the Labour party's manifesto actually said that we will be leaving the customs union and the single market. Labour seems to have conveniently forgotten that point, and we must drill that home because Labour is betraying its core support by ignoring what it put in the manifesto on which it stood at the last general election. We should also remember that 85% of those who voted at the general election—the 43% or 44% we got, and the 41% the Labour party got—actually supported that policy.

On the business of tying the Government's hands in the negotiations, those who have conducted any form of negotiation will understand that that makes for worse outcomes. There is no getting away from that point. It also flies in the face of precedent. It is an accepted practice that Governments negotiate treaties, as was the case at the time of the European Communities Act 1972, and with the Lisbon treaty, the Nice treaty and so on. I do not remember any argument that Parliament should undertake negotiations on those treaties being made by people who today are arguing that Parliament should dictate the Government's course of action in international negotiations. There is an absolute contradiction on that policy.

We often hear those who campaign on this issue, or who challenge the Government's position, quoting the EU or Michel Barnier as though their words are gospel. What they should remember is that we are party to a negotiation. What is said publicly in a negotiation does not always translate to reality in the negotiation itself, so I do not think that we should take at face value this talk of, "Oh, Michel Barnier said that and therefore it must be true." Let us have a bit more questioning, particularly when a negotiation is being undertaken. All too often, the remarks of the EU and Michel Barnier are taken at face value, and that is wrong. It is all part of a negotiation.

Finally, turning to the amendments, my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke)—we agree on many things, but not necessarily on European matters—was absolutely right that this is a pragmatic compromise. A customs arrangement can cover all manner of different scenarios, and we will undoubtedly revisit this topic at a later stage, notably with the Trade Bill. A Bill concerning how the law will

apply post Brexit is not best suited for a discussion of our future trade arrangements. He is absolutely right that it is meant to get us to that stage. This is a pragmatic compromise so that we can do that and then discuss these issues in more detail when the time comes. I therefore urge all Members to support the amendments.

Mary Creagh: I rise to speak to my amendment (e) in lieu of Lords amendment 3. If we want world-leading environmental protections, we need a world-leading environmental watchdog. Today, we awoke to warnings that one fifth of Britain's wild mammals, our beloved wildcats, hedgehogs and water voles, are at high risk of extinction within the next 10 years. The EU's role in monitoring, updating and enforcing environmental law will be lost after exit day. The Environment Secretary's proposed watchdog does not backfill those functions, and it has no teeth. It has three major gaps: an enforcement gap, a climate change gap and a citizen gap.

First, the watchdog has an enforcement gap, because it cannot start legal proceedings and issue fines, unlike the European Court of Justice, whose threat of fines is the only thing to have galvanised Government action on air quality. Amendment (c), tabled by the right hon. Member for West Dorset (Sir Oliver Letwin), would give it the ability to start legal proceedings against the Government but is silent on the remedy to be applied.

Secondly, there is a climate change gap. The Committee on Climate Change warned that its omission from the watchdog's remit

"would be artificial and potentially create problems".

The Committee on Climate Change will hold the Government to account on the Climate Change Act 2008, but there will be no enforcement of our other climate change obligations. Who monitors progress towards our legally binding targets under the EU's renewable energy directive? What happens to our EU emissions reduction targets? Will there be a gap if we leave the EU's emissions trading system? Amendment (c) does not address that.

Thirdly, there is a citizen gap, because the watchdog does not provide access to environmental justice for UK citizens, who at present can go to the European Commission when there is a breach of environmental law. They can petition their Member of the European Parliament, who can then ask the Commission to investigate, and ultimately, the European Court of Justice to issue fines. There is nothing in the Government's proposals or amendment (c) on that, so there are three gaps.

I turn to the environmental principles, which have cleaned up our rivers and beaches and reduced our reliance on landfill and dirty, polluting industry over the last 40 years. Under the Bill as introduced, they would be lost after exit day. Amendment (c) puts the principles back in the Bill—although a very important one, the principle of non-regression, is missing—but the Government would only have to "have regard to" them, rather than act "in accordance with" them. That is a much less stringent legal requirement, thereby creating the legal uncertainty that the Solicitor General said at the Dispatch Box he wished to avoid. It does not mention local government and public bodies, only national Government, and it is silent on how the body's independence from Government will be guaranteed and how it will be protected from the fate of Thomas à Becket if it is too effective, after the Conservative and Liberal Democrat

Government abolished the Royal Commission on Environmental Pollution and the Sustainable Development Commission in 2011. Previous Governments have form on abolishing environmental watchdogs whose criticisms of Government are a little too uncomfortable and tart. We do not want to set something up only for a future Government to shut it down.

5 pm

My amendment (e) in lieu would close those gaps with a watchdog with the scope, remit, powers, independence and money to do the job. It would deal with all environmental law, including climate change, and be charged with enforcing environmental principles and advising on how to embed them in policy making. It would cover all public authorities, including local councils and arm's length bodies, and it would order public authorities to comply with the law. If they did not, it could apply for an injunction or issue fines. It would give citizens the ability to raise complaints against the Government without the expense of a judicial review, and it would respond to requests from this House to investigate failures to implement environmental law. It would have the form and funding necessary to do the job, protected from Ministers who might want to muzzle it in the future.

The Environmental Audit Committee, which I have the honour of chairing, warned a year ago that one third of EU law cannot be cut and pasted into UK law, and that we would be left with zombie legislation, no longer monitored, updated or enforced—and so it came to pass. Amendment (c) is a valiant attempt, but, after the Government's attempts at cakeism and cherry-picking, there is a dangerous, new and highly addictive food on the parliamentary scene—fudge. We saw how long yesterday's fudge lasted. It was delicious at the time and did the job, but was inclined to leave the children bickering on the back seat of the car about who got the biggest piece just one hour later. The Environment Secretary said that the environment needs to be protected from the “unscrupulous, unprincipled or careless”. I wonder who he meant. His proposals will not do that, and amendment (c) will not do that, so I urge the Government to accept amendment (e).

Mr Vaizey: It is great to have the opportunity to speak in this important debate. Yesterday's was very entertaining and we did make a piece of fudge, and I am pleased to say that my side of the House got the biggest piece—I just want to put things beyond any doubt. Of course it was a fudge, because a lot of this is about compromise. Today's debate is perhaps less entertaining, because we are debating far more serious issues to do with our economy, jobs and human rights.

I wish briefly to inject a slight note of reality into the debate and perhaps allow my constituents to contribute to it. I was emailed the other day by a small manufacturer based in my constituency on the subject of how it exports to the European Union. Some 60% of its manufactured goods, with an average price of about £150, go to countries in the EU. It told me that it was not necessarily worried about customs charges, but it is very worried about customs delays. Its customers in Germany and France know that if they order from this firm they get their goods in two or three days. Nevertheless, the costs are real. Its product costs 40% more for Norwegian customers than for Swedish customers, and

50% more for Swiss customers than for German customers. This company sends out 30,000 parcels a month. It is a great British employer, but the punchline is that its new distribution centre is going to be based in the EU, because of the 15% costs that are going to be added to its business by our decision to leave. The reason it has to compete is that its competitors are based not in the United States, Norway or Switzerland, but in Germany, France and Italy, and Brexit has given them an immediate advantage.

That is the reality of what we are talking about. We hear a lot of bluster. Whenever people who urge caution or realism about Brexit stand up, they are told to be optimistic and, indeed, patriotic. One prominent member of the Government compared Brexit to Y2K, which was an issue when, 18 years ago, double-digit computers were switching from the 20th century to the 21st. Apparently, Y2K was a ridiculous scare story and absolutely nothing happened. [*Interruption.*] This was the millennium bug; sorry, I am so old that I call it Y2K. A constituent emailed me to say that it is true that nothing happened with the millennium bug, but that was because, as he pointed out, thousands of people—he was one of them—delivered millions of lines of code, planned for it for five years and implemented the changes for two years, giving up their nights and weekends. The message to Government Front Benchers—perhaps the Foreign Secretary—is that changes of this nature are complex and difficult, and they take time and require planning. That is why the amendments we are debating are important and why a spirit of compromise and pragmatism must be injected into the debate.

To a certain extent, I am on repeat mode: I always like to have a bit about free trade deals in my Brexit speeches. We have already heard one speech saying that the EU is absolutely rubbish at free trade deals, but if we look at the large trading blocs' free trade deals, I think it compares pretty well. It certainly compares well at the moment with the United States, which has come out of the Trans-Pacific Partnership and is bitterly renegotiating the North American Free Trade Agreement. The United States does not have a free trade deal with India or China, so we cannot really castigate the EU. The EU has free trade deals lined up with Japan and Singapore. Indeed, as the trade envoy to Vietnam, my instruction from the Department for International Trade is to secure a trade deal between the EU and Vietnam so that we can piggyback off the back of it.

As I have always said, trade deals are not easy to negotiate, but the EU can hold its head up high. We are often told that the EU holds back developing nations; it does have trade deals with developing nations and encourages them, but it quite rightly expects some give and take—for example, high labour standards, so that there is not unfair competition—and perhaps to have a voice in those countries on issues such as human rights.

I am not a dyed-in-the-wool Euro-fanatic, and I echo what my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) said when he cited Dan Hannan, because we all know that as a pragmatic Brexiteer, Dan Hannan has said repeatedly that we should try to stay in certain elements of the single market—that is in black and white. The ideology has to be stopped, and we have to look at things. That is not to say that the EU itself cannot reform. It should take Brexit as a signal of how it should be more flexible, and its legally based approach to the negotiations is unhelpful. Although I appreciate

[Mr Vaizey]

the irony of the Brexiteers who campaigned against Galileo now saying that we should have our own Galileo, for me it is an example of European Union inflexibility. The amendments are important, and I shall continue to listen to the debate. I look forward to further developments.

Chuka Umunna: I rise to speak in support of Lords amendments 1 and 51 on the customs union and the EEA. To be clear, I regard Brexit as rather like the hay fever from which I am currently suffering: it is consistently horrendous and there is very little that can mitigate the appalling effects. But I am absolutely clear that if we are to leave the European Union, the least worst option is for us to continue to participate in those two entities. All the evidence shows that, and many British businesses support it.

The arguments for the customs union have been well made by the Opposition Front Benchers, so I shall concentrate on the EEA. It is not the perfect model—I have never claimed otherwise—but it should be the starting point of any discussion if we say, as both main parties do, that we seek in any deal the exact same benefits as the single market. As has been said, the EU is clear—Michel Barnier said it yesterday—that we can be part of the customs union and the EEA. It is true that we would no longer have a vote on EEA rules at the EU Council; rather, we would be a rule shaper that served on the committees that draw up those rules.

Let us be honest, though: none of that really goes to the heart of where most concern about the EEA lies, which is with immigration and the continuation of some form of freedom of movement. Those are the big issues—the two elephants in the room. I am the son of an immigrant and I represent a constituency in which the majority of families are of an immigrant background, but I acknowledge that many of the communities that the Labour party represents are the opposite.

There is concern about immigration out there; we cannot duck it and we cannot ignore it. If we are honest, views are just as strong, if not stronger, in relation to non-EU immigration as they are in relation to EU immigration. There are parallels between the discontent in some of our traditional seats about EU immigration now and the discontent that there was about the Commonwealth immigration in the 1960s of which my late father was a part. There was, after all, a form of free movement from the Commonwealth until 1971, and there is now, of course, a form of EU free movement and would be if we were in the EEA. I do not deny, and I have never denied, that immigration can pose challenges, both economic and cultural, to communities, but it need not be that way if we implement the right policies.

As has been said, our former Prime Minister Gordon Brown has put forward a six-point package to address some of the concerns and better manage immigration, which includes acting to prevent the undercutting of wages by immigrants; removing newcomers after nine months if they fail to find a job; and putting in place a bigger fund to help mitigate the impact of migration on local communities. However, we need to do far more to help immigrants to integrate into their local communities, to speak English, to learn about the culture and so on. My father was so successful at that that he married an English woman and had mixed-heritage children.

Alberto Costa (South Leicestershire) (Con): My father does not speak perfect English, but I do not know what more integration he could have done when one of his sons is a Member of the British Parliament. Does the hon. Gentleman agree that in all this talk of immigration, we should be very moderate in how we reflect on it? Immigration has been of enormous benefit to the United Kingdom, when his own family and succeeding generations came to this country. Does he agree that British citizens living in Italy and elsewhere also need to be thought of?

Mr Speaker: Let me encourage colleagues, please, to make brief interventions. There is very, very, very little time.

Chuka Umunna: I very much agree with the hon. Gentleman.

All the things I was talking about can be implemented now to better manage migration while we are part of the EEA, and I support them, but what are the real underlying causes of concern here? Not enough decent affordable housing; a shortage of school places; an NHS in crisis; and not enough well-paid and decent jobs. Let us not pretend that all these problems will disappear or be mitigated if we cease participating in the EEA. As hon. Members have said, they will get worse, because there will be less revenue going to the Exchequer to pay for those things.

Those underlying problems are no more the fault of European immigrants now than they were the fault of the Commonwealth citizens who came here in the 1960s and 1970s. Let us make no mistake: people in traditional Labour voting areas were saying exactly the same things about the Windrush generation, about south Asian immigration, and about the likes of my father from west Africa being the cause of our problems way back then, as they do now in respect of EU citizens. Curbing Commonwealth immigration then and ending EU free movement now did not and will not solve these problems, and we know it. That is why Labour Governments have always addressed those problems by properly funding the NHS, by having a national minimum wage, by investing in our schools and so on. That is why I will vote for the amendment tabled by my party's Front-Bench team, and also for Lords amendment 2.

A colleague came up to me in the Tea Room yesterday. She represents a seat in the north-west and, to my surprise, she told me that she would also be voting for the Lords EEA amendment. I asked her how come she was doing that. Despite the issues and the challenges that I know that she and many of my colleagues have to deal with in respect of that issue, which I do not have to deal with in my own constituency, she said, "Yes, there are big concerns about immigration, certainly compared with your area, Chuka, but the bottom line is that we have nothing like the amount of immigration from the EU or from outside the EU as you do in your constituency. I know that the cause of our problems is not that immigration, so I will not go around saying that I agree with any claim that that is the case, because I know what that will do. It won't help us deal with any of these problems, but what it will do is deprive people of jobs." That is why I say to my Labour colleagues that we should not ignore this issue of immigration, but let us deal with the problems and underlying causes in a Labour way. That is what our history dictates.

Several hon. Members *rose*—

Mr Speaker: Order. A four-minute limit now applies.

Vicky Ford: I will speak about Lords amendment 3, on the environment, as well as the amendments on the customs union and the EEA.

First, let me put this in context. As hon. Members know, I have been in the European Parliament for many years and witnessed many intense times in European negotiations, including the negotiations on the banking crisis and the eurozone crisis. It is utterly normal that all the discussions intensify and accelerate and that new ideas come forward, as the European Council meeting gets closer. That is to be expected; it is normal.

On Second Reading, I made it clear that I thought the Bill was far from perfect and that it would require many amendments. Many amendments have been made, both in this place and in other place. We should not be scared of the need to make amendments because this is legislation of a kind that has never happened before. I have been very glad to add my name to the amendments on environmental protections, which is a very important issue for many of my constituents, who write to me saying that they want to ensure that we keep a long-term focus on protecting the world's environment.

5.15 pm

I am very glad that the amendments to Lords amendment 25 were passed last night on the issue of Northern Ireland and respecting the Good Friday agreement. It is absolutely fundamental that we hold the United Kingdom together, but that we also respect our international agreements. Passing that amendment on the Good Friday agreement and Northern Ireland is key to finding a solution to customs, because ensuring that our border with Northern Ireland is truly frictionless and that that truly frictionless arrangement works for the whole UK is key to finding a long-term solution.

On that basis, I am prepared to accept the amendments in lieu of Lords amendment 1 and 2 on customs union that have been tabled today. The amendments call for further work, because this is not the last time that the issue will come back to this House. I am expecting the Government to deliver a truly frictionless border—one that does not just take the friction from the border and put it back in the warehouse and one that does not mean that companies in Britain or Europe have to face silly bureaucracy with rules of origin. That is the type of detail that manufacturers asked me to secure, and that is what I expect the Government to fight and negotiate for. If we do not see it here, we will put it in the customs Bill.

On the EEA and Norway, I wish it were as easy as colleagues say to stay in the EEA, but I remember Norway's Minister of Finance flying out to meet me in Brussels to ask me to table amendments for Norway. We could not be left in a situation where our Chancellor has to go and ask a French MEP to do that on his behalf. We have to find a bespoke solution. It is fine to be a rule taker in areas where our issues are aligned, but we cannot have it everywhere. I understand the calls from those who say, "Let's try and find a lifeboat now, because no deal is not a good deal," but we need to let the Prime Minister go into this round and negotiate, and she is right to fight for a bespoke deal.

The debate on the meaningful vote last night was meaningful. In my eight years of experience in Europe, I saw again and again that a first vote was needed to make a statement, but it was often not actually the final vote. We often need a second chance to have a vote, and that is what we bought with the compromises last night. It was a fudge, but it was a very important and meaningful one.

Tom Brake (Carshalton and Wallington) (LD): The right hon. Member for Leeds Central (Hilary Benn) used an analogy about the ship approaching the iceberg. He seemed to suggest that there are only two options: jumping off the side into the freezing cold water or taking to the life raft. There is indeed a third option, which is consulting the passengers about whether they would like to change the direction of the ship to avoid the iceberg in the first place. I hope that that is eventually what this country will do.

The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) criticised the Government for adopting the European Research Group-inspired red lines. We have heard from the Minister that, for instance, the EEA does not pass our test. Well, that is the Government's test. I cannot remember it being a test on 23 June 2016. Those red lines have led the Government into huge difficulties with the customs partnership. "Max fac" will cost business £20 billion. The Government's current proposal for the customs arrangements appears on the amendment paper alongside the names of Members including the hon. Member for North East Somerset (Mr Rees-Mogg) and the hon. Member for Wimbledon (Stephen Hammond). Clearly, that is a fudge. As the right hon. and learned Member for Rushcliffe (Mr Clarke) said, those two Members never agree on anything. The fact that an amendment stands in both their names suggests that it will not withstand the heat of the kitchen.

Neither do I think that Labour's amendment—another huge dollop of fudge—will withstand the heat of the kitchen. I hope that at some point Labour will be able to explain how the UK can have full access to the internal market of the European Union with no new impediments to trade and common rights. Well, good luck with that. I think that is completely unachievable, and that it would be intellectually dishonest for anyone to support it today. Labour cannot have its cake and eat it, any more than the Government can, in relation to our departure from the EU.

The logical conclusion of many of the speeches we have heard today, by sensible Government Ministers and Labour Front Benchers, is that we should stay in the customs union and the EEA or, even better, stay in the customs union and the single market. Why not go the whole hog and simply stay in the European Union? Instead, we have this bizarre situation in which the Prime Minister, when I asked her earlier today whether there was any damage that Brexit could inflict that would cause her to change direction, is unable to say "No, there isn't." She said that she is committed to doing this, even though she, who was a remainer—many Government Members were remainers—knows that it will cause huge damage. That is something for which they will be held to account in future, as will Labour Front Benchers, who in many respects are equally complicit in delivering Brexit.

[Tom Brake]

Unfortunately, I do not have time to go into any depth on the other amendments. We will be supporting Lords amendment 5, on the charter of fundamental rights; amendment (e) in lieu of Lords amendment 3, which is about environmental principles; and the family reunion proposal, which is amendment (i) to proposed amendment (a) to Lords amendment 24, because I am afraid the Minister gave no explanation at all why he would not support it.

In conclusion, the whole process for scrutinising these amendments brings shame on the House, and I hope that the much-maligned House of Lords will be able to do a much better job and that it will have much more time for scrutiny than we have been allowed in this Chamber.

Charlie Elphicke (Dover) (Ind): One thing that my constituents in Dover and Deal were absolutely clear about when they decided to vote by a large majority to leave the European Union was the need to take back control of our borders and to end uncontrolled EU immigration—to end free movement. It is not just in my constituency; it is regions across the country, including Labour leave areas, which I know feel the same way. It should therefore be a red line for this House to ensure that, whatever happens, free movement comes to an end, because our constituents up and down the land have been very clear about that.

We must also ensure that we take the full opportunities that leaving the European Union will afford this country. That is why we need to leave the customs union and why we cannot stay in the EEA. The truth is that 90% of future economic growth in this world of ours will come from outside the European Union. In recent decades, the share of global GDP represented by Europe has halved, from about a third to just about 15%. Europe is in relative decline. We do not have to go that way ourselves. We can jump forward to explore, trade and participate in the fast-growing areas of the planet. I am not saying that it will be easy, but it is an instruction that has been given to us by our constituents and by this nation. What is more, when it comes to trade in goods, it is important to remember that the European Union sells us £100 billion more goods than we sell to it. It is therefore in its interests to ensure that there is frictionless trade, more so than it is in our interests.

We need to ensure that we are fully prepared for every eventuality and every single kind of deal that we might do. That is why I am making the case that we need to modernise our systems. We have needed to modernise them for years, so it is no-regrets spending. We should modernise them because the border is no longer as it was in the 1950s, where we checked every lorry; the border is a tax point. With the systems in place that technology now enables, trusted traders could be required to account for their loads and we could ensure that there was no need for any checks at the border whatsoever. That includes Northern Ireland.

Those who are opposed to us leaving the European Union like to cite Northern Ireland, but the truth is that we do not need any infrastructure or any checks at the border. We can have frictionless trade through the border, with audits in workplaces and computer systems that ensure there are proper audits. Singapore has such a single-window system in place, and countries around

the world have such systems. We need to take advantage of that, because that is the kind of future we can make, and that is why I have been making the case for that investment to be made.

Anna Soubry: I am grateful to my hon. Friend for giving way. Has he read the report by the Northern Ireland Affairs Committee? Members of that Committee went all around the world and could not find anywhere where there was the frictionless trade of which he speaks. They include a number of leavers, but they came to that conclusion. He has to face up to that reality and tell us how he will to deliver the borders of which he speaks.

Charlie Elphicke: That is exactly why I have been setting out the case for how we can use technology and these sorts of system, with a trusted traders scheme, and how we can build on the WTO's trade facilitation agreement, to which the European Union has signed up. We should be making this investment—we should have been making this investment many years ago.

Mr Alister Jack (Dumfries and Galloway) (Con): On either side of the Irish border, excise duties are different, VAT is different and the currency is different, and we have had a common travel area since 1923. Does my hon. Friend agree that there is no need to have friction with trade if we have a free trade agreement?

Charlie Elphicke: My hon. Friend makes the perfect case, and it is the case I have made in a report in which I set out how we can achieve that and manage it positively. We need to use technology and to engage with European member states across the water. After all, customs arrangements and the accounting of customs are not done by Brussels; they are bilateral. We can have bilateral discussions with the French and with the Belgians at the port of Zeebrugge. We must realise that there is no need to have a search point at the border and that the border is a tax point. That is the essential point, and it is the same in Northern Ireland.

That is why I am personally confident that we can and should invest in this. That means investing properly in the road infrastructure on the way to the channel ports and investing properly in computer systems. It means investing in systems to ensure that checks can be carried out away from the border. It is no-regrets spending, and that is why the Government should be making that investment now, not waiting for whatever the deal is to do it.

Caroline Flint: Since the referendum, the debate has often been polarised in this place and outside it between hard-line Brexiteers who feel that we can walk away without a deal and walk off a cliff edge, and hard-line remainers who do not accept the result of the referendum and want to find whatever way possible to stay in the EU. That is why I am not supporting Lords amendment 51. The essential choice for Parliament is whether we accept the outcome of the referendum and the article 50 process and agree that the UK leaves the European Union in March 2019, or whether we seek to subvert that process. Perhaps the Norway option—the European economic area—suits that purpose.

The EEA agreement helped three small countries that could not persuade their people to adopt EU membership and that accepted having no say in return

for single market membership. They accepted the role of rule takers, not rule makers, with second-class membership of the European Union. Much has been said about Michel Barnier saying this morning that he will give us membership of the EEA plus the customs union. Of course he would—he would bite off the Prime Minister’s hand for that deal, because apart from leaving without any deal, it is the worst deal for the United Kingdom.

Anna Soubry: Shame!

Caroline Flint: The right hon. Lady says, “Shame!” I am afraid to say that it is that sort of contribution to this debate that is so unhelpful and divisive, because we have to reach consensus on the way ahead. I believe that we have to be as close as possible to the single market and that there should be a customs arrangement. Importantly, however, I recognise that there is an issue of immigration, which has been overlooked for at least 15 years, since we first let in the A8 countries. I am afraid that the right hon. Lady does not reflect that on behalf of her constituents.

5.30 pm

Alison McGovern (Wirral South) (Lab): May I say to my right hon. Friend that, although she and I may disagree, she is making an excellent speech? She is right about the tone of this debate: it must be done properly.

Caroline Flint: I thank my hon. Friend. There will be a point, when we leave the European Union, at which Opposition Members will have to work out what our policies are for the challenges ahead for our country, and I know that on those areas we will come together.

There is no precedent for a country the size of the UK leaving the European Union. It is new ground and demands a new relationship, but that should not be a replication of Norway’s. The terms of EEA membership clearly do not allow the sort of changes to freedom of movement that some of my right hon. and hon. Friends have suggested. The only provision affecting migration is the Liechtenstein solution, which is a temporary brake on immigration in the event of an economic crisis. That was a provision for a country with a population half the size of that of my constituency of Don Valley. This is not an adequate response to the public concern about the lack of control the UK has had over EU migration since 2004.

I say to my hon. Friend the Member for Streatham (Chuka Umunna) that many people from the black and minority ethnic community voted leave and are also concerned about free movement. To move forward, we cannot just cobble together ideas as in the EEA amendment. There has to be an end to freedom of movement, just as my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) has suggested, and after that we can decide what sort of migration we want in the future.

Those of my constituents who voted leave have been insulted, day in and day out, by comments made in the place and outside. They are not against all migration, but they want a sense that we can turn the tap on and off when we choose to do so. They also want us to answer the questions: “Why hasn’t Britain got the workforce it needs, why has social mobility stopped, why do we

train fewer doctors than Holland or Ireland, and why are these jobs dominated by those in the middle and upper classes so we don’t get a look in?”

I will be voting for the Labour amendment, because although it is not perfect, it seeks to delete the EEA option; and if that is lost, I will vote against Lords amendment 51. I urge the House to reject that amendment and to begin to face up to the policy challenges of life after Brexit.

Anna Soubry: I am sorry, Mr Speaker, because I know it is a courtesy to say so, but it is not a pleasure to follow the right hon. Member for Don Valley (Caroline Flint). I have admired her for many years, but I found that one of the saddest speeches I have ever heard. *[Interruption.]*

Mr Speaker: Order. I appeal to colleagues. I understand there are raging passions on these issues, but please let us try to treat each other with respect. Other Members are right hon. and hon. Members who happen to hold opinions that differ.

Anna Soubry: As you will remember, Mr Speaker, I said how much I respect the right hon. Lady for so much of her work, but on this I profoundly disagree with her.

I will be voting for the very good amendment—Lords amendment 51—written and beautifully advocated by the noble Lord Kerr. I urge hon. Members to read it, because I agree with everything it says about the value of a customs union. In due course, the Bill about a customs arrangement will come back to the House. I ask British businesses to write to their local MP to explain why it is so important, just as my right hon. Friend the Member for Wantage (Mr Vaizey) said that one of his businesses had explained to him in good, simple, plain terms why having a customs arrangement is so important to his constituents, their jobs and the future of their children and grandchildren.

I will be voting for the EEA amendment because, as I have said many times in this place, I believe in the value of the single market. I say to the right hon. Member for Don Valley that I am appalled that she, as a member of the Labour party, has stood up and shown that she does not understand and appreciate the considerable value that immigrants have brought to our country. These are human beings—*[Interruption.]* I will take an intervention when I want—I am not afraid of a debate, and I will take one now.

Caroline Flint: I would urge the right hon. Lady to look at the record in *Hansard*. I made it very clear that I am not against all immigration, and I also said very clearly that nor are my constituents, but they want to feel that we have better systems in place and that immigration is fair and managed, and that is something they have not felt for a long time.

Anna Soubry: The right hon. Lady represents an area of the country that I know quite well; I am from north Nottinghamshire—from Worksop—and I also represent the constituency of Broxtowe. It is often quite peculiarly unique, and perhaps a little bizarre, that those who complain most about immigration are in areas where there is actually very little of it. That is the point: it is

[Anna Soubry]

about the fear of the stranger—the fear of the unknown—and we have a duty as Members of Parliament to make the positive case in our constituencies for immigration and to have these debates with our constituents.

It is true, and I agree, that in some parts of our country a large number of people have come in, but these are invariably Polish people, Latvians and Lithuanians who do the work that, in reality, our own constituents will not do. It is a myth that there is an army of people sitting at home desperately wanting to do jobs. The truth of the matter is that we have full employment, and we do control immigration. How do we control it? It is called the market. Overwhelmingly, people come here to work. When we do not have the jobs, they simply do not come.

Now, it is right, and I agree—this is a sad legacy of previous Labour Governments—that there has not been the investment in skills that this Government are now making, and they have a proud record on apprenticeships, by way of example. However, I say to the right hon. Lady that she must speak to the businesses in her constituency, and she must ask them, “Who are these people? Where have they come from? Why have you not employed locally?” I have done that with the businesses in my constituency, and some have told me that they have probably broken the law. They have gone out deliberately and absolutely clearly to recruit local people, and they have found that, with very few exceptions, they have been unable to fill the vacancies. They take grave exception to anybody who says that they undercut in their wages or do not offer people great opportunities. It is a myth, as I say, that there are armies of people wanting to work who cannot work because of immigration.

The huge danger of the argument being advanced by some Opposition Members, as the hon. Member for Streatham (Chuka Umunna) said, is that people play into a narrative that, instead of looking at other factors in life, turns to the stranger and—history tells us the danger of doing this—blames the foreigner, the unknown and the person with a different coloured skin or a different accent, when there are actually other reasons for the discomforts and the problems people have in their lives.

I say to Opposition Members that they should be proud of their fine tradition. What they should be doing is making the case for immigration and then saying this: “Suck it up!” No alternative has been advanced in this place other than the customs union and the single market. Let’s grab it—let’s do it and move on.

Hywel Williams (Arfon) (PC): It is a pleasure to follow the right hon. Member for Broxtowe (Anna Soubry). I rise to speak to Plaid Cymru’s amendments to Lords amendment 2, which would clarify that “a customs union” was the customs union. Plaid Cymru campaigned to remain, and we have been consistent in our support for remaining within the customs union and the single market and, for that matter, for looking at the EEA.

The Government and the Labour party are facing some pretty difficult problems, and that is because reality is intruding. Labour is split, as the Secretary of State said the other day, and I am sure we all marvelled yesterday at the bit of negotiation in the Chamber

between the Solicitor General and the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve). That shows me that both parties are intent on pursuing their own internal conversations as well as the matter in hand.

It is not quite one minute to midnight, but it is pretty close. Our European interlocutors are asking us to tell them what we want and they are still not getting an answer. I can say that for industry in Wales, for universities in Wales and for health in Wales, we certainly need an answer, and pretty sharply too. The question for us is this: what is happening in respect of divergence as time progresses? We are getting no real answers.

Last night, I was here late and I took a taxi home. On the way, I asked the taxi driver what he thought of yesterday’s proceedings. His answer, predictably, was, “Why haven’t we left yet? Just get on with it.” I then asked him what he would do about the Land Rover jobs and the problems with the Galileo programme, at which point he said, “You’re from Wales aren’t you? I went up Snowdon once.” That suggests to me that he has a promising career ahead of him as a Brexiteering MP evading the real questions that face us.

As I said in an earlier intervention, the arrangements for the north-south border in Ireland will be very instructive for the arrangements between the EU and the United Kingdom in general. We will see the adoption of certain north-south arrangements, which will inevitably mean that they are adopted in the rest of the UK. I think all Unionists would agree with me in that respect. I asked Pascal Lammy, when he gave evidence to the Brexit Committee, if he knew of any two countries with two customs regimes for different parts of their states. Of course, he said no. To me, that means the arrangements between Dublin and Belfast will be the same as the arrangements between Dublin and Holyhead, and for that matter between Dover and Boulogne. By the way, he was also asked about the effect of having no controls at all, which has been suggested by some Conservative Members. Quite reasonably, he said that abandoning all controls means we would have nothing to bargain with in trade negotiations.

We have heard of a cake Brexit, a red, white and blue Brexit, a hard Brexit, a Brexit for jobs and a green Brexit. My suggestion is for a Welsh cake Brexit, which would entail staying in the single market and the customs union. We have been consistently in favour of that, and it would suit our economy and the requirements we have for health, industry, universities and so on.

Today, the Labour party has an opportunity to defeat the Government. I think we would all love to see that. Instead, however, it seems to have decided to try to water down the Lords amendments and pave the way, eventually, for the Tories to steamroller through a hard Brexit. I do not think we will be supporting them in that.

Richard Benyon: This may sound breathtakingly naive to some Members, but I think there is an opportunity to reboot the debate on immigration. I think what concerned many of our constituents was the inability to control the numbers coming in. Now that they, rightly, believe there is an opportunity to have that control, it is up to us, on all sides of the House, to make the case for the reasoned and controlled immigration from which our economy and society benefits.

I rise to talk about environmental measures. In all the weighty subjects discussed today, some may say that is a trivial issue by comparison. I would say that it is not trivial at all: it is about the air we breathe, the rivers from which we get our drinking water and the kind of society we bequeath to future generations. The hon. Member for Wakefield (Mary Creagh), who is sadly not in her place, is a magnificent champion of the environment. She and I started on this issue from exactly the same point: we felt there was a lacuna, a vast hole or governance gap as some have called it, in the Bill.

In my few remarks on Second Reading, I talked about the importance of putting into British law the regulations and laws that have seen our beaches cleaned up and our rivers start to get to a stage where we can be proud of them, where they are achieving what they are supposed to as functioning ecosystems. We are protecting landscapes and doing something to reverse the disaster, the tragedy and the crisis of species decline. We need to replicate, in a bespoke British way, the kind of measures we have benefited from in recent years. The Lords had a pretty good pitch at it, but there were flaws in their amendment.

5.45 pm

I want to take this opportunity, which might be my last, to say that what we have done here is scrutiny. We have done our job. We as politicians and Members of Parliament have held the Government to account and scrutinised the Bill. This is not some fifth-column activity, as one peer said, or a betrayal of Brexit. This is improving the Bill. The crucial environmental principles will be in the Bill thanks to the amendment tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), which I am happy to be associated with and for which we have the Government's agreement, the Secretary of State having now signed it.

Not only does new subsection (2) set out the principles on which our environmental protections have been laid, but we have a detailed description of what this public body will look like. The crucial point, however, and the one where I differ from the hon. Member for Wakefield, and perhaps the hon. Member for Brighton, Pavilion (Caroline Lucas), is that the amendment sets a framework on which we can build, as legislators, under future legislation, such as the environmental governance Bill that the Government have announced will soon be laid before Parliament. I think we have got it right, therefore, and I urge Members to support amendment (c) in lieu of Lords amendment 3.

Alison McGovern: I rise to speak in favour of Lords amendment 51, on the EEA. I will focus on the main argument against the EEA and its single market, which I believe to be free movement and immigration more broadly, but I will not argue that the EEA is a perfect arrangement for our country after Brexit. It has its flaws—many have already been highlighted—but although I am not blind to those flaws, I am not blind either to the reality that our country finds itself in today. If there is one message from my contribution, it is that we do not have the luxury of choosing between perfect options. It is time to engage with the real choices.

There will be colleagues on the Labour Benches who disagree with my position, and there will be those who still do not know what to think. That is okay—we are

all entitled to our views—but there is one opinion that unites Labour Members, the country and perhaps even Government Members: the Government are making a royal mess of Brexit. That is the central fact from which all our decisions must follow.

The Labour Front-Bench amendment to the Lords amendment has many merits, and I sincerely thank my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and his team for how they have engaged on this issue. They do not have an easy job, but the way they carry it out is a credit to each of them. Their position today would have been an excellent place for a Labour Government to start the negotiations, but I say gently to colleagues that we are not at the start of the negotiations. We are nearly at the end, and our choice will be either to accept or reject a Tory Brexit deal that will tear up many of the economic relationships that have made this country strong, impose new border arrangements in Ireland, pull us out of key agencies and regulations, and leave us scrabbling to put in place new arrangements for which the Government have totally failed to plan.

In rejecting that deal, we will need to propose an alternative that is realistic within the timeframe, and that is where I have a slight difference with Labour Front Benchers, because their amendment is not quite enough. It leaves too many questions unanswered. The EEA as a backstop is appealing not because it is perfect in itself, but because it is infinitely preferable to a Tory deal or no deal. It is just not likely that other options will be deliverable in the time we have.

I turn now to immigration. I am a supporter of immigration and believe it has made us strong. To move to another country to work and live is a fundamentally decent, dignified and brave thing to do—it is the story of my family and the story of our country—but I understand the hesitation of many colleagues. It would be a rare Labour MP who did not understand the strength of feeling that exists in many parts of the country about levels of migration and the perceived lack of controls. I understand that many Members here are just trying to represent their constituents' views, and that is to their credit, but I would say to those who are hesitating, “Yes, the EEA may be uncomfortable, but it is significantly less uncomfortable than any of the other realistic approaches that are available.” The reality is that a complete red line on free movement will put us on a road that leads to support for either a Tory hard Brexit deal or a no-deal Brexit, and I do not think that that is a road that we want to go down.

Ultimately, this comes down to one question: does concern about immigration trump all other concerns? We must ask ourselves, very honestly, whether it is worth shutting ourselves off from the rest of Europe to deal with the problems of immigration in this country. I do not believe that it is, and that is why I will be supporting Lords amendment 51.

Andrew Percy: So far, I have not put in my twopenn'orth at any stage of the Bill, largely because I believed the assurances from both parties at the time of the general election that the votes of my constituents would be respected. As I said in an intervention, nearly 70% of them voted to leave the European Union, and I believed that the vote by the country to leave the EU would also be respected. What is clear from this afternoon's

[Andrew Percy]

debate—it was clear from proceedings in another place—is that some people are intent on wrecking and overturning that result. There is no doubt about that.

I want to focus on the EEA and the customs union, but first I want to say a little about immigration. A smear has repeatedly been used against my constituents and the people of this country who dared to vote against the political class and against the establishment by voting leave. That smear is that the people who voted leave did so on the basis of some racist, anti-foreigner sentiment. My constituents voted leave, and my constituents are not racists. They are not people who have a problem with immigration; they are people who have been subjected to, and have been at the receiving end of, large amounts of immigration—particularly from the European Union—over a very short period, and that has had a big impact on our community.

My constituents do not resent those who have come to this country. If I walk through Goole, for instance, they say to me, “The people who have come here have worked really hard, but there is no doubt that immigration has put pressure on our housing, has made it easier to employ people in the gig economy”—there is no doubt about that—“and has put huge pressure on our health services.” My constituents do not want to see those people leave the United Kingdom, but they want to know that there is a system that controls immigration properly.

I want us to go out and make the argument for immigration once we have left the European Union. As the right hon. Member for Don Valley (Caroline Flint) pointed out, we can make the case for it only once we have some control over it, so that the public know that their elected representatives are the people who will determine the appropriate net migration and immigration figures for each year. That is what countries such as Canada, Australia or New Zealand manage to do.

I am sick of hearing the suggestion—we have heard it again today—that people who voted for Brexit only did so because of immigration, and that that was only because they were racist. I am also sick of hearing the suggestion—we have heard this today as well—that they did not know what they were voting for. That is a complete and utter insult to the good, hard-working, decent people of the north of England, and particularly to my constituents, who voted leave for very good reasons. One of those reasons was to do with control of our laws and our parliamentary sovereignty.

The one argument that I think the remain campaigners won was that leaving the European Union also meant leaving the single market. That is why I think that the EEA model is not acceptable. Before the referendum, some leave campaigners suggested that the two were separate, but by the end of the campaign that had ceased, and we heard what I thought was an honest debate about the fact that leaving the European Union meant leaving the single market.

I want to say something about the customs union. In this instance, I think that things are a little bit more nuanced. There is no doubt that customs arrangements were not a big part of the referendum campaign. Let me say this in the 30 seconds that are left: I am not a hard Brexiteer, and I am sick of hearing from people who are at both extremes of this debate. Let me associate myself with my parliamentary neighbour, the right hon. Member

for Don Valley. I agree that we need to reach a sensible customs arrangement, and the two tests we should apply are, “What is in the economic interests of the UK?” and, “What is in the best interests of maintaining the integrity of the UK?” There should be less debate at the extremes, and more common sense in the middle.

Mr George Howarth (Knowsley) (Lab): The responsibility that we all have, which I take as seriously as everybody else, is to try to balance the concerns of our businesses and our constituents, including some that they might not have had at the time of the referendum. That is what I have tried to do. Another factor for me, as a former Northern Ireland Minister, is that I am not prepared to see the relationship between Northern Ireland and the Republic of Ireland destroyed by a hard border, and nobody has yet come up with a solution for avoiding that. They are the principles and I shall take each in turn.

In Knowsley we voted to leave in almost exactly the same proportion as the rest of the country. However, over the past week or so, constituents who have contacted me have wanted me to vote for all the Lords amendments, which I do not intend to do. Some wanted me to vote down all the Lords amendments, although there was a slight majority on this occasion for supporting the Lords amendments, and therefore presumably for a remain-type position.

I have consulted businesses. A business roundtable organised by the Knowsley chamber of commerce last Friday was a really interesting event. Most of the 10 businesses that attended were involved in trade with Europe, in one way or another—either by exporting or by importing raw materials. What they had to say was fascinating.

I will say a word about immigration. I almost always agree with my right hon. Friend the Member for Don Valley (Caroline Flint)—

Caroline Flint: Quite right.

Mr Howarth: Mainly out of fear. My right hon. Friend had a point, in that we do need a much better managed migration process in this country, but some of the businesses I spoke to in Knowsley said they rely on skills that simply are not available in this country, such as specialist engineering and construction skills. If we cannot fill those vacancies without some migrant labour for particular skills, we cannot create the wealth that would otherwise be created.

Mr Bradshaw: Is my right hon. Friend aware that there is great concern in our food production sector right now that crops, fruit, vegetables and other produce will not be harvested this season because of the chronic shortage of migrant labour to pick it?

Mr Howarth: My right hon. Friend is right. As he will appreciate, we are not an agricultural community in Knowsley, although we do have some farms and we have the estates of the Earls of Derby. However, I know about the concern he raises and I share it.

Having listened to what businesses and my constituents say, I now must make a choice about which, if any, of the amendments to support. I agree with my hon. Friend the Member for Wirral South (Alison McGovern) about the amendment on the customs union tabled by

my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer). I am happy and comfortable to support it, and that fulfils one of my obligations to my constituents and businesses in my constituency. However, I also feel that I need to go further and support the EEA Lords amendment. I will refrain from using the analogy employed by my right hon. Friend the Member for Leeds Central (Hilary Benn) about sinking boats and lifeboats, because I am supporting it on a slightly more practical belt-and-braces basis—if one approach does not succeed, we might have the other to fall back on.

I believe that there are practical implications for businesses, and therefore for jobs, if we do not address some of the concerns that businesses have. All we have at the moment are aspirations from the Government. Some of them are lofty aspirations, but we need more than that—we need hard solutions to the real problems that we are going to be confronted with.

Mr Djanogly: A key question coming out of today is whether we wish to deal with the customs union and EEA issues now in this Bill or later, in the Trade Bill and the customs Bill, after the June EU summit. As things stand, there are reasons for immediate concern. We were promised a White Paper, planned for a few weeks ago. Not only has it not materialised but we are now being told that it will not appear until after the June EU meeting, when I thought the main negotiations were meant to be happening. Let us not forget that we are meant to be signing a deal in November, which is only five months away.

6 pm

It is always a challenge in Brexit negotiations to decipher what is going on, but as I see it, the Government seem still to be arguing for a customs partnership with a high degree of single market regulatory access that would fall somewhere short of the EEA. Along with that, there would be the customs backstop proposal, which itself would need some form of regulatory agreement in order to work. It is clearly impossible to go firm with an opinion on this, but I would venture to say that we seem to be heading towards something that is in the realms of an acceptable final deal—appreciating as I do the fact that no one is going to get everything that they want.

On that basis, I accept that now is not the time to be mandating the Government to join the EEA under the terms of Lords amendment 51. If negotiations fail, or if they seem to be going nowhere after the June EU meeting, this would be an appropriate issue to be decided in the Trade Bill. Until that point, however, the Prime Minister should be given the chance to negotiate fully and to come back with her proposals for us to consider.

Andy Slaughter (Hammersmith) (Lab): One reason why we need to make a decision now is that businesses are already relocating. International broadcasting contributes £1 billion to this country and it is prominent in my constituency. It dominates Europe, and it will move to Europe because it will not be able to get the licences that it needs in this country. That is happening now. We cannot wait three or six months.

Mr Djanogly: I accept that business wants consistency and answers, and that it wants to know which way it is heading. However, even under the amendment it would

not have that, so I still say that we should stick with the Prime Minister, who has her plan.

The Lords amendment on the customs union is a more complicated scenario, as it does not mandate us to join a customs union, as the amendment to the Trade Bill would. Rather, the Lords' proposal in this Bill is simply that a Minister should lay a report outlining the steps taken to negotiate a customs union. In theory, therefore, the Minister could comply simply by reporting that steps had been taken, even though they were leading nowhere. On the other hand, I appreciate that having this amendment would give some comfort that the Government had not written off a customs union as a fall-back if Brussels were to reject the Prime Minister's proposals. It also makes a statement that this House rejects the concept of a hard Brexit—a lesson that needs to be understood by many Members of this House.

However, it has been put to us by the Prime Minister that any vote on this issue will, in her opinion, seriously undermine her negotiating position in Brussels. I was told directly that such an amendment could lead Mr Barnier to throw out the Government's negotiating proposals on the basis that the EU could say that it was being manipulated by them. I would dispute that interpretation, but I also accept that it is ultimately the Prime Minister who is going to negotiate for us on what I believe will be a fair basis.

Furthermore I recognise the Government's concession a couple of days ago, after no little debate, in allowing the Lords amendment if the words "customs union" were changed to "customs arrangement". That also needs to be put into the context of the Government's concession on Northern Ireland in the amendments to Lords amendment 88. Importantly, those amendments require everyone to act with regard to the December 2017 UK-EU joint report. So I suggest that, if we add the "customs arrangement" wording to the Irish compromise in the joint report, which will need to be applied throughout the UK, and throw in the Irish backstop proposals for good measure, we will be much closer to a customs arrangement resembling a customs union than we were before. I note that the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) and various other hon. Members have made the same point.

For all those reasons, and despite all the confusion, the lack of policy and the Brexiteer antics, I have decided to back the Prime Minister in her June EU meetings, and I will vote with the Government on these amendments.

Caroline Lucas: I rise to put on the record my support for all seven still contested Lords amendments, but given that we are so short of time I will primarily focus on Lords amendment 3 and the environment. I am surprised that the Government have not accepted the amendment given that all it does is seek to give effect to the Government's own much-vaunted environmental ambitions. In a written statement to the House in January, the Secretary of State for Environment, Food and Rural Affairs explained that the Government's 25-year environment plan will be underpinned by

"a world-leading environmental watchdog, an independent, statutory body, to hold Government to account for upholding environmental standards."

[Caroline Lucas]

To me, that means at least a watchdog with a bite as well as a bark, not a toothless, neutered, three-legged mutt of a watchdog that cannot even impose financial penalties, much less launch legal action. However, that was all that the Environment Secretary's overhyped and deeply underwhelming consultation was able to offer when it was belatedly published on 10 May.

Lords amendment 3 seeks to give the watchdog at least a few teeth by giving effect to the claim repeated by Government Members that withdrawal from the EU will not lead to any dilution of environmental standards. Given that, I genuinely do not understand why the Government are objecting to the Lords amendment and instead supporting amendment (a) in lieu, which represents a significant watering down of what the Lords amendment contains.

The amendment in lieu makes no provision to guarantee the independence of the environment watchdog, so we may well end up with a green poodle, not a green watchdog. We need clear guarantees that the replacements for the Commission and the European Court of Justice will be protected from Ministers' whims. The amendment in lieu massively limits the watchdog's remit. By deleting the overarching subsection (1) of the Lords amendment, we will lose all the essential requirements for the Government not to remove or reduce any of the rights, powers, liabilities, obligations, remedies and procedures that currently contribute to the protection and, crucially, the improvement of our environment. For example, there is no explicit guarantee that we will have a freely accessible citizens' complaint mechanism. All such things are all vital components of an effective governance system for protecting the environment. They are not optional add-ons to this lazy attempt at standing up for nature.

As I mentioned earlier, the amendment in lieu limits the scope of the watchdog to central Government, which is absurd given that local authorities are so much responsible for areas of compliance. Ministers would be compelled only to have regard to vital environmental principles, not to act in accordance with them. All those things are good reasons to have grave concerns about this weakening of Lords amendment 3 and to say to the Government that we are running out of time to get the joined-up approach to the environment that they have promised us.

In the minute I have left, I want to make a comment about the single market and customs union. It is notable that every single economic scenario that the Government have produced shows a country that will be worse off by leaving the EU. The only real protection for jobs and the economy is staying inside the single market and the customs union, which is also the only way of achieving a frictionless border in Northern Ireland. It is quite extraordinary to see the Government proudly and loudly leading the country to a poorer future, and it is almost as extraordinary to see the shadow Front-Bench team pretty much complicit in that. The Opposition's amendment (a) to Lords amendment 51 would not be accepted by the EU and they know it, so I make this plea: do not give this shambles of a Tory Government a free pass to a hard Brexit. It is not too late to reconsider and to back Lords amendment 51. History will not judge kindly those who put party politics first at this crucial moment, when it is precisely those with the least who most need their politicians to be brave.

Several hon. Members rose—

Mr Speaker: Order. A three-minute limit now applies.

Mr Harper: It was a pleasure to listen to the thoughtful and considered speech of the right hon. Member for Don Valley (Caroline Flint). She made some sensible points about immigration, on which I will focus in my remarks. Many Members have spoken in favour of joining the EEA but, as I said briefly at Prime Minister's questions, immigration was one of the most important issues that decided the referendum result, so we need to take that into account. Like the right hon. Lady and my hon. Friend the Member for Brigg and Goole (Andrew Percy), I want immigration, but I want immigration to be controlled by Parliament. I want us to decide that we want people with the skills and talents that will make a contribution and increase this country's wealth, and they will be welcomed as a result. Immigrants themselves often want a properly controlled immigration system, because they know that they will be welcomed, they will be supported and they will not be scapegoated, as happens when we lose control of the system. The voters told us that they do not want a system in which we have no control, or very little control, over who comes to our country.

Tom Tugendhat (Tonbridge and Malling) (Con): Will my right hon. Friend give way?

Mr Harper: I will not give way. You are trying to get everyone in, Mr Speaker, and I will try to help you.

I have listened to a number of contributions. Those who think the European Union will fundamentally renegotiate free movement are living in another world. I worked closely with the former Prime Minister David Cameron when he tried to renegotiate the terms of our membership, and he worked incredibly hard with every single European leader to try to get some movement on free movement, because he knew how important that would be to the case he was going to argue for our staying in the European Union. I have to tell colleagues on both sides of the House that, frankly, those European leaders were not willing to engage seriously with David Cameron on any meaningful reform. If they had, I suspect the country would have made a different decision. Even with our country having made that decision, European leaders are still not prepared to make any meaningful reform. They might talk about little tiny tweaks here or there that will not make any significant difference, but meaningful reform is not going to happen.

We should not think the EEA is a solution, and we should control our immigration policy. We can then have a generous policy, and we can argue for what we think is the right shape for our immigration policy. That is why I oppose Lords amendment 51 on joining the EEA, and why I support the sensible approach that the Government have set out.

Phil Wilson (Sedgefield) (Lab): I want to say a few words in favour of Lords amendment 51 on the European economic area.

Staying in the single market and the customs union is critical to jobs and prosperity. Trade figures published only last week show that 62.3% of the north-east's exports go to the EU. The president of the CBI has said today that the UK car industry is facing extinction. Such comments should worry us all, but they should

send a chill around every community in the north-east of England. The north-east is home to Nissan, which exports many of the cars it builds. It directly employs around 6,500 people, with more than 25,000 people employed in the supply chain. Everyone in the north-east knows someone who does something for Nissan.

I have never been one of those who say that companies like Nissan will close on Brexit day, but I worry about the long-term investment opportunities in industry in my region. In the north-east we know what happens when an industry is faced with slow but inevitable extinction.

Bridget Phillipson (Houghton and Sunderland South) (Lab): The north-east has been neglected for far too long. Much of what needs to be done in our region could be addressed by our own domestic Government if they chose to do so. Does my hon. Friend share my concern that, if we crash out of the European Union with an extreme form of Brexit, the people we represent will be poorer as a result?

Phil Wilson: My hon. Friend is absolutely right. She knows from her experience as a north-east Member of Parliament that Europe has been very good to the north-east of England as far as trade is concerned and in the investment we have had into the region from the EU.

The coal industry once dominated the north-east of England. Today, all the pits have closed, but they did not close overnight. The dozens of collieries that closed did so over several decades because their reserves were depleted and because of the lack of investment.

My father was twice made redundant because the collieries he worked down closed over the space of a decade. Just like Nissan today, and probably more so, back then everyone knew somebody who worked down the pits or at the National Coal Board. With the closure of the coalmines, communities were left behind. Some have not recovered, and the resentments they harbour played into the Brexit vote. There is a message in that for the decisions we are making now on the post-Brexit world. My region has seen industrial extinction in the past, so we have to make sure it does not happen in the future. Therefore, with 62% of our trade being with the EU, it would be a catastrophic mistake to put up barriers to trade if we can avoid it, and I believe the EEA amendment would help to avoid it. The vast majority of Labour MPs in the north-east knew what the economic consequences would be, and the majority of us campaigned to remain in the EU. The vote went the other way, but the economic consequences of leaving remain the same, as do the grievances in some of our communities.

6.15 pm

The Government's own economic impact assessments for the north-east portray a major reduction in our region's GDP and economic growth in the coming years, whatever the deal. I do not know how making people poorer will lift the grievances felt in some of our communities. Surely they will stay, and I fear that our communities will look for even more simple answers to complicated issues when Brexit turns out not to be the panacea that people believe it to be. The Government have estimated that the difference in public borrowing between an EEA-type agreement and from a free trade

agreement is about £38 billion a year. If we are prepared to borrow that much every year, why can we not be in the EEA and use that money to invest in our communities that we love so much? I will be supporting Lords amendment 51 today.

Craig Mackinlay (South Thanet) (Con): I will confine my comments to the EEA and customs union. We have heard just about every side of the spectrum from the Opposition today: some want the EEA; some want the customs union; and some want both. So I am none the wiser now about exactly where the Labour party currently sits on this issue than I was at the start of the debate five hours ago, but what is clear for many is that it is a barely disguised attempt to keep Britain in the European Union in all but name. It is a barely disguised attempt to say to the 17.4 million people and to the 66% of constituencies across this country, "You were wrong. You little people did not know what you were doing and we know best." I am sorry but the people of this country do know best. They knew what they were voting for, and that means leaving the customs union and the single market and gaining control of our laws, borders and money.

What is the reality of customs union membership? The EU has some of the most complicated trade schedules in the world. Why? Because it is a protectionist organisation. It is there to protect the food producers of France and Spain and the industrialists of Italy and Germany. If we were to join the customs union, we would be accepting in perpetuity whatever the EU decided to do for us. We would no longer ever be able to seek free trade arrangements or new trade deals around the world. We would be dragged into whatever trade war the EU might like to commence around this world, and we would have no voice—we would be able to do nothing about it.

There is a phrase that has not been said this afternoon, and that is vassal state. That is exactly what many Opposition Members would like us to become. We all have a view on the Department for International Development, but one thing is true: aid can work, and it often does, but what really works is trade. It has taken 1 billion people out of poverty around the planet over a generation. Peculiarly, the customs union has managed to do two unique things. It has managed to impoverish the poorest in this world by imposing trade barriers, and it has managed to force the poorest in this country—those on the lowest pay—to pay higher amounts for international goods that we do not produce ourselves, including footwear and food. Let us not slip into the customs union, because the single market will follow and it will mean not leaving the EU.

Emma Reynolds: I will focus my remarks on the customs union and the single market. There may well be differences of opinion on our Benches, but I respect all my right hon. and hon. Friends; I know they are trying to do the right thing by the country and by their constituents. But our differences are nothing compared with the divisions on the Government Benches, and it is a bit rich of the hon. Member for South Thanet (Craig Mackinlay) to lecture us on being divided.

The truth is that the Government are making a huge mess of Brexit. Two years after the referendum, we still do not know what their position is. The truth is that kicking the can down the road cannot continue to be

[Emma Reynolds]

the Government's strategy. The clock is ticking and time is running out; we cannot leave everything to the October summit.

I shall vote in favour of the customs union amendments because I believe that to remain in it is vital to manufacturing. Jaguar Land Rover is on the border of my constituency and has recently announced job cuts and the movement of facilities to Slovakia, which I am very concerned about; those announcements were partly down to concerns about Brexit uncertainty.

Today, the CBI president warned that manufacturing sectors, including the car industry, will face extinction if we leave the customs union. He also said:

"There's zero evidence that independent trade deals will provide any economic benefit to the UK that's material."

That is borne out by the Government's own leaked economic analysis. In trade, geography matters. The EU is on our doorstep and our economy is deeply integrated with its economy.

That brings me to Lords amendment 51 and the Labour Front-Bench amendment (a) to it, both of which I shall support, after careful consideration. These may be complex issues—as a member of the Brexit Select Committee, I have spent many hours hearing evidence about the customs union, the single market, the EEA and the other different models—but my approach to this question is simple: the economy has to come first. The economics are clear, and I feel I have a duty to prioritise jobs, livelihoods and public services for my constituents. I acknowledge that the EEA is not perfect, but, for the minute, the combination of the EEA and the customs union is the only way to avoid a hard border on the island of Ireland.

I acknowledge that my constituents and others have serious and sincere concerns about immigration, but another motivation for voting leave among people in my constituency was a sense that the economy is not working for them. We need a new settlement for working-class communities in our country. We need targeted investment in public services in areas such as mine. We need more teachers in schools and much better early years childcare. Austerity was one reason why we lost the referendum; people really do feel that their economy is not working for them.

Robert Neill (Bromley and Chislehurst) (Con): I think a bit of a reality check is happening in the House and in the country. There was realism from the Government yesterday and good progress in several areas, which I welcome. There must also be a reality check about what happens next.

The vote to leave the European Union was purely that: a vote to leave the political institutions. That is all that it said on the ballot paper. It said nothing else. I respect that mandate, but it is the right of Parliament, working with the Government, to have a say in how we deliver that and what our future relationship is. My test for that is twofold. First, in every circumstance, we must protect the integrity of the Union of Great Britain and Northern Ireland. As far as I am concerned, that is more important than anything, including referendum results. I believe that the Government have got that message, and the very important step that was taken

yesterday meets that test. I support the Government on that, but we must make sure that it is delivered in practice, with no hard border.

Secondly, my other test is to make sure that we look after the economic wellbeing of my constituents and the public services on which they depend. I do not favour some kind of ideological Brexit. There is an attempt to hijack the referendum result in pursuit of a very narrow, ideological version. That is not the pragmatic version that I, as a Conservative, believe in. I am a Conservative because I am a pragmatist. I listen to voices of business and want to put business and jobs at the centre of Brexit.

The customs union is not perfect and I shall not support the EEA amendments tonight, because this is not the Bill for them—this Bill is about process and getting the statute book right—but I say to the Government that the time to have that debate is when we return to the Trade Bill, an amendment to which I have put my name to, along with other Members. If a practical outcome involves something that looks like a union—call it an arrangement; I do not mind—I want to give the Prime Minister the flexibility to achieve that. She is entitled to time to try to achieve that between now and June, so I shall support the Government in all tonight's votes.

On the legal matters, I am persuaded. It was a great difficulty to have to choose between my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and my hon. and learned Friend the Solicitor General. On balance, I am with Lord Judge, Lord Brown of Eaton-under-Heywood and Lord Mackay of Clashfern. The Government have worked hard to improve the legal matters of retained EU law. I have had good and positive conversations with them and hope to continue to do so. The key thing about this is that, for the country's sake, we have to be pragmatists now. I think that the Prime Minister gets that and I will support her for that reason, but the pragmatist takes nothing off the table, and that is how we should keep it, as of today.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Mr Speaker, I am going to help you by being brief and I am going to speak from first principles.

I really wish, Mr Speaker, that I could fly you and Members on both sides of the House north into Scotland, north over the unedifying scenes that we saw earlier today and north into the clear sky of Caithness. I would take you to Scrabster, the small harbour that serves Orkney and Shetland and sits beside Thurso. At Scrabster, I have a constituent, Mr Willie Calder. He and his son, William, run Scrabster Seafoods Ltd, a highly successful company that indirectly employs 100 people in an area where jobs do not grow on trees.

I met Mr Calder and his son a few days ago, and he put the situation to me very clearly. It takes him two days to get his fish products to the markets in the south of France. It takes him one day to get to his markets in the north of France. One day's extra delay, or even half a day's extra delay, at customs or a port would ruin him. It is as simple as that. The bottom line—this is where I am keeping it short, Mr Speaker—is this: Mr Calder's business, Scrabster Seafoods Ltd, matters to me a very great deal. My story is based on first principles, but it explains precisely where I am coming from. I sincerely hope that Members on both sides of the House and

both sides of the argument will see where I am coming from. I say to them: please work for the best interests of the people whom I represent. I would be letting them down and betraying them if I did not stand up here and say that.

Antoinette Sandbach (Eddisbury) (Con): I want to speak in response to the right hon. Member for Don Valley (Caroline Flint), who is no longer in her place. She said that her constituents felt insulted. Well, in the debates around these really crucial issues, some of those who voted another way also feel insulted. They are called remoaners; they are called traitors; and they are called mutineers. The lords who have crafted some very sensible amendments have been attacked for doing their constitutional job. Quite frankly, we need to have a much more serious debate about the future of this country and our future relationship with Europe.

The reality is that I accept that we are leaving. When I hear myself described in the press as a remainer or a remoaner, or whatever other adjective they want to give me, I have to say that I accept the referendum result, but what I do not accept is the massive damage that would be caused by a hard Brexit. It would damage my constituents' jobs; it would damage their futures; and I will not support it. I say that loud and clear. For those reasons, I do support the Government's amendment tonight on the customs agreement. That was something that I stood on in my manifesto. I thought that it was sensible and showed that the Government were willing to negotiate with Europe, build a positive relationship and, more importantly, not junk those economic and cultural ties that are so important to my constituents.

The EEA is not the perfect answer, but it is the framework from which we should work. I know that there are concerns around immigration. The reality is that it is freedom of movement of workers in the EEA and not freedom of movement, so there is already a big shift. We do not as a country apply the immigration controls that we could do. Much of the resentment that has been spoken about by Labour Members was caused by the Labour Government's failure to apply the brake on the accession countries when they estimated that 12,000 to 15,000 people would come in from Europe; we had just under a million. That is why there has been that big groundswell of resentment.

There are some very sensible and pragmatic solutions out there, and I want to see this Government tackling them and looking at some of the options. The EEA is a framework that Europe understands. We should accept some of that framework and negotiate the opt-outs where we need them, and shape the agreement for the future.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I accept the sincerity of the views that my hon. Friend is putting across to the House, but does she accept, too, that if we accept the EEA, we will have free movement of workers from the EU, which means that we will have to have restrictions on workers from around the rest of the world?

Antoinette Sandbach: I am saying that there is a deal to be done. It is absolutely ridiculous to cut down our options, which is what has happened right after these debates. Artificial red lines have been drawn in the sand, reducing our chances of getting a good deal for this country. For that reason, I support the amendment on

the customs arrangements. However, I will be abstaining on the EEA vote because I think that it is an issue to which we should return. I want my Prime Minister to go into negotiations knowing the feeling across the House—that we do not want to cut our ties, that we do not want a hard Brexit and that we want a sensible compromise. That is what I believe the majority of both leavers and remainers voted for; they voted for us to leave the political institutions of the EU, but to retain our relationship with it.

6.30 pm

Owen Smith: Perhaps it is because we are getting close to the wire on Brexit, but I think that there has been a new spirit of compromise and honesty in the debate and in many speeches that we have heard on both sides of the House today. I want to continue in that vein, so let me be clear that I remain a remainer—an ardent remainer. I would love this country to block, thwart, resist and reverse Brexit. I say that because I absolutely and sincerely believe, as I have done consistently over the last two years, that Brexit will make my constituents poorer, and my country weaker, more isolated and diminished in the world. I still cannot understand that we have a Government who are pursuing a policy that is going to make our country poorer, or indeed that we have an Opposition who are not properly opposing a policy that is going to make our country poorer.

On a further note of honesty, there is nothing that we have debated in the last two days—neither the meaningful vote yesterday, nor indeed the EEA today—that will stop, thwart, block or reverse Brexit. What we have debated in the last two days is how we, as parliamentarians, might properly shape Brexit and try to mitigate some of its worst impacts. That is why so many people have been entirely right to make the basic point that we should not be taking options off the table. The gravest mistake that the Government made in their negotiations was to set those ludicrous red lines right at the beginning, and to strip from the table so many possible options.

The EEA is a realistic, extant treaty that would allow us a safe port in this Brexit storm. It would be a lifeboat for this country. It would have to be amended so as to complement a customs union, in order to guarantee no hard border in Ireland. That is why our sister party is urging Labour Front Benchers, and all of us on these Benches, to support the EEA in conjunction with the customs union, and I will be voting for both tonight. If we allowed it, the EEA is also a means by which—through articles 112 and 113 of the agreement—we might address some of the concerns about immigration that were rightly raised by my right hon. Friend the Member for Don Valley (Caroline Flint).

Ultimately, our job is to try to ensure that we do minimal harm—no harm—to the jobs, opportunities and prosperity of our country and constituents. We cannot do that if we strip away from the negotiating table some of the very few realistic prospects for amending Brexit for the people of this country.

Colin Clark (Gordon) (Con): I rise to support amendment (c) in lieu of Lords amendment 3, to which I added my name. Post Brexit the UK must have maintenance of environmental principles. The amendment recognises that ongoing responsibility and looks to bolster the future environmental powers, and I appreciate

[Colin Clark]

that the Government recognise this. For decades the EU has levied fines, carried out investigations, and monitored and held the countries of the EU to account quite appropriately. The agri-food industry has been the guardian of the countryside. It has the greatest impact on the countryside, rivers and flood defences, and it seeks to prevent environmental damage and to enhance the environment. I am very proud of that.

Amendment (c) should not be seen as a stick with which to beat agriculture and industry. It is to hold to account national Government, and rightly so. The Government have an absolute duty to protect the environment for the benefit of our children. This Government, with their 25-year environmental plan, have set a very high bar. We look forward to seeing a lot more meat on the bone, but a public authority looking after the environment will be absolutely essential after Brexit. The amendment clarifies the duty of Ministers: they must take account of, and be held responsible for, the environment.

The Bill is an essential, cast-iron protection that allows us to be ready for Brexit. It is the duty of every Member to ensure that the legislation is in place. It is my duty to represent my constituents in Gordon in the north-east of Scotland, an area dominated by oil and gas; an area that is seeing the highest inward investment in years; and an area of significant environmental beauty, where I am proud to farm and happy to plant my crops despite Brexit. My constituents expect a high level of behaviour from me, and I am proud to represent their interests. I am here to make sure that their voices, and indeed Scotland's voice, are represented at this vital juncture. I distance myself from the pantomime we saw earlier. I am a Scottish MP and very proud to represent Scotland. The Scottish people want to see sound governance, environmental safeguards and a legal framework that protects the whole United Kingdom.

Rushanara Ali: I rise to support Lords amendment 51 and amendment (a) to it, tabled by Labour Front Benchers, and the amendments on the customs union. The EU referendum has undoubtedly changed our country completely, and there will be ramifications for our economy and society. The enormous job of leaving the EU represents a huge challenge for any Government, but we must remind this Government that whether people voted to leave or remain, they did not vote to become poorer. Yet the uncertainty and the shambolic way in which the negotiations have taken place are already having an effect on our economy: investment is down and, as the Governor of the Bank of England has stated, already 2% has been knocked off growth in the economy and we are losing £10 billion a year. Household income is down by £900 a year, which is money out of people's pockets. There are major ramifications for all our constituents and their livelihoods.

My constituency is sandwiched between the City of London and Canary Wharf, and although I am no stranger to giving them a hard time for not doing more to create inclusive growth and ensure that the benefits reach everybody, I certainly do not want to see our country's financial centres, which power our economy, contribute 12% of the taxation that funds our public services and create 2 million jobs, damaged by negotiations that keep us out of the customs union and

the single market. If we are serious about dealing with the issues that affect our country, we must recognise the concerns not only about immigration, but about the jobs and livelihoods of the people we have to stand up for.

As other Members have said, the consequences of not being in a customs union and a single market are profound. That is why I will be supporting Lords amendment 51, but with a heavy heart, because I do not want to be in a different position from those on our Front Bench. But I believe that it would be wrong for me not to support it, because that would damage the interests of my constituents and the interests of millions of jobs and livelihoods across our country.

Mr Simon Clarke: I rise in support of amendments (c) and (d) in lieu of Lords amendment 3, which address environmental standards and to which I have put my name. In addition, I want to express my pleasure that there has been progress today on the Dubs amendment, for which I thank the Solicitor General.

The Solicitor General: I am grateful to my hon. Friend for giving way. I have listened carefully to opinion right across the House about the outstanding matter on the Dubs amendment. The Government will look again at the particular issue raised by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), with a view to a potential amendment in lieu in the other place.

Mr Clarke: I thank the Solicitor General for clarifying that. It is right that as we move into post-Brexit territory, we show that we want to be an inclusive and welcoming country to those in the world who are most desperately in need.

It seems to me that Brexit is in fact quite a simple concept. My constituents knew that they were voting for three things: to have control of our immigration policy, to leave the jurisdiction of the European Court of Justice and to determine our trade policy. That is why it is so essential that we leave both the single market and the customs union. Neither institution is compatible with delivering what my constituents and our country voted for.

That is why I stand in frank disbelief at the nature of some of the comments we have heard this afternoon. I always regret what is called blue-on-blue action, but I cannot stand by the comments made by my right hon. Friend the Member for Broxtowe (Anna Soubry), who said that we have to "suck it up". My constituents voted to leave the European Union precisely because they were not going to suck it up and because they knew what they wanted, which is for us to leave the European Union.

Fidelity to that vote, to our voters and to the promises that are implicit between the governing and the governed is essential to the health of our democracy, not just in the context of this debate but for the years and centuries that stretch ahead. It is clear to me that, as the right hon. Member for Don Valley (Caroline Flint) said, if we break faith and ignore their voice we will have created the most almighty problem for ourselves. Indeed, we will have lost the chance to have a more sensible debate about issues such as immigration, which have stirred such passions. We will only ever be able to get to a place where we can have a more balanced and

constructive conversation once we have accountability in this House for who comes to our country and on what terms.

With that in mind, we have to recognise, when we hear comments about how this is playing to extremists, that the real danger with extremism in our politics is if we ignore what people voted for. We have seen in Germany, in Italy and even in the United States what happens when people believe that their voice is not being respected. That is the danger here—because, my goodness, we will look back on this as the most cataclysmic mistake if we unleash some of the forces which are all too eager for this House to fail to deliver what the British people voted for. That is my warning to colleagues, and that is why I will categorically not vote for any amendment that fails to deliver the Brexit that this country demands.

Wes Streeting (Ilford North) (Lab): I rise to support Lords amendment 51 and amendment (a) to it. I do so from first principles, because it is the responsibility of every Member of this House to come here and champion, defend and represent the best interests of their constituency and our country. In this generation-defining moment, there is no more important time for us to vote at every opportunity in the way that we think will best protect our constituents. Given the manner of the negotiations, the way the Government are conducting Brexit and the contempt with which they have treated the House at various points as we have sought to influence Brexit, we have to look on the Order Paper for every opportunity to shift the centre of gravity of debate away from a hard Brexit, dictated by a minority group in a minority Government, towards a softer Brexit that delivers the mandate of the referendum to leave the European Union but in a way that protects jobs and livelihoods.

The truth is that there is no such thing as a jobs-first Brexit outside the single market and the customs union. That presents the Labour party and the Conservative party with some political dilemmas, but we were all sent here to make our constituents' jobs safer, not to make our jobs easier. The evidence is overwhelming that if this country crashes out with a hard Brexit or, worse, if we are outside the single market and without the benefits that the single market provides, that will damage jobs and hamper livelihoods, and we will not be able to solve all the underlying problems creating the swamp of despair and hopelessness that led to people voting for Brexit.

6.45 pm

If there is one thing worse than no hope, it is false hope and a false prospectus. There are some who peddle the myth that if we just pander to people's grievances and prejudices on immigration by pulling ourselves out of the single market and the customs union, things in our country will be better. The truth is that, when it comes to tackling austerity, funding our public services and tackling the gross inequality that blights our nation, dealing with those problems will be a million times harder outside the single market and the customs union.

The European economic area is not perfect, but we should not let perfect be the enemy of good. From listening to what Conservative Members and some of my colleagues have said, I fear that if we continue to kick this down the road and hope that, before the moment of exit, a chance will arise to stop the hardest

of hard Brexits, we may find that we have missed the opportunity. I am not going to miss such an opportunity today: I will support their lordships on Lords amendment 51, and I will support our Front-Bench amendment, but I urge every Member of the House to put their country first, not simply pander to the pressure being exerted on all of us.

Richard Graham (Gloucester) (Con): I rise to contribute briefly on two aspects of the debate: first, Lords amendment 51, which would require the Government to have, as a negotiating objective, membership of the European economic area; and, secondly, Lords amendment 2, which would require the Government to participate in a customs union. As a pragmatist, I know that we can make a case for both of them, for the risks of leaving the European Union are considerable and surely no one still believes that either the process or the negotiations are simple, because they are not.

Both approaches involve significant setbacks, however. Membership of the EEA would mean that we had no control over EU migration, and membership of the customs union would mean that we continued to subcontract our trade policy. This matters because, when it comes to immigration, the hard fact is that we cannot deport a criminal from the European Union unless their sentence is longer than two years, and it is virtually impossible to deport long-term unemployed rough sleepers from the European Union, as the recent European Court of Justice judgment made clear.

I believe that my constituents—indeed, all of our constituents—want their elected representative to take decisions about who can come here and work, and they do not hugely differentiate between individuals from Croatia and those from China or the Commonwealth. They would like us to take such decisions based on the needs of the country, the skills required, and whether the individuals coming here to work have those skills. On that basis, I believe that people in this country do want to see immigrants coming here.

On the customs union, the free trade agreements that the EU has already made are definitely an advantage. For example, we benefit hugely from the agreement with South Korea. However, to say, as some do, that we can never actually do as well as the EU is to underestimate the potential for us out there. Let me highlight the Trans-Pacific Partnership, to which some nine countries have now signed up, because there is a real opportunity for us to become part of that arrangement. Leaving the EU is clearly a risk—it is not a risk that all of us thought was worth the potential return—but if we are to make the most of doing so, membership of the EEA and of a customs union is not the way to satisfy anyone.

Lord Alli, a Labour peer, said on introducing Lords amendment 51 that

“it is up to the elected House to decide on the EEA, not this House.”—[*Official Report, House of Lords*, 8 May 2018; Vol. 791, c. 58.]

He was right, and I trust tonight that we will vote down Lords amendments 51 and 2, and support the greatest flexibility, which is what the Government need in the negotiations.

Gareth Snell: It will come as no surprise to Labour Members that, when we divide this evening, I shall not be voting for Lords amendment 51; in fact I shall be

[Gareth Snell]

voting; to remove it from the Bill. I do not believe that the European economic area is the answer to the problems we face. I have been very clear with my constituents at every opportunity that the problems we have in Stoke-on-Trent were not caused by the European Union, but a continuation of a Europe-lite version will not be their salvation either.

On the customs union, I fully support the work that Labour Front Benchers have been doing to secure a proper trading relationship for goods with the European Union once we have left. Our trade deal with South Korea is vital to the ceramics industry, and it is only by continuing those arrangements after exit day that we will be able to sustain growth in that very important industry in my city.

What I do not understand is those who now advocate that we can have some sort of customs union plus EEA membership. I am aware that Monsieur Barnier came out last night and said that that was possible, but as far as I am aware, nobody in this House today has spoken to the members of the European Free Trade Association to ask whether that is something that they are willing to wear. Many Labour Members have recently rightly argued that those who join a club late and then seek to fundamentally change its rules of association should not do so, and it is wrong that we should take that approach into the European Free Trade Association with the intention of trying to change the way it has operated for many years.

No one I have heard this afternoon has advocated joining the EEA without some form of change, whether that be to freedom of movement, the terms and conditions or the way we trade. If we do not believe that the EEA is the right model for us, why do we advocate hitching ourselves to it after exit day? Unpicking ourselves from the EEA will be much more difficult than getting the bespoke deal here and now that practically all of us have spoken about this afternoon. My right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) made that point when she said that there are elements of the EEA that simply would not work.

There has been much talk about articles 112 and 113 of the treaty around EFTA and the EEA allowing us to put a brake on immigration. Article 112 talks about severe and extreme societal, environmental or economic situations being taken into account for a time-limited period only. It does not address the concerns regarding immigration that were raised with me on the doorstep in Stoke-on-Trent during the general election. I take umbrage at Members who seek to suggest that people such as me and my right hon. Friend the Member for Don Valley (Caroline Flint) raise the issue of immigration simply because we are opposed to it. I want a firm and fair immigration system that allows those from Poland as well as Pakistan to come here, work hard, do their bit and pay their taxes.

James Cartlidge: Not for the first time, I want to talk about the EEA. Just to be absolutely clear, the EEA arrangement is distinctly inferior to the bespoke, deep trade relationship that we would like to negotiate under what I would call plan A, which is the Prime Minister's policy. Equally, however, it is distinctly superior to WTO rules, if we fail to get a deal and we need a fall-back position. I have always set out that view.

I just remind everyone of a key point that we might have overlooked. People say that they would not want free movement to continue after we leave the EU but, whatever happens, it will be continuing through the transition, and we will not even have an emergency brake, a vote or a say. Even an EFTA member will have a say through co-determination rights in the EEA. It also has to be said that the issue would still be under the jurisdiction of the ECJ, rather than the EFTA court, which is a non-political court.

I have always very much argued that we should support the Prime Minister because we want to get that bespoke deal, and I still believe we will get it—it is the best option available to this country, for all the reasons that have been set out, particularly by those who campaigned to leave. It would be very odd if someone took the view that I have and then, just on the eve of an important negotiation, voted to completely change the Government's negotiating stance. We should be backing the Prime Minister to achieve that deal. The question is what would happen if we did not have one later in the year, and I sincerely hope that we do not get to that point. I simply warn colleagues not to trash this option too much. It is not so much about burning bridges; we could be concreting over the only escape hatch credibly left to us if we get into a crisis.

Let me just address the immigration point, because the hon. Member for Stoke-on-Trent Central (Gareth Snell) raised it in his very good speech. When I intervened on my hon. and learned Friend the Solicitor General, he confirmed that if we end free movement in this country, we also end the fact that we legally restrict unskilled immigration to people from the European Union and, effectively, open it up to 90% of world's population. That is a legal fact; we will no longer discriminate. Although we will "control" it, it is non-EU immigration that is now rising sharply. EU migration is falling sharply. Why is it falling sharply? In my view, and from what I hear from employers—this is a very welcome thing—it is because the economies of Poland and Romania are growing, and the well-qualified people who have come here to work on farms and so forth are getting good jobs back in their own countries. My hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski), who is of Polish descent, is agreeing, and that is certainly the situation I have found.

We in this Chamber need to debate unskilled immigration: whether we open it up to everyone, whether we have a visa system and whether we ourselves expect to need visas when we travel within Europe. The EEA is a good backstop, but it is not the ideal long-term position, which is why we should vote to support the Prime Minister today.

Mike Gapes (Ilford South) (Lab/Co-op): Two years ago, we were told that the EU's unity would shatter, that we would be able to pick off individual countries and get a deal, and that the German manufacturing industry would change the German Government's position. The reality is that the European Union has kept a consistent position throughout the negotiations. Why? Contrary to the belief of the right-wing Rexiters and the ideological Lexiteers—we do have some—the European Union is a rules-based, treaty-based organisation for which the four freedoms of the single market are integral.

The idea that we can cherry-pick our relationship with a bespoke British deal, whereby we get the benefits of access to the single market without being a participant in the single market, is an illusion. Whether we have a red cake with great big red cherries or a blue cake with great big blue cherries, the fact is that we will not be able to eat that cake, because we cannot get a better deal or as good a deal as we have in the single market once we have left the European Union.

The reality is that the belief that we could somehow have a bespoke deal that is as good as what we have now was always a fantasy, and the reality is now coming to a head. Because we wasted so much time after triggering article 50, we have ended up in a position where the clock is ticking very, very dangerously. We still have time to stop this process. We still have time to put any deal—if we do get a deal—to the people. But at the end of the day, if we in this Parliament do not assert our control, we will face disaster.

I support Lords amendment 51 on the EEA simply because I think we need a backstop. I predict that we will come back to that issue in the future. I cannot support the Labour Front-Bench amendment to that amendment, because it would take out the EEA, and I will therefore abstain on it.

David Duguid (Banff and Buchan) (Con): I rise to talk about Lords amendment 32. Unlike some of my fellow Scots who sit on the Opposition Benches, I will not pretend to speak for all of Scotland in this debate, but I will speak for my constituents, 54% of whom voted to leave the European Union. That should come as no surprise to those familiar with my constituency and its fishing communities. A University of Aberdeen study conducted before the EU referendum reported that 92% of British fishermen across the UK planned to vote leave. In a YouGov poll after the referendum, 79% of voters across the UK—not just fishermen—who expressed an opinion believed that the UK should leave the common fisheries policy. Some 16% agreed to a two-year transition period, and only 6% were in favour of remaining in the CFP.

I support Lords amendment 32, but I would like to clarify what it means for our fishing industry. The amendment does not in any way compromise control over our waters. We will still be leaving the CFP. We will not be subject to the European Fisheries Control Agency and neither will we be required to align with current or future EU fishing regulations. Although the amendment avoids the prevention of the UK replicating EU law if we so require, the UK Government's ability to diverge from the EU and to pull out of EU agencies, including in areas such as fisheries or agriculture, should not be ignored or forgotten in the wake of the amendment.

The amendment stipulates that nothing in the Bill will prevent the UK from replicating in domestic law any EU law made after Brexit, or from continuing to participate in, or have a formal relationship with, EU agencies. More importantly, it does not require the UK to align with the EU or to participate in new agencies, and nor does it introduce a presumption that the UK will do so. It does not change the fact that the UK will automatically leave the CFP and regain its exclusive economic zone as an independent coastal state when we leave the EU.

7 pm

The amendment does not change the fact that we are leaving the EU and the CFP, and I have had that confirmed to me from the Dispatch Box by my right hon. Friends the Secretary of State for Scotland, the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Exiting the European Union, as well as by the Ministers on the Front Bench today and, indeed, my right hon. Friend the Prime Minister. With these assurances in mind, I will be voting for the amendment.

Geraint Davies: Yesterday was a dark day for democracy, and today it looks like the economy will be set back a generation. The people of Swansea voted to Brexit—to leave—but many voted for more money, and now they will have to pay a divorce bill and endure slower growth, so they are not getting that; they voted for single market access, and it sounds like we will not be a member of the single market; they voted for more control, and that has been taken over by the Executive, who threaten all our rights and protections.

In 2017, my vote went up 50%. It did so because I promised to do everything I could to keep us in the single market and the customs union. How do we expect Captain Fox to boldly go where other trade negotiators have not gone before and negotiate better for Britain on its side versus team EU, which is much, much bigger? We need the EU to get the best deal versus China, which has already secured Hinkley and High Speed 2. China will overwhelm us. We can do more deals from the EU, as Germany has done, but alone, faced with the United States, we know that “America First” will overwhelm us. Team EU is the way to get the best trade deals.

I also support the EEA, the off-the-shelf opportunity for the single market. I do not accept the points made about migration. We should introduce and impose the existing EU laws on limiting the right of people to receive benefits or stay here if they do not have a job. What is more, the EU has already decided to equalise wages and allowances, so there will be no undercutting. So-called foreigners contribute 35% more in taxation than they consume in public services.

I also believe that if there is no deal—if the House rejects the deal—the public should have the final say. It would be intolerable to force-feed people a meal that is unfit for consumption and that they did not order. People who voted leave are saying that it is too costly and too complex, that they did not vote for this, that they do not want to become a poorer, divided, isolated, insecure nation. If the deal does not include the single market and customs union, it will be intolerable not to have a public vote. The choice should not be between the cold water and a safety boat; there should be a choice to stay in the good ship EU—to prosper from, and enjoy the strength and security that come with, our membership of the EU.

Chris Green (Bolton West) (Con): The withdrawal Bill is about the United Kingdom having a functioning statute book on the day we leave the EU. Many people in the Wigan and Bolton boroughs that I represent are deeply concerned about the slow pace of progress in exiting the EU and about whether the result of the referendum will even be honoured. They see a continued desire to undermine, frustrate and discredit the referendum process, its outcome and its delivery.

[Chris Green]

In 1975, the British people voted to stay in the Common Market, but over time they saw the European Economic Community morph into the European Community and then the European Union. People see the EU's diplomatic corps' development of military structures and its attendance at the G7 summit as moves to create a United States of Europe. People saw that happening and rightly wanted to decide: should we stay or should we go? We gave the decision to the people by a margin of six to one, and we have to respect their decision.

Contrary to the opinion of those in some places, people did not ditch strongly held remain views because of a few words on the side of a shiny red bus. They decided to vote leave on the basis of decades of lived experience in the EU. People will look back to the EU's wine lakes and butter mountains; they will look at the failings of the common agricultural and fisheries policies; they will see billions of British pounds exiting the country when that money could be providing vital services here.

People know that Britain always delivers on international obligations. We pay our full contribution of 0.7% of gross national income towards foreign aid, but Germany manages only 0.41%. Britain meets her NATO obligation by spending 2% of GDP on defence, but Germany spends only 1.2%. Germany fails to meet her international obligations and saves the money for her own people, while the British taxpayer coughs up every penny demanded. People know that the EU's inability to fix the crisis of youth unemployment in so many EU countries is testimony to its inability to reform and serve the interests of its citizens.

Some people highlight divisions across the country caused by the referendum result, but then suggest that there should be a second referendum, as though the best of three were a good solution.

Rebecca Pow (Taunton Deane) (Con): Will my hon. Friend give way? [Interruption.] I will be very quick, but I wanted to put this on the record. It was a very close vote—48% to 52%—but right now we must achieve the best outcome for everyone. We must not go to the negotiating table with our hands tied.

Chris Green: I entirely agree.

The idea that Parliament ought to engage in a process that could result in a war of attrition until we end up remaining is repellent. The referendum decision was clear, and we need to leave as soon as possible. Let us negotiate the best deal in the time remaining, but let us also recognise that it is in the interests of the EU as much as those of the UK to win a good deal, not least because of the EU's desperate need for £40 billion of British taxpayers' money.

Clive Efford (Eltham) (Lab): It is now clear that “no deal” is the worst possible outcome for our country, and the vast majority of Members understand that. The Bill provides an opportunity for the House to stamp its authority on how the Government approach the future negotiations.

I will be voting for amendment (a) to Lords amendment 51, tabled by my right hon. Friend the Leader of the Opposition, and not for the Lords

amendment itself, but I urge the Lords to read the report of this debate and note the range of views expressed by Members who have said that they will support amendment (a). They have also said that they will vote against the Lords amendment, that they will abstain—as I intend to do—or that they will vote for it, but they are aligned on the wording of my right hon. Friend's amendment.

I have one simple message for the Lords. I urge them to take heed of that fact, and, when they are deliberating on the Bill, to ensure that any amendment that they send back to this House unites all its Members. We need to unite behind an amendment that will influence the Government, and ensure that they take the right approach in future negotiations.

Jack Brereton (Stoke-on-Trent South) (Con): Our choice tonight is clear. Do we deliver the wish of the electorate or the whim of the unelected? My constituents were very clear in the referendum: 70% voted to leave, and all the constituencies in the Potteries voted to leave. Those people want to hear all the Potteries MPs speak up for their decision, to accept their wisdom and to champion the Brexit that they want to see, and it is disappointing that not all of them have done so at every stage of the Bill.

If there is one message that the referendum sent us, it is surely this: that the traditional working-class communities across the United Kingdom will no longer be ignored. The key reason they voted for me and got rid of my Labour predecessor was to ensure that we delivered on Brexit. We must fulfil that promise and reject amendments tabled in the other place.

The people of Stoke-on-Trent want Brexit to refresh the parts of Britain that the EU did not effectively reach, and they want a closer policy focus on how local and regional Britain can benefit from a global trading future. That will be possible only if we leave the customs union, which will allow us to pursue our own independent trade policies, making and enhancing our trade links with countries throughout the world. It will cause a crisis of democracy if we fail to deliver the result that people voted for, to get the best out of Brexit from new trade around the world and to reject the Lords amendments.

It is also critical that we leave the EEA and regain control of our borders. Immigration and ending the free movement of people was a primary reason for people in Stoke-on-Trent voting to leave the EU. They want us to put in place an effective, fair immigration system that will ensure the number of people coming here is at a manageable level that does not put undue pressures on local services, and that those coming here make a meaningful contribution to our country. It is essential that the House rejects amendments that would keep us saddled to the EEA and the continuation of free movement without any control or say. Nothing will lead the electorate to hold Parliament in contempt quite like Parliament holding the electorate in contempt, but that is precisely what the House of Lords is asking us to do. Instead of delivering for the House of Peers, we should be positive about delivering the people's choice. We must embrace the opportunities that come from taking back control, and, most of all, we must get on with it.

The people have given us an instruction to leave the European Union. We must stop those trying to frustrate and sabotage Brexit. This House must obey the British people, and so must the House of Lords.

Stephen Kinnock (Aberavon) (Lab): The message the public sent to us at the ballot box in June 2016 was clear: we must leave the European Union. But a 52:48 vote was not a vote for an inadequate Canada-style trade deal that does nothing for the services industry or the Irish border, and it certainly was not a vote to send the country over a no-deal cliff edge, tumbling towards the anti-worker, anti-growth, economy-crippling hard Brexit of the Tory right. We cannot risk this Government turning us into a European version of the Cayman Islands.

That is why I have been arguing for over 18 months for an EEA-based Brexit, in which we would not only retain a very high degree of access to the single market but substantially increase our control over our laws and our borders. EEA countries are not subject to the supremacy of EU law, nor do they fall under the direct jurisdiction of the European Court of Justice. EEA countries can shape legislation through consultation with the EU Commission and have the power to block new single market rules. Moreover, Michel Barnier has made it crystal clear that EEA plus customs union is a perfectly viable and realistic option.

The EEA agreement also offers the suspension and reform of the free movement of labour. Articles 112 and 113 of the agreement are safeguard clauses that would offer significantly greater control over our borders and labour market. We should compare and contrast that solid treaty-based mechanism with the more open-ended framing of the Labour Front-Bench amendment, which makes no mention at all of free movement. The fact is that when it comes to free movement, our Front-Bench amendment is less clear and less tangible than the EEA option.

The overarching purpose of the EEA is

“to promote a continuous and balanced strengthening of trade and economic relations”.

That is very different from the overarching purpose of the EU, which is to form an ever closer union. An EEA Brexit would therefore take us back to the origins of the European economic area, an agreement based on mutually beneficial trade rather than on political union.

If there is one lesson to learn from these Brexit negotiations, it is that the EU operates on the basis of rules, laws, models, treaties and legal precedents. By committing to the EEA, Britain would be joining a set of institutions that for 25 years has helped deliver frictionless trade between the EU and the EEA-EFTA countries, while also protecting those countries’ interests.

I therefore urge Members on both sides of the House to join me in showing their backing for an EEA-based Brexit that strikes the right balance between prosperity and sovereignty. It is the only form of Brexit that can have a hope of reuniting our deeply divided country.

Ian Murray: Never in the recent history of this Parliament has the next year been so important to the future of our country, for the simple reason that we are sent here to do two things: to represent our constituents, and 78% of my constituents voted to remain; and to look after the best interests of the country. There is going to be a lot of debate and argument over the next few months about the direction the country will go in, and much debate about the minutiae of the customs union and the single market, but this boils down to what is in the best interests of the country overall.

Eddie Hughes (Walsall North) (Con): Will the hon. Gentleman give way?

Ian Murray: I am sorry, I will not give way, because other colleagues want to get in.

7.15 pm

Today, we are debating two amendments on the customs union and on the EEA single market. Those are the least worst options for when, or if, we leave the European Union. We are trying as a Parliament to soften the blow of the Conservative Government’s ideology and ambition to deliver the hardest of Brexits because—as we have heard from Government Members before—they want to turn us into Singapore. All the analysis that anyone has sent us, including the Treasury, the Scottish Government, the Institute for Fiscal Studies and many think-tanks, tells us that this would damage the country if we were to go down the route of the single market and the customs union, but it would damage it less than if we were to go down the route of a no-deal scenario or if we fell back on World Trade Organisation rules.

The Brexiteers across the Chamber have been saying for the past two days that we are trying to frustrate the process, but that is Brexiteer-speak for “We don’t have any answers to the questions, so we’ll disregard what you are saying and your attempts to have a debate in the country about what is in the best interests of the people we seek to represent.” The only people who are trying to undermine and frustrate the Brexit negotiations are the Government themselves. How can we possibly allow the European Commission and the 27 other nations of the European Union to negotiate a bespoke deal, or any other deal, with us when the Cabinet themselves cannot even agree? Away day after away day will not sort out the deep divisions within the Government, and the only conclusion is that this will damage the country.

I say to every hon. Member here tonight: let us take the opportunity that is in front of us now. This is the time for the 650 Members of this Parliament to stand up, so that when we look back in 20 or 30 years’ time, we will be able to look our constituents in the eye and say with confidence that we did all we possibly could to save this country from economic armageddon.

Matt Western (Warwick and Leamington) (Lab): Somehow, this whole debate has been hijacked by what I believe to be a minority in this House. It is claimed by some people that liberating this country from the European Union’s customs union and single market will lead to a fantastic brave new world in which we are free to strike new deals with China and the US and other markets. However, that claim is presented as a choice between one or the other. Clearly, it is not. The public really are being deceived. For example, all countries in Europe trade with China. The UK already does so. We are not handicapped by being part of the EU in that regard. Quite the opposite: we are strengthened and enabled by it. I should like to present a simple fact in the debate. The UK’s exports to China are one tenth those of Germany. The UK and Germany are both in the EU. The UK’s exports to China are worth \$18 billion, while Germany’s are worth \$180 billion. Is Germany handicapped in any way? No, it is not. Being a member of the EU does not work against any of us.

[*Matt Western*]

UK plc needs to prioritise its largest customer, which is surely the EU customs union, and build its markets elsewhere. That is what the CBI says, and Paul Drechsler said this morning that UK manufacturing would be seriously threatened by a hard Brexit and switching to WTO rules. The public expect us in this place to act in their best interests and in the best interests of the economy, of jobs and of businesses. For that reason, we must stay in a customs union and some form of single market.

Eddie Hughes: Will the hon. Gentleman give way?

Matt Western: I do not have time.

In recent months, we have seen the storm clouds gather. We have seen faltering growth, rising inflation and major manufacturing job losses. We have seen not only the prospect but the reality of global trade wars. Protectionism is around us everywhere and racism and hate crime are on the rise. There are faint echoes of the 1930s. Now is not the time to desert our neighbours in Europe. That is why I will be voting with my Front Benchers for Lords amendment 51, to keep all the options on the table and to ensure that we achieve the best negotiated outcome for the public, for our businesses and for our economy.

Matt Rodda (Reading East) (Lab): I rise to speak in favour of the Labour Front-Bench amendment and the amendments on the customs union. Despite two years having passed since the referendum, the Government are deeply divided and have no plan. Given the lack of clarity and the absence of any policy, it is incumbent on this House to help find a sensible way forward, and I hope colleagues on both sides will support a balanced, sensible approach that includes continued close working with the EU after we have left it.

While a majority voted to leave, no one in this country voted to be worse off, no one voted for instability in Northern Ireland and no one voted for a shortage of NHS staff. A cliff-edge hard Brexit would be too far for most of those who wanted to leave, as well as for my constituents, a majority of whom voted to remain. After two years of Government indecision and distraction by hard Brexiteers, it is time for a sensible way forward. I urge colleagues across the House to consider the issues carefully and to reflect on the many real concerns about the direction in which we are currently heading.

Peter Kyle: The single market is a law-based structure with a court acting as referee. That is from where its strength derives, and it is a strength that the EU will not weaken by giving full access to countries with divergent regulatory systems or standards. That is why I stand to support Lords amendment 51 and to associate myself with the earlier comments of my hon. Friend the Member for Wirral South (Alison McGovern) about the Labour Front-Bench team and how they have responded to the challenges they face in bringing us together.

The EEA offers us access to the single market with the greatest flexibility that we are ever going to achieve, and, best of all, it already exists. In two years' time, we will never be able to set up all the regulatory systems, checks and standards that we need to satisfy the EU that we are a reliable partner in our own right. It is only in this place that we seem to get away with bending the

laws of nature or, in this case, common sense to ensure that we can make the argument that that is the case. We will not get the exact same benefits outside of the single market.

The truth is that the Government are not negotiating with the EU; they are negotiating with themselves and pretending that that has the same consequences. The people on the frontline of the economy are watching, and they are increasingly horrified by what they see. After two years of negotiations, the Government have returned with only one bankable promise: we will get another two years of negotiations. This time, however, we will be outside the EU, trying to negotiate exactly the same benefits that we have just given up. Negotiation is the new normal. There will be an ever-ending set of negotiations that are never going to end. People seem to believe that a set of negotiations will end in March or in two years' time, but we will have a new set of negotiations every time the single market evolves, and that will open up every single one of the wounds that have been on display here today, not just once, not just for the next two years, but indefinitely.

Charlie Elphicke: Will the hon. Gentleman give way?

Peter Kyle: I am not going to give way, because the hon. Gentleman has already spoken, but I look forward to debating with him when his constituency fills up with lorries after we leave the single market.

There is a lot I would like to say about the honest challenges raised by my right hon. Friend the Member for Don Valley. She spoke to us in a respectful way, and I hope that she will see that I and others have been respectful to her and always will be.

Mr Speaker: For the final three-minute speech, I call **Conor Burns**.

Conor Burns (Bournemouth West) (Con): I had not intended to speak in this debate today, but after listening to many of the contributions from both sides of the House, I think I must. It is becoming incredibly clear that those who know most about the motivation of those who voted by a decisive margin to leave the European Union are those who voted to stay in the European Union. They are now experts in the desires that motivated people to go out in record numbers to participate in that referendum.

We are constantly being told what they did not vote to do, and I tell this House today what they did vote to do: they voted to leave the European Union. What we are having is a dress rehearsal for an attempt to reverse the decision they took. The single market and the customs union are the vanguard for keeping Britain in the European Union by the back door.

Ben Bradley (Mansfield) (Con): Does my hon. Friend agree that the Prime Minister has been the most consistent one on the reasons why people voted to leave? She has outlined that people want to take back control of their money, borders and laws, with which single market and EEA membership are not compatible.

Conor Burns: My hon. Friend is absolutely correct. The Prime Minister, in her two key speeches, has made it very clear that she respects the decision the British public took, which is about control of our borders. As my right hon. Friend the Member for Forest of Dean (Mr Harper) said earlier, this is not about being against

immigration; it is about being able to deliberately discriminate equally between everyone, from across the world, rather than giving preference to one set of people simply because of where they live. It is about making our own laws again. The Supreme Court on the other side of Parliament Square will again become the supreme court of the United Kingdom, and we will not be subject to the European Court of Justice. And it is about taking back control.

Mr Marcus Jones (Nuneaton) (Con): Will my hon. Friend give way?

Conor Burns: I will not give way because we are very short of time.

It is also about ending the vast payments we make to the EU, for which we are somehow supposed to be grateful because we get a little bit of it back.

In short, the British public voted to become an independent, self-governing country again. It is incumbent on this House to deliver on that verdict and to reject the Lords amendments, which have only one aim, which is to thwart the democratic will of the British people.

The Solicitor General *rose*—

Mr Speaker: There has not been an Opposition wind-up, and I had agreed with colleagues that we would proceed to the votes. It is one thing to have a series of wind-ups, but it is another thing to have one wind-up.

The Solicitor General: I just want to respond briefly.

Mr Speaker: Very well.

The Solicitor General: The right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) mentioned the Dubs amendment made by the Lords and, in her absence, I reiterate my assurance that the Government will go away and look at drafting an amendment for their lordships' House when the matter goes before them. On that basis, I hope she will not press the amendment in her name.

Simon Hoare (North Dorset) (Con): On a point of order, Mr Speaker. You will appreciate the importance of these Divisions. You will also be aware from our earlier exchange that the annunciators are not showing them, but do we have the assurance of the House authorities that the Division bells themselves are fully working in all parts of the House?

Mr Speaker: As far as we know, yes. I am sensitive to the difficulties that can arise, and when such situations arise, I use my discretion to ensure that no Member is knowingly disadvantaged. I hope the hon. Gentleman will be reassured by the advice I have received and by the undertaking I have offered.

Question put, That amendment (a) to Lords amendment 51 be made.

The House divided: Ayes 240, Noes 322.

Division No. 178]

[7.28 pm

AYES

Abbott, rh Ms Diane	Amesbury, Mike
Abrahams, Debbie	Antoniazzi, Tonia
Ali, Rushanara	Ashworth, Jonathan
Allin-Khan, Dr Rosena	Austin, Ian

Bailey, Mr Adrian	Glendon, Mary
Barron, rh Sir Kevin	Godsiff, Mr Roger
Beckett, rh Margaret	Goodman, Helen
Benn, rh Hilary	Green, Kate
Berger, Luciana	Greenwood, Lilian
Betts, Mr Clive	Greenwood, Margaret
Blackman-Woods, Dr Roberta	Griffith, Nia
Blomfield, Paul	Gwynne, Andrew
Brabin, Tracy	Hamilton, Fabian
Bradshaw, rh Mr Ben	Hardy, Emma
Brennan, Kevin	Harman, rh Ms Harriet
Brown, Lyn	Harris, Carolyn
Brown, rh Mr Nicholas	Hayes, Helen
Bryant, Chris	Hayman, Sue
Buck, Ms Karen	Healey, rh John
Burden, Richard	Hendrick, Sir Mark
Burgon, Richard	Hepburn, Mr Stephen
Butler, Dawn	Hermon, Lady
Byrne, rh Liam	Hill, Mike
Cadbury, Ruth	Hillier, Meg
Campbell, rh Mr Alan	Hodgson, Mrs Sharon
Carden, Dan	Hollern, Kate
Champion, Sarah	Howarth, rh Mr George
Chapman, Jenny	Huq, Dr Rupa
Charalambous, Bambos	Hussain, Imran
Clwyd, rh Ann	Jarvis, Dan
Coaker, Vernon	Johnson, Diana
Cooper, Julie	Jones, Darren
Cooper, Rosie	Jones, Gerald
Cooper, rh Yvette	Jones, Helen
Corbyn, rh Jeremy	Jones, rh Mr Kevan
Coyle, Neil	Jones, Sarah
Creagh, Mary	Jones, Susan Elan
Creasy, Stella	Kane, Mike
Cruddas, Jon	Keeley, Barbara
Cryer, John	Kendall, Liz
Cummins, Judith	Khan, Afzal
Cunningham, Alex	Killen, Ged
Cunningham, Mr Jim	Kinnock, Stephen
David, Wayne	Kyle, Peter
Davies, Geraint	Laird, Lesley
De Cordova, Marsha	Lammy, rh Mr David
De Piero, Gloria	Lavery, Ian
Debbonaire, Thangam	Lee, Karen
Dent Coad, Emma	Lewell-Buck, Mrs Emma
Dhesi, Mr Tanmanjeet Singh	Lewis, Clive
Dodds, Anneliese	Lewis, Mr Ivan
Doughty, Stephen	Lloyd, Tony
Dowd, Peter	Long Bailey, Rebecca
Drew, Dr David	Lucas, Ian C.
Dromey, Jack	Lynch, Holly
Duffield, Rosie	Madders, Justin
Eagle, Ms Angela	Mahmood, Mr Khalid
Eagle, Maria	Mahmood, Shabana
Efford, Clive	Malhotra, Seema
Elliott, Julie	Mann, John
Ellman, Dame Louise	Marsden, Gordon
Elmore, Chris	Martin, Sandy
Esterson, Bill	Maskell, Rachael
Evans, Chris	Matheson, Christian
Farrelly, Paul	McCabe, Steve
Fitzpatrick, Jim	McCarthy, Kerry
Fletcher, Colleen	McDonagh, Siobhain
Flint, rh Caroline	McDonald, Andy
Fovargue, Yvonne	McDonnell, rh John
Foxcroft, Vicky	McGinn, Conor
Frith, James	McGovern, Alison
Furniss, Gill	McInnes, Liz
Gaffney, Hugh	McKinnell, Catherine
Gardiner, Barry	McMahon, Jim
George, Ruth	McMorrin, Anna
Gill, Preet Kaur	Mearns, Ian

Miliband, rh Edward
 Moon, Mrs Madeleine
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Norris, Alex
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sherriff, Paula
 Shuker, Mr Gavin

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

Tellers for the Ayes:

**Nic Dakin and
 Nick Smith**

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter

Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh
 James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishty, Rehman

Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey
 M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris

Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alistair
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Mr Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia

Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David

Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr
 John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Paul Maynard and
Stuart Andrew

7.43 pm

More than six hours having elapsed since the commencement of proceedings on consideration of Lords amendments, the proceedings were interrupted (Programme Order, 12 June).

The Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83F).

Motion made, and Question put, That this House disagrees with Lords amendment 51.—(Mr Robin Walker.)

The House proceeded to a Division.

Mr Speaker: I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 327, Noes 126.

Division No. 179]

[7.43 pm

AYES

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

Question accordingly negatived.

Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Hall, Luke
 Hammond, rh Mr Philip
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hill, Mike
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Hopkins, Kelvin
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, rh Mr Kevan
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema

Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, John
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria

Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Skinner, Mr Dennis
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Laura
 Smith, Royston
 Snell, Gareth
 Soames, rh Sir Nicholas
 Spellar, rh John
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel

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

Tellers for the Ayes:
Paul Maynard and
Stuart Andrew

NOES

Ali, Rushanara
 Antoniazzi, Tonia
 Bardell, Hannah
 Benn, rh Hilary
 Berger, Luciana
 Black, Mhairi
 Blackman, Kirsty
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brock, Deidre
 Brown, Alan
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Carmichael, rh Mr Alistair
 Chapman, Douglas
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Coffey, Ann
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary

Creasy, Stella
 Davey, rh Sir Edward
 Davies, Geraint
 Day, Martyn
 Docherty-Hughes, Martin
 Doughty, Stephen
 Duffield, Rosie
 Eagle, Maria
 Edwards, Jonathan
 Elliott, Julie
 Ellman, Dame Louise
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Gapes, Mike
 Gibson, Patricia
 Godsiff, Mr Roger
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Grieve, rh Mr Dominic
 Grogan, John
 Hayes, Helen
 Hendry, Drew
 Hermon, Lady

Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Howarth, rh Mr George
 Huq, Dr Rupa
 Jardine, Christine
 Jones, Darren
 Jones, Helen
 Kendall, Liz
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Law, Chris
 Leslie, Mr Chris
 Linden, David
 Lucas, Caroline
 MacNeil, Angus Brendan
 Malhotra, Seema
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMorrin, Anna
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Murray, Ian
 Newlands, Gavin
 O'Hara, Brendan
 Owen, Albert
 Phillips, Jess
 Phillipson, Bridget

Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Ryan, rh Joan
 Saville Roberts, Liz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Shuker, Mr Gavin
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Angela
 Smith, Owen
 Sobel, Alex
 Soubry, rh Anna
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Swinson, Jo
 Thewliss, Alison
 Thomas, Gareth
 Timms, rh Stephen
 Turley, Anna
 Umunna, Chuka
 West, Catherine
 Western, Matt
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Zeichner, Daniel

Tellers for the Noes:
Susan Elan Jones and
Stephen Gethins

Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Campbell, Mr Ronnie
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan

Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Hopkins, Kelvin
 Howell, John
 Huddleston, Nigel

Question accordingly agreed to.

Lords amendment 51 disagreed to.

Clause 1

REPEAL OF THE EUROPEAN COMMUNITIES ACT 1972

Motion made, and Question put, That this House disagrees with Lords amendment 1.—(Mr Robin Walker.)

The House proceeded to a Division.

Mr Speaker: I am sorry to have to trouble the Serjeant at Arms again, but I ask him to investigate the delay in the No Lobby. Members wish to proceed expeditiously with the votes.

Frank Field *rose*—

Mr Speaker: I am always very obliged to the right hon. Gentleman, but I am taking my own measures at this stage. If I feel I require his assistance I will pray him in aid. He may rest assured that I will always profit from his counsels.

The House having divided: Ayes 325, Noes 298.

Division No. 180]

[8.2 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter

Allan, Lucy
 Allen, Heidi
 Argar, Edward
 Atkins, Victoria

Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew

Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly

Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt

Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Paul Maynard and
Stuart Andrew

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Eford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glendon, Mary
 Goodman, Helen
 Grady, Patrick

Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael

Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy

Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Soubry, rh Anna
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Mearns, Ian
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon

Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and
Nick Smith

Question accordingly agreed to.

Lords amendment 1 disagreed to.

Motion made, and Question put, That this House disagrees with Lords amendment 2.—[The Solicitor General.]

The House divided: Ayes 326, Noes 296.

Division No. 181]

[8.20 pm

AYES

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

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

Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Hopkins, Kelvin
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw

Metcalf, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok

Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Skinner, Mr Dennis
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Craig Whittaker and
Andrew Stephenson

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bardell, Hannah

Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul

Brabin, Tracy	Fletcher, Colleen	Linden, David	Rimmer, Ms Marie
Bradshaw, rh Mr Ben	Flint, rh Caroline	Lloyd, Stephen	Robinson, Mr Geoffrey
Brake, rh Tom	Fovargue, Yvonne	Lloyd, Tony	Rodda, Matt
Brennan, Kevin	Foxcroft, Vicky	Long Bailey, Rebecca	Rowley, Danielle
Brock, Deidre	Frith, James	Lucas, Caroline	Ruane, Chris
Brown, Alan	Furniss, Gill	Lucas, Ian C.	Russell-Moyle, Lloyd
Brown, Lyn	Gaffney, Hugh	Lynch, Holly	Ryan, rh Joan
Brown, rh Mr Nicholas	Gapes, Mike	MacNeil, Angus Brendan	Saville Roberts, Liz
Bryant, Chris	Gardiner, Barry	Madders, Justin	Shah, Naz
Buck, Ms Karen	George, Ruth	Mahmood, Mr Khalid	Sharma, Mr Virendra
Burden, Richard	Gethins, Stephen	Mahmood, Shabana	Sheerman, Mr Barry
Burgon, Richard	Gibson, Patricia	Malhotra, Seema	Sheppard, Tommy
Butler, Dawn	Gill, Preet Kaur	Marsden, Gordon	Sherriff, Paula
Byrne, rh Liam	Glindon, Mary	Martin, Sandy	Shuker, Mr Gavin
Cable, rh Sir Vince	Goodman, Helen	Maskell, Rachael	Siddiq, Tulip
Cadbury, Ruth	Grady, Patrick	Matheson, Christian	Slaughter, Andy
Cameron, Dr Lisa	Grant, Peter	Mc Nally, John	Smeeth, Ruth
Campbell, rh Mr Alan	Gray, Neil	McCabe, Steve	Smith, Angela
Carden, Dan	Green, Kate	McCarthy, Kerry	Smith, Cat
Carmichael, rh Mr Alistair	Greenwood, Lilian	McDonagh, Siobhain	Smith, Eleanor
Champion, Sarah	Greenwood, Margaret	McDonald, Andy	Smith, Jeff
Chapman, Douglas	Griffith, Nia	McDonald, Stewart Malcolm	Smith, Laura
Chapman, Jenny	Grogan, John	McDonald, Stuart C.	Smith, Owen
Charalambous, Bampos	Gwynne, Andrew	McDonnell, rh John	Smyth, Karin
Cherry, Joanna	Hamilton, Fabian	McFadden, rh Mr Pat	Snell, Gareth
Clarke, rh Mr Kenneth	Hardy, Emma	McGinn, Conor	Sobel, Alex
Clwyd, rh Ann	Harman, rh Ms Harriet	McGovern, Alison	Soubry, rh Anna
Coaker, Vernon	Harris, Carolyn	McInnes, Liz	Spellar, rh John
Coffey, Ann	Hayes, Helen	McKinnell, Catherine	Starmer, rh Keir
Cooper, Julie	Hayman, Sue	McMahon, Jim	Stephens, Chris
Cooper, Rosie	Healey, rh John	McMorris, Anna	Stevens, Jo
Cooper, rh Yvette	Hendrick, Sir Mark	Mearns, Ian	Stone, Jamie
Corbyn, rh Jeremy	Hendry, Drew	Miliband, rh Edward	Streeting, Wes
Cowan, Ronnie	Hepburn, Mr Stephen	Monaghan, Carol	Sweeney, Mr Paul
Coyle, Neil	Hermon, Lady	Moon, Mrs Madeleine	Swinson, Jo
Crawley, Angela	Hill, Mike	Moran, Layla	Tami, Mark
Creagh, Mary	Hillier, Meg	Morden, Jessica	Thewliss, Alison
Creasy, Stella	Hobhouse, Wera	Morgan, Stephen	Thomas, Gareth
Cruddas, Jon	Hodge, rh Dame Margaret	Morris, Grahame	Thomas-Symonds, Nick
Cryer, John	Hodgson, Mrs Sharon	Murray, Ian	Thornberry, rh Emily
Cummins, Judith	Hollern, Kate	Nandy, Lisa	Timms, rh Stephen
Cunningham, Alex	Howarth, rh Mr George	Newlands, Gavin	Trickett, Jon
Cunningham, Mr Jim	Huq, Dr Rupa	Norris, Alex	Turley, Anna
Davey, rh Sir Edward	Hussain, Imran	O'Hara, Brendan	Turner, Karl
David, Wayne	Jardine, Christine	O'Mara, Jared	Twigg, Stephen
Davies, Geraint	Jarvis, Dan	Onasanya, Fiona	Twist, Liz
Day, Martyn	Johnson, Diana	Onn, Melanie	Umunna, Chuka
De Cordova, Marsha	Jones, Darren	Onwurah, Chi	Vaz, rh Keith
De Piero, Gloria	Jones, Gerald	Osamor, Kate	Vaz, Valerie
Debbonaire, Thangam	Jones, Graham P.	Owen, Albert	Walker, Thelma
Dent Coad, Emma	Jones, Helen	Peacock, Stephanie	Watson, Tom
Dhesi, Mr Tanmanjeet Singh	Jones, rh Mr Kevan	Pearce, Teresa	West, Catherine
Docherty-Hughes, Martin	Jones, Sarah	Pennycook, Matthew	Western, Matt
Dodds, Anneliese	Jones, Susan Elan	Perkins, Toby	Whitehead, Dr Alan
Doughty, Stephen	Kane, Mike	Phillips, Jess	Whitfield, Martin
Dowd, Peter	Keeley, Barbara	Phillipson, Bridget	Whitford, Dr Philippa
Drew, Dr David	Kendall, Liz	Pidcock, Laura	Williams, Hywel
Dromey, Jack	Khan, Afzal	Platt, Jo	Williams, Dr Paul
Duffield, Rosie	Killen, Ged	Pollard, Luke	Williamson, Chris
Eagle, Ms Angela	Kinnock, Stephen	Pound, Stephen	Wilson, Phil
Eagle, Maria	Kyle, Peter	Powell, Lucy	Wishart, Pete
Edwards, Jonathan	Laird, Lesley	Qureshi, Yasmin	Woodcock, John
Efford, Clive	Lake, Ben	Rashid, Faisal	Yasin, Mohammad
Elliott, Julie	Lamb, rh Norman	Rayner, Angela	Zeichner, Daniel
Ellman, Dame Louise	Lammy, rh Mr David	Reed, Mr Steve	
Elmore, Chris	Lavery, Ian	Rees, Christina	
Esterson, Bill	Law, Chris	Reeves, Ellie	
Evans, Chris	Lee, Karen	Reeves, Rachel	
Farrelly, Paul	Leslie, Mr Chris	Reynolds, Emma	
Farron, Tim	Lewell-Buck, Mrs Emma	Reynolds, Jonathan	
Fellows, Marion	Lewis, Clive		
Fitzpatrick, Jim	Lewis, Mr Ivan		

Tellers for the Noes:
Nic Dakin and
Nick Smith

Question accordingly agreed to.

Lords amendment 2 disagreed to.

Government amendments (a) and (b) made in lieu of Lords amendments 1 and 2.

Clause 5

EXCEPTIONS TO SAVINGS AND INCORPORATION

Motion made, and Question put, That this House disagrees with Lords amendment 5.—(The Solicitor General.)

The House divided: Ayes 321, Noes 301.

Division No. 182]

[8.33 pm

AYES

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

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

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

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

Tellers for the Ayes:

**Craig Whittaker and
 Andrew Stephenson**

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard

Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith

Cunningham, Alex
 Cunningham, Mr Jim
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Field, rh Frank
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham
 P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart
 C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine

Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy

Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:

Nic Dakin and
 Nick Smith

Question accordingly agreed to.

Lords amendment 5 disagreed to.

Mr Speaker: We are about to move on to Lords amendment 53, but I have been advised—I am sure the Opposition Chief Whip is listening carefully at this point—that it is the right hon. Gentleman's birthday today. I am sure he enjoys nothing more than to spend his birthday in multiple Divisions. I wish him a happy birthday.

Schedule 1

FURTHER PROVISION ABOUT EXCEPTIONS TO SAVINGS AND INCORPORATION

Motion made, and Question put, That this House disagrees with Lords amendment 53.—(The Solicitor General.)

The House divided: Ayes 320, Noes 297.

Division No. 183]

[8.48 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon

Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen

Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stevenson, John

Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh

Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
 Craig Whittaker and
 Andrew Stephenson

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Eford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline

Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham
 P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan

Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey

Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo

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

Tellers for the Noes:
Nic Dakin and
Nick Smith

Question accordingly agreed to.

Lords amendment 53 disagreed to.

Government amendment (a) made in lieu of Lords amendment 53.

After Clause 3

ENHANCED PROTECTION FOR CERTAIN AREAS OF EU LAW

Motion made, and Question put, That this House disagrees with Lords amendment 4.—(The Solicitor General.)

The House divided: Ayes 318, Noes 301.

Division No. 184]

[9.2 pm

AYES

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

Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Choqe, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey
 M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr
 Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert

Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew

Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr
 Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir
 Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robnson, Gavin

Robnson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:

**Nigel Adams and
 Mike Freer**

NOES

Abbott, rh Ms Diane	Docherty-Hughes, Martin	Jones, Darren	Onwurah, Chi
Abrahams, Debbie	Dodds, Anneliese	Jones, Gerald	Osamor, Kate
Ali, Rushanara	Doughty, Stephen	Jones, Graham P.	Owen, Albert
Allin-Khan, Dr Rosena	Dowd, Peter	Jones, Helen	Peacock, Stephanie
Amesbury, Mike	Drew, Dr David	Jones, rh Mr Kevan	Pearce, Teresa
Antoniazzi, Tonia	Dromey, Jack	Jones, Sarah	Pennycook, Matthew
Ashworth, Jonathan	Duffield, Rosie	Jones, Susan Elan	Perkins, Toby
Austin, Ian	Eagle, Ms Angela	Kane, Mike	Phillips, Jess
Bardell, Hannah	Eagle, Maria	Keeley, Barbara	Phillipson, Bridget
Barron, rh Sir Kevin	Edwards, Jonathan	Kendall, Liz	Pidcock, Laura
Beckett, rh Margaret	Efford, Clive	Khan, Afzal	Platt, Jo
Benn, rh Hilary	Elliott, Julie	Killen, Ged	Pollard, Luke
Berger, Luciana	Ellman, Dame Louise	Kinnock, Stephen	Pound, Stephen
Betts, Mr Clive	Elmore, Chris	Kyle, Peter	Powell, Lucy
Black, Mhairi	Esterson, Bill	Laird, Lesley	Qureshi, Yasmin
Blackman, Kirsty	Evans, Chris	Lake, Ben	Rashid, Faisal
Blackman-Woods, Dr Roberta	Farrelly, Paul	Lamb, rh Norman	Rayner, Angela
Blomfield, Paul	Farron, Tim	Lammy, rh Mr David	Reed, Mr Steve
Brabin, Tracy	Fellows, Marion	Lavery, Ian	Rees, Christina
Bradshaw, rh Mr Ben	Fitzpatrick, Jim	Law, Chris	Reeves, Ellie
Brake, rh Tom	Fletcher, Colleen	Lee, Karen	Reeves, Rachel
Brennan, Kevin	Flint, rh Caroline	Leslie, Mr Chris	Reynolds, Emma
Brock, Deidre	Fovargue, Yvonne	Lewell-Buck, Mrs Emma	Reynolds, Jonathan
Brown, Alan	Foxcroft, Vicky	Lewis, Clive	Robinson, Mr Geoffrey
Brown, Lyn	Frith, James	Lewis, Mr Ivan	Rodda, Matt
Brown, rh Mr Nicholas	Furniss, Gill	Linden, David	Rowley, Danielle
Bryant, Chris	Gaffney, Hugh	Lloyd, Tony	Ruane, Chris
Buck, Ms Karen	Gapes, Mike	Long Bailey, Rebecca	Russell-Moyle, Lloyd
Burden, Richard	Gardiner, Barry	Lucas, Caroline	Ryan, rh Joan
Burgon, Richard	George, Ruth	Lucas, Ian C.	Saville Roberts, Liz
Butler, Dawn	Gethins, Stephen	Lynch, Holly	Shah, Naz
Byrne, rh Liam	Gibson, Patricia	MacNeil, Angus Brendan	Sharma, Mr Virendra
Cable, rh Sir Vince	Gill, Preet Kaur	Madders, Justin	Sheerman, Mr Barry
Cadbury, Ruth	Glindon, Mary	Mahmood, Mr Khalid	Sheppard, Tommy
Cameron, Dr Lisa	Godsiff, Mr Roger	Mahmood, Shabana	Sherriff, Paula
Campbell, rh Mr Alan	Goodman, Helen	Malhotra, Seema	Shuker, Mr Gavin
Campbell, Mr Ronnie	Grady, Patrick	Mann, John	Siddiq, Tulip
Carden, Dan	Grant, Peter	Marsden, Gordon	Skinner, Mr Dennis
Carmichael, rh Mr Alistair	Gray, Neil	Martin, Sandy	Slaughter, Andy
Champion, Sarah	Green, Kate	Maskell, Rachael	Smeeth, Ruth
Chapman, Douglas	Greenwood, Lilian	Matheson, Christian	Smith, Angela
Chapman, Jenny	Greenwood, Margaret	Mc Nally, John	Smith, Cat
Charalambous, Bambos	Grieve, rh Mr Dominic	McCabe, Steve	Smith, Eleanor
Cherry, Joanna	Griffith, Nia	McCarthy, Kerry	Smith, Jeff
Clarke, rh Mr Kenneth	Grogan, John	McDonagh, Siobhain	Smith, Laura
Ciwyd, rh Ann	Gwynne, Andrew	McDonald, Andy	Smith, Owen
Coaker, Vernon	Hamilton, Fabian	McDonald, Stewart Malcolm	Smyth, Karin
Coffey, Ann	Hardy, Emma	McDonald, Stuart C.	Snell, Gareth
Cooper, Julie	Harman, rh Ms Harriet	McDonnell, rh John	Sobel, Alex
Cooper, Rosie	Harris, Carolyn	McFadden, rh Mr Pat	Soubry, rh Anna
Cooper, rh Yvette	Hayes, Helen	McGinn, Conor	Spellar, rh John
Corbyn, rh Jeremy	Hayman, Sue	McGovern, Alison	Starmer, rh Keir
Cowan, Ronnie	Healey, rh John	McInnes, Liz	Stephens, Chris
Coyle, Neil	Hendrick, Sir Mark	McKinnell, Catherine	Stevens, Jo
Crawley, Angela	Hendry, Drew	McMahon, Jim	Stone, Jamie
Creagh, Mary	Hepburn, Mr Stephen	McMorrin, Anna	Streeting, Wes
Creasy, Stella	Hermon, Lady	Mearns, Ian	Sweeney, Mr Paul
Cruddas, Jon	Hill, Mike	Miliband, rh Edward	Swinson, Jo
Cryer, John	Hillier, Meg	Monaghan, Carol	Tami, Mark
Cummins, Judith	Hobhouse, Wera	Moon, Mrs Madeleine	Thewliss, Alison
Cunningham, Alex	Hodge, rh Dame Margaret	Moran, Layla	Thomas, Gareth
Cunningham, Mr Jim	Hodgson, Mrs Sharon	Morden, Jessica	Thomas-Symonds, Nick
Davey, rh Sir Edward	Hoey, Kate	Morgan, Stephen	Thornberry, rh Emily
David, Wayne	Hollern, Kate	Morris, Grahame	Timms, rh Stephen
Davies, Geraint	Hopkins, Kelvin	Murray, Ian	Trickett, Jon
Day, Martyn	Howarth, rh Mr George	Nandy, Lisa	Turley, Anna
De Cordova, Marsha	Huq, Dr Rupa	Newlands, Gavin	Turner, Karl
De Piero, Gloria	Hussain, Imran	Norris, Alex	Twigg, Stephen
Debbonaire, Thangam	Jardine, Christine	O'Hara, Brendan	Twist, Liz
Dent Coad, Emma	Jarvis, Dan	O'Mara, Jared	Umunna, Chuka
Dhesi, Mr Tanmanjeet Singh	Johnson, Diana	Onasanya, Fiona	Vaz, rh Keith
		Onn, Melanie	Vaz, Valerie

Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul

Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and
Nick Smith

Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline

Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pngelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark

Question accordingly agreed to.

Lords amendment 4 disagreed to.

After Clause 3

MAINTENANCE OF EU ENVIRONMENTAL PRINCIPLES AND STANDARDS

Motion made, and Question put, That this House disagrees with Lords amendment 3.—(The Solicitor General.)

The House divided: Ayes 320, Noes 296.

Division No. 185]

[9.16 pm

AYES

Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex

Chishty, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David

Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob

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

Tellers for the Ayes:

Mike Freer and
 Nigel Adams

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre

Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon

Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debonnaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet

Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor

McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy

Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:

Nic Dakin and
 Nick Smith

Question accordingly agreed to.

Lords amendment 3 disagreed to.

Government amendments (c) and (d) made in lieu of Lords amendment 3.

Lords amendment 24 disagreed to.

Mr Speaker: I call the Minister to move formally that what I believe is correctly described as “amendment little two” to amendment—[*Interruption.*] For the benefit of those who did not hear, the Minister for Europe and the Americas, the right hon. Member for Rutland and Melton (Sir Alan Duncan), observed from a sedentary position that the two speaks for both of us.

Government amendment (a) in lieu of Lords amendment 24 proposed.

Government amendment (ii) made to Government amendment (a) in lieu of Lords amendment 24.

Government amendments (a), as amended, and (b) made in lieu of Lords amendment 24.

Lords amendments 32, 6 to 9, 33 to 36, 38, 40 to 42, 159 to 161, 163, 164, 166 to 168, and 170 agreed to.

Motion made, and Question put forthwith (Standing Order No. 83H), That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 4, 5, 10, 20, 37, 39, 43, 45, 51, 52, 110, 125 and 128;

That Mr Steve Baker, Robert Buckland, Emma Hardy, Jessica Morden, Mark Spencer, Keir Starmer and Jeremy Quin be members of the Committee;

That Robert Buckland be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—(*Paul Maynard.*)

Question agreed to.

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Business without Debate

DELEGATED LEGISLATION

HOUSING

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft Client Money Protection Schemes for Property Agents (Approval and Designation of Schemes) Regulations 2018, which were laid before this House on 3 May, be approved.—(*Paul Maynard.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2018, which were laid before this House on 3 May, be approved.—(*Paul Maynard.*)

Question agreed to.

PETITION

Travellers

9.35 pm

Mr Ranil Jayawardena (North East Hampshire) (Con): I am grateful to you, Mr Speaker, for allowing me to present a petition at such a late hour. [*Interruption.*]

Mr Speaker: Order. This is a most important matter to the hon. Member for North East Hampshire (Mr Jayawardena) and his constituents. I therefore feel sure that Members who are leaving the Chamber will do so quickly and quietly, and that other Members who are present are so present because they wish to attend keenly to what the hon. Gentleman has to say.

Mr Jayawardena: Thank you, Mr Speaker. I am sure that that is the case. I also thank all those who signed, shared and promoted my petition.

I believe that, given that the petition has received nearly 2,000 signatures, both online and offline, the Government must recognise the strength of feeling

among the silent majority. It is great that the Ministry of Housing, Communities and Local Government is consulting on these matters, and I hope that it will change the law to redress the current position in which—shockingly—we are not all equal under the law.

The petition states:

The Humble Petition of North East Hampshire and the wider United Kingdom,

Sheweth,

That urgent action must be taken concerning unauthorised traveller encampments, which are a nuisance for local communities and a completely inappropriate use of open space—whether it is highway land, Ministry of Defence land, or otherwise; further that unauthorised encampments weaken community cohesion and cause local authority expenditure on eviction and the clearing up of illegal sites; further that we have discrimination in this country against the silent majority of hardworking, law-abiding residents of communities up and down the land; and further that more must be done to treat unauthorised traveller encampments as a criminal rather than civil matter by strengthening police powers to tackle illegal encampments and protecting them from legal challenge in the exercise of current powers.

Wherefore your Petitioners pray that your Honourable House urges HM Government to take all possible steps to grant the police additional powers to remove illegal encampments where they are causing a public nuisance as determined by the decision of a principal local Council; further that the ability of travellers to play the planning system is removed by enshrining a presumption against illegal encampments whereby appellants cannot be resident while appealing; further that powers under Section 62A of the Criminal Justice and Public Order Act 1994 be extended to define caravan sites within 25 miles as relevant, in addition to those situated in the area of a local authority within whose area the land is situated; and further that Section 61 of the Criminal Justice and Public Order Act 1994 be amended to remove the conditions in subsection (1)—namely conditions (a) and (b) and the conditions of ‘two or more persons’, ‘reasonable steps have been by or on behalf of the occupier to ask them to leave’—in order to make it an offence for a trespasser to fail to comply with a direction by police to leave land and remove vehicles or property, as in Section 24 of the Housing (Miscellaneous Provisions) Act 2002, an Act of the Parliament of the Republic of Ireland.

And your Petitioners, as in duty bound, will ever pray, &c.

[P002152]

Foie Gras Imports

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

9.39 pm

Henry Smith (Crawley) (Con): Thank you, Mr Speaker, for giving the House an opportunity to consider banning imports of foie gras to the United Kingdom. While this has been an historic week in respect of European Union exit legislation, Members will be aware that Brexit also gives us a significant opportunity to enhance animal welfare.

Foie gras is a product derived from the livers of ducks or geese that have been force fed maize repeatedly by having a metal tube inserted down their throats two or three times a day when they are just 12 weeks old. While production of this so-called delicacy, which is similar to pâté, has been banned in Britain since 2000, the fact that imports of it to the UK are allowed means that the suffering and mistreatment of animals continues. Our country, which imports about 180 to 200 tonnes of foie gras from mainland Europe each year, sadly continues to play a part in this cruel trade.

I am grateful for the work and diligence of organisations such as Animal Equality, which it was my pleasure to host in Parliament recently. Its campaigning on this issue goes back many years, and its investigative work has uncovered the reality of life before death for animals on foie gras farms, including the suffering that its campaigners have seen for themselves at such facilities in France and Spain.

The production of foie gras is undertaken in three stages, each more brutal and inhumane than the last. The first stage starts right from when a chick is hatched, when they are fed regularly until they are aged between six and nine weeks. The second stage then sees birds feed-restricted for between three and five weeks. Following that, for the next three to 10 days the birds are fed as much as possible to prepare their bodies for further force-feeding from the time they reach the age of about 12 weeks. The bird’s oesophagus is dilated, digestive secretions that are necessary for large amounts of food are stimulated, and the process of fattening the liver begins. By the end of this second stage, the liver can weigh up to 180 grams, which is more than double that of a duck that is fed naturally.

The third stage commences when an animal reaches the age of about 12 weeks, at which point the force-feeding starts. This must be endured for a whole fortnight before the bird is slaughtered; indeed, if the process lasted more than two weeks it would likely cause the death of the bird due to liver failure. The force-feeding dramatically increases a bird’s liver size and fat content.

At the end of force-feeding, a duck’s liver is seven to 10 times the size of a normal one, with an average weight of 550 to 700 grams and a fat content of around 55%. To put that into perspective, the average weight of a non-force-fed bird’s liver is about 75 grams, with a fat content of just about 7%. At the end of this force-feeding, the bird is slaughtered and its oversized, fatty liver is extracted. Given the clear mistreatment of animals that I have outlined, the production of foie gras in the United Kingdom would obviously be illegal, so should we not apply the values of animal protection to imports as well as domestic production?

Research has found that in the production of foie gras birds are confined to small cages with so little space that they sometimes cannot turn around. In some cases, dead birds remain in cages with the living. The ducks and geese display obvious respiratory problems, with evidence of trauma and inflammation of the oesophagus, recognised by blood stains on force-feeding tubes. Often ducks bleed incessantly, and some of the weakest are left to die without any basic care.

Each bird receives up to 200 grams of maize for a so-called meal, powered by a pneumatic or hydraulic pump. In the production of foie gras, this amount can be increased to 450 grams per meal towards the end of the force-feeding stage, rising to 1,000 grams after water is added to make a mash. This is of course much, much more food than they would naturally choose to eat.

Jim Shannon (Strangford) (DUP): I spoke to the hon. Gentleman beforehand about foie gras imports. Does he not agree that throughout the world, countries enjoy different delicacies that we may not wish to partake of, and that we have a duty to understand how these delicacies are produced to judge whether we want to try them? The hon. Gentleman has highlighted the details of this particular delicacy in great detail.

Henry Smith: I am grateful to the hon. Gentleman for his intervention. Indeed, there are traditions and delicacies in many parts of the world, but I do not think that that excuses the inhumane way in which foie gras is produced. It is certainly not part of a mainstream tradition in this country.

Kerry McCarthy (Bristol East) (Lab): I am grateful to the hon. Gentleman for giving way and for bringing this debate to the House tonight. He is excellent on animal welfare issues. The decision on foie gras has already been made in this country. We have banned its production here because it is morally unacceptable and cruel, and a YouGov poll has found that 77% of people support an import ban. I think that that figure would be much higher if the rest were to actually listen to what the hon. Gentleman has to say about the immense cruelty involved and if people realised that they were eating a diseased organ. Foie gras is a product of making the animal diseased.

Henry Smith: I am grateful to the hon. Lady, and I pay tribute to the work she has done on many animal welfare issues. She is right to say that this is a quite disgusting form of production. If more people appreciated the fact that they were eating a diseased organ, I am sure that the percentage of people expressing outrage at foie gras being allowed in this country would be even higher.

The Animal Welfare Act 2006 provides five points that must be taken into account when focusing on an animal's needs: its need for a suitable environment; its need for a suitable diet; its need to be able to exhibit normal behaviour patterns; its need to be housed with—or, as appropriate, apart from—other animals; and its need to be protected from pain, suffering, injury and disease. As I have said, we cannot produce foie gras in this country, as to do so would contravene those points, so let us apply those values to what is imported into our country as well.

Heidi Allen (South Cambridgeshire) (Con): To be honest, I knew that foie gras was a horrid food, but I am finding it quite distressing to hear in graphic detail what happens to these birds. How on earth can we have such double standards in this country? If we understand that it is too morally reprehensible to manufacture it here, how can we continue to import it? Surely, this has to change.

Henry Smith: My hon. Friend is absolutely right. We are perhaps guilty of a double standard, in that we are sometimes willing to export cruel practices to other countries. The same goes for a lot of fur production as well. It is out of sight and out of mind, but sadly, the cruelty still goes on.

The Prime Minister was right to say that our exit from the European Union must lead to wider changes in how our country works. From the conversations I have had with my own constituents and the correspondence I have received from them during the various stages of the legislation we have debated over the last two days, it is clear that ensuring that we have enhanced animal welfare provisions after we have left the EU is a priority for many people in Crawley, as it is up and down the country. Those representations are very much in my mind this evening, and as co-chair of the all-party parliamentary group for animal welfare, it is those calls that I will continue to pursue. Indeed, the ability of our country soon to take such decisions ourselves is an opportunity that we really must seize.

Polling has shown that under 10% of the public claim to consume foie gras and that there is overwhelming support for an import ban, with 77% of those who expressed an opinion supportive of a ban, as the hon. Member for Bristol East (Kerry McCarthy) has just mentioned. I am pleased that the appetite for foie gras is decreasing in this country. Information from the Library shows that the value of UK imports of fatty livers of geese and ducks has fallen by almost half in recent years, from £1.1 million in 2013 to around £600,000 last year. The net mass of the livers that were imported also fell in that time, from some 150,000 kg to just over 100,000 kg. Foie gras is therefore not important to British culture or cuisine.

The Government's position has been clear: that we are unable to ban the import of foie gras to the UK while we are a member of the European Union and customs union, due to the free movement of goods obligations. However, by leaving the single market, we will be able to decide for ourselves whether our country should take a different approach. The Farming Minister, my hon. Friend the Member for Camborne and Redruth (George Eustice), stated earlier in the year that

“were the UK to commit to continue following the rules of the single market, as proposed by some, it would not be possible to consider a ban on foie gras imports.”

Indeed, the Government's view is that an attempt to impose a unilateral ban on the import or sale of foie gras while we are still an EU member could be legally challenged as contravening provisions of the treaty on the functioning of the European Union. This country could then be referred to the Court of Justice of the European Union and face multiple damage claims from importers, exporters and other foie gras traders.

Bambos Charalambous (Enfield, Southgate) (Lab): The hon. Gentleman refers to the fact that many people are voting with their feet by choosing not to eat foie gras.

[*Bambos Charalambous*]

Does he agree that better education of the wider public would lead to fewer people eating foie gras once they learned of the disgusting practice of how the livers are obtained?

Henry Smith: The hon. Gentleman is right. Awareness is important on such issues, and it is one of the reasons behind this evening's debate and behind the efforts to ensure that people are perhaps not disgusted, but definitely better informed about foie gras production.

Michael Fabricant (Lichfield) (Con): Is it not an irony that “faux gras” is available? Many chefs say that it tastes exactly the same as foie gras, yet the animals are brought up humanely and killed humanely. There really is no excuse for the import of foie gras.

Henry Smith: My hon. Friend is right. Many alternatives to products that are produced cruelly, such as fur, are coming on stream all the time.

I welcome the Government undertaking significant reforms in the field of animal welfare. Taking pride in our natural surroundings, enhancing the environment and ensuring suitable conditions for animals are things in which we all have an interest. I welcome the action being taken by the Minister and his departmental colleagues, particularly the Secretary of State, as well as the leadership shown on the global stage by my right hon. Friend the Prime Minister. An example of that is the ban on ivory sales, which was announced to help protect elephants, of which approximately 20,000 are slaughtered each year. Indeed, I have the honour of sitting on the Ivory Bill Committee this week and next.

The Government recently undertook a public consultation on banning live animal exports after we have left the European Union. While the Department for Environment, Food and Rural Affairs is currently considering the responses, I hope that the Minister will ensure that both his and the Secretary of State's determination to ensure that animal protections are enhanced on Brexit will be reflected in policy developments. The draft Animal Welfare (Sentencing and Recognition of Sentience) Bill sets out that the Government

“must have regard to the welfare needs of animals as sentient beings in formulating and implementing government policy.”

That reiterates that animals are sentient beings that feel pain and suffering, and I welcome the fact that that principle will be written into UK law. Perhaps the Minister will update the House about when that legislation may come before us.

On CCTV in slaughterhouses, colleagues on both sides of the House will welcome the Government's work to make such equipment mandatory in England following the uncovering of how some animals have been mistreated in abattoirs before slaughter. In February 2015, I led an Adjournment debate in the Chamber calling on the Government to take action, and I now urge Ministers to replicate the zeal with which they acted on that to ensure measures are taken in a timely manner to end foie gras imports to this nation, which I believe is still a nation of animal lovers.

I am grateful to the many organisations and institutions that have banned the sale of foie gras. The UK Parliament, the BAFTAs, the BRIT awards, the Wimbledon tennis championships—I am sure that will please Mr Speaker—

and Lord's cricket ground have all stopped selling foie gras, as have caterers such as Compass Group and Brakes and retailers including Selfridges and Harvey Nichols here in London. Hotels, restaurants and many chefs across the country continue to take a stand. Indeed, His Royal Highness the Prince of Wales has banned foie gras from the menus at royal events.

We know the treatment of animals with methods such as those used to produce foie gras is wrong. The methods were outlawed, as we have been discussing, almost two decades ago in this country, but by permitting imports of this product we are still helping the trade in this cruel practice to continue, even though we may not wish it to.

When securing our animal welfare protections for after we leave the EU, I hope that the Minister will take into account the points that have been raised by many hon. Members this evening. In the months and years ahead, as Brexit takes effect, we will have the ability to introduce a ban on imports of foie gras, which will sit alongside the decision this country took to ban its production domestically. I welcome the Government's continued work to protect and enhance animal welfare standards, and I urge the introduction of a ban.

Foie gras is cruel to produce, unhealthy to eat and expensive to purchase. The ultimate cost, though, is paid by the ducks and geese that suffer so greatly before their slaughter. It is time we banned this outdated practice.

9.57 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): I congratulate my hon. Friend the Member for Crawley (Henry Smith) on a characteristically passionate speech on an important animal welfare issue. He does a great deal on many animal welfare causes, and he has done so again this evening.

The UK is a world leader on animal welfare standards, and we take great pride in the way we tackle the serious issue of animal cruelty. Our animal welfare policies are driven by our recognition that animals are indeed sentient beings, and we are acting to reduce harm to animals, whether they are farm animals, pets or wild animals.

My hon. Friend asks when we will introduce the Bills we promised on extending sentencing for animal cruelty and on animal sentience. We have published our proposals, and we currently envisage that the Bill to introduce higher sentences will come forward in this Session, and soon thereafter we will introduce the animal sentience Bill to ensure those provisions are in place in time for leaving the EU.

We are also undertaking a programme of reforms to safeguard and enhance the welfare of animals. For example, we have made CCTV mandatory in all slaughterhouses, a requirement that goes above and beyond any EU law. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 modernise controls on dog breeding, pet sales and other local authority-licensed activities involving animals, and they will come into force in October.

We are also introducing legislation to allow us to increase the maximum sentences for those who abuse animals, and we are at the forefront of international efforts to protect the interests of animals. For example, we recently introduced legislation to ban UK sales of ivory to help bring an end to elephant poaching.

On farm animal welfare, we have strengthened statutory guidance codes in the form of a new enhanced meat chicken welfare code, which came into force earlier this year. We are updating the laying hen welfare code, which was tabled in Parliament on 5 June, and a new pig code is to follow, so a great deal has been done.

Let me turn to foie gras, the subject of tonight's debate. My hon. Friend gave graphic accounts of some of the welfare problems involved, which is why, as he pointed out, the production is not permitted and would be a breach of UK law. At the moment, about 98% of duck foie gras imports to the UK come from France. UK imports of duck foie gras in 2017 were a little over 100 tonnes; as he pointed out, this has fallen considerably in recent years as attitudes change. France produces about 83% of the world's duck foie gras and 25% of its goose foie gras. It is also produced in some other member states, such as Hungary, Bulgaria, Spain and Belgium. French law states that foie gras belongs to the protected cultural and gastronomic heritage of France.

The Government have made it clear that the production of foie gras using force feeding—gavage—raises serious welfare concerns. Foie gras literally translates as “fatty liver” and, as my hon. Friend pointed out, it is produced by force feeding ducks or geese large amounts of feed via a tube inserted into the oesophagus twice to three times a day for a period of two to three weeks before they are slaughtered. In its 1998 report, the European Commission's Scientific Committee on Animal Health and Animal Welfare concluded that force feeding is detrimental to the welfare of the birds and introduced EU directive 98/58/EC. It is therefore reasonable to ask why production is still allowed to continue in the EU, given that directive. The directive, which concerns the protection of animals kept for farming purposes, reflects recommendations made under the European convention for the protection of animals kept for farming purposes, which allows for foie gras production to continue where it is “current practice” as long as the producing countries encourage research on its welfare aspects and on alternative methods that do not include force feeding. Practices relating to religious rites, cultural traditions and regional heritage are also respected under article 13 of the treaty on the functioning of the European Union.

As my hon. Friend pointed out, there is no foie gras production in the UK; it is banned, as it is incompatible with domestic legislation. Although there is no specific legislation banning the production of foie gras by force feeding, the prevention of unnecessary suffering to animals has been recognised since the Protection of Animals Act 1911. Currently, foie gras production by force feeding would be banned by the general provisions in the Animal Welfare Act 2006. That Act makes it a criminal offence to allow an animal to suffer unnecessarily and places on people who are responsible for animals a duty that requires them to do all that is reasonable to ensure the welfare of their animals. This covers an animal's need for a suitable diet and to be protected from pain, suffering, injury and disease. In addition, the Welfare of Farmed Animals (England) Regulations 2007 specifically states that animals

“must be provided with food and liquid in a manner that does not cause them unnecessary suffering or injury.”

If any production were to occur in the UK, the Animal and Plant Health Agency would be asked to investigate and advise on any contravention of UK animal welfare laws.

I understand the strength of feeling on this issue and appreciate the work my hon. Friend and many others have done to raise awareness. Successful lobbying and consumer pressure has meant that many UK restaurants, several councils, shops such as Selfridges, Harvey Nichols, Sainsbury's and Waitrose, and indeed both Houses of Parliament, have long stopped selling foie gras produced by force feeding.

I should briefly mention that there are a small number of producers of what is known as ethical foie gras, which my hon. Friend the Member for Lichfield (Michael Fabricant) alluded to. This is where the birds are not force fed but allowed naturally to eat as much food as they wish. I understand that there are some such producers, particularly in Spain and Canada, and they simply provide an abundance of food but do not engage in force feeding. Production is at a very low level—I think only one or two Spanish farmers engage in this—but it is something that countries currently producing foie gras may want to consider further.

It would be remiss of me not to link this issue back to Brexit and the European Union as we have not had enough time discussing them today! We have a few more minutes to do so in the time that remains. As my hon. Friend the Member for Crawley pointed out, while we are a member of the European Union, we are required to observe law that places restrictions on the introduction of measures that impair the movement of goods within the EU market, and article 34 of the Lisbon treaty prohibits quantitative restrictions. There are some circumstances in which restrictions can be applied, but under article 114 of the treaty on the functioning of the European Union, in reality any such measures affecting another member state would need to be agreed by the Commission, and the Commission would not agree them without the consent of the other member states. When we leave the European Union, we do indeed have an opportunity to look at restrictions on sales along the lines that my hon. Friend pointed out. We know that there are no barriers under WTO law, which people sometimes refer to, but there are clear precedents for putting in place ethical bans under WTO law, and, indeed, some countries, notably India, have already brought forward bans on the sale of foie gras.

There are other things we are able to do as we leave the EU. We will regain our own independent seat on the OIE, the international body that deals with animal health and welfare issues, and it is our intention to have a stronger voice for the UK to agitate for animal welfare and changes in attitudes to it around the world. We will be able to make that case to promote the production of ethical foie gras for those who want to consume it, and do all we can to get other countries to adopt the type of legislation and types of ban we have in the UK.

In conclusion, we have had a very interesting debate. The number of thoughtful interventions after a long day shows the passion that people have for animal welfare. It is an issue in which there is growing interest in Parliament and across the country. My hon. Friend has done a great job this evening of highlighting another important issue.

Question put and agreed to.

10.7 pm

House adjourned.

Westminster Hall

Wednesday 13 June 2018

[JAMES GRAY *in the Chair*]

Business Rates

9.30 am

Rachael Maskell (York Central) (Lab/Co-op): I beg to move,

That this House has considered a review of the business rates system.

Thank you, Mr Gray, for being in the Chair for this important and timely debate.

Almost every day, we learn of a chain of retail stores or local businesses closing its doors, resulting in job losses, people's lives being thrown into turmoil and empty premises along our high streets. The Centre for Retail Research has said that 10,000 stores will close this year alone, amounting to 384,000 jobs that are forecast to be lost over the next four years—unless, of course, the Government take urgent action now.

Businesses face many challenges at this time, not least the cost of property rental, and that leads into the issue of business rates. I would like those issues be addressed in today's debate and I look forward to hearing the Minister's response, because it is time for action to rescue businesses from the current crisis.

Front Street in Acomb once bustled with an array of independent stores serving the west of York. Those premises are now being exploited by foreign investors who are charging extortionate rents, which in turn is driving up the rentable property value, and thus business rates. Today, empty units line the street. York's city centre is following suit, as are towns and cities up and down the country. This cannot continue to drag on.

The ever-inflation-busting rental levels have over-inflated the local property market. That is exacerbated by the empty property tax loopholes, resulting in units being left dormant, further blighting our beleaguered high streets and letting the owners of those properties off the hook.

The Valuation Office Agency has made its calculations based on this overheated market and set excruciatingly high business rates, as determined by the Government. When I hold business meetings across York, everyone feels that they have been failed by the business rates system, and as the situation gets worse, they want to know why the Government are forever providing sticking plasters when major surgery is required.

In York, where the retail sector accounts for 13% of employment, the toll is being felt. However, it is not only the retail sector that is affected. The hospitality sector employs 2.9 million people across the UK and although it pays 10% of all business rates, the sector's share of turnover is just 3%—as the sector puts it, it has made an overpayment of £1.8 billion.

Other businesses are also being impacted. In the last couple of years, I have witnessed major employers—employers employing hundreds of people—leaving the city of York, citing excessive business rates as the root of their decision, and moving to areas with lower business rates. The 2015 valuation took a particular toll

on businesses in York. We have had increases as high as 600% for pubs and retail outlets, including a bicycle shop in the city. Our city centre is changing dramatically, with the loss of national chains. High rental rates and business rates are to blame.

Ruth George (High Peak) (Lab): My hon. Friend is making an excellent speech setting out the key concerns for retailers and other businesses. Does she agree that the average £3,600 increase in rates for small shops over the next five years is contributing to the demise of high streets up and down the country?

Rachael Maskell: My hon. Friend makes an excellent point, because it is the small retailers that are really struggling to survive, and it is an issue of survival in the current age. Of course, business rates are at the heart of the decision by businesses as to whether to remain open or close.

Other organisations have been brought to my attention that are even worse affected than those with the 600% increases I have cited. For instance, there are organisations that have had rooftop solar panels installed and then seen their business rates rise by as much as 800%, and all for doing the right thing. The Valuation Office Agency is discussing similar measures for battery storage, all at a time when green energy and microgeneration should be promoted; instead, people are being deterred from doing their bit for the environment.

Let us remind ourselves that business rates are set by multiplying the valuation rate—that valuation rate is based on the market rental value, as if the property was being placed on the open market—by a multiplier set by Government. In England, that is 49.3p, or 48p for small businesses. It cannot be raised by more than the rate of the retail prices index, or the consumer prices index from this year.

There are certain relief schemes in place, three tiers of arrangements to reduce the burden on small businesses, and an array of different arrangements for charities, rural businesses and community sports clubs. Last April, temporary relief was also introduced, with an additional relief fund of £300 million, which was to be shared between local authorities around the country over four years. Pubs with a rateable value above £100,000 were given relief at a flat rate of £1,000, which is subject to current state aid rules. I would like the Minister to examine that specific issue. There are also relief schemes for fibre infrastructure, local newspapers and empty properties.

York received £788,000, but the local council's governance of the money provided by that fund has been extremely poor. It started with an application process in May to provide grants to businesses that were struggling and that could guarantee—that is, guarantee—they would be sustainable. However, because businesses were unable to give such an assurance, they were unable to apply. In December, the council therefore changed its mind. All businesses with premises that have a rateable value under £200,000 and that had experienced a business rates increase of over 12.5%—except for national chains and local government premises—automatically received a discount, meaning that the council did not even consider hardship issues; the discount was an automatic entitlement. The Government should have provided far better guidance for councils that were handing out

[*Rachael Maskell*]

taxpayers' money; the councils really did not have the understanding of what was required of them to support businesses.

This year, York will receive £383,000; next year, it will receive £158,000 and the following year just £23,000. That tapering leaves businesses in an incredibly vulnerable position, without any long-term solutions being provided by the Government. Businesses are crying out for such solutions.

York is not unique, but it does provide the Government with an excellent case study as to why the business rates system is failing. I will provide some examples of the systematic problems that my city is facing.

Retailers in high-value rental areas pay the highest rates, whereas companies selling goods on the internet from warehouses in low-value rental areas pay the lowest. For example, Amazon is the largest retail business in the UK, with a warehouse of 65,000 square feet outside York. In York, Amazon pays £1.4 million in rates. Marks & Spencer in York city centre is seven times smaller in size, but it still pays £500,000 in business rates, or about a third of the amount that Amazon pays.

The smallest stores pay the most. For example, in York city centre small shops pay up to £950 per square metre, whereas larger companies benefit from a special larger store rate of £110 per square metre. If all companies in York paid the same as small businesses in York, Marks & Spencer would have a rateable value of £9 million and Amazon would have a rateable value of £61 million. Across the sector, the perception has grown that the Valuation Office Agency gives large companies favourable treatment to avoid lengthy and costly disputes, and clearly small businesses are suffering.

Bill Esterson (Sefton Central) (Lab): The comparison between what is paid by large out-of-town and online retailers and what is paid on high streets is extremely well drawn. Does my hon. Friend agree that the problem is that unless something is done—and it can only be done by the Government—to create a fairer business taxation system to even up the situation between online and out-of-town retailers on the one hand and the high street on the other, high streets and their communities will continue to suffer, and anybody who works in those areas, and their families, will be put under pressure? This issue has to be dealt with urgently, and the Government must intervene to address the problems of unfair business taxation.

Rachael Maskell: The point my hon. Friend raises is the point of this debate. The reality is that we are talking often about independent business in which families have invested, maybe for generations, building it up and building a reputation, only to find that the competition from online sales and out-of-town stores is challenging. In addition, such businesses then have the weight and burden of business rates to pay on top of high rental values for their properties. The sums simply do not add up, and it is driving them out of town.

That situation is why we are seeing so many closure notices on shops. Some shops have been part of communities for decades and are sadly no longer there. That is certainly true of York. Our communities are

losing their identity as a result and that is changing what happens in our town and city centres. I could relate so many stories from York of how independent shops have disappeared to be replaced by vertical drinking establishments and other such premises. That changes the whole context of our city. It is vital that we get on top of the business rates issue.

We have to recognise that businesses are penalised when they try to do the right thing, as equipment adds to the rateable value of business premises. Companies are penalised for making improvements to their businesses. Labour's manifesto promised to exclude all new investment in plant and machinery from future business rates to encourage investment. We want to see employers investing in the future of their business, but they are deterred. If that investment would put up their rateable value, why take those steps when they are already struggling?

Ruth George: Businesses often have to invest in CCTV because of rising crime rates. In doing so, they can help the police by providing footage to help catch offenders, but they are then penalised for doing the right thing and helping tackle crime when their business rates increase due to that investment. Does my hon. Friend agree that that is an anomaly that must be looked at?

Rachael Maskell: My hon. Friend makes an excellent point. When people try to improve their community, and not just the business itself, that increases the rateable value. Business rates are built on that premise. In York, a company installed air conditioning. That might seem an obvious thing for a business to do, but doing so increased the rateable value by £275. That business now sees air conditioning as a negative, rather than a positive for itself, its staff and the public.

We have to be honest: business rates are an extremely antiquated system that is not fit for purpose in our globalised digital age. The UK now has the highest level of online shopping in the world, and it is essential that the duty that is paid catches up with that reality. We know that online shopping is increasing because when we go to our high streets, the stores that shoppers want to engage with are no longer there. There are also the wider trends we see across the world.

We need to ensure that we invest back into our city centres to revitalise them and ensure that they keep their identity. That is especially important for a city such as York, which has such a great heritage and attracts 7 million people a year. We want to ensure that people continue to come to our city not only for all the wonderful attractions, but to utilise the vibrant shopping area it once was.

Last April, following the revaluation, the average small shop was hit with an extra £3,663 in rates over the next five years, while many large online retailers saw their rates fall. Large supermarket chains saw a 5.9% reduction in their rateable value. There is huge inequality within the retail sector. Pubs are also being put at risk. They pay 2.8% of the total rates bill, yet contribute only 0.5% of the rate-paying business turnover—an overpayment relative to turnover of £500 million. That figure will increase by 17% by 2021-22.

It has been cited that the transitional relief scheme has been of detriment to some businesses. For instance, House of Fraser saw a 10% rise in business rates last

year. As has just been announced, it is looking to close 31 stores, of which 28 have been negatively impacted by the relief scheme. It is clear that huge inequality has grown with the advent of large out-of-town retail centres and the online industry. The business rates system simply does not work in the modern age.

Reform has been called for, not least by the Business, Innovation and Skills Committee, as was, which in 2014 recommended changes to the business rates system. The Committee called that system

“a significant barrier to innovation.”

It recommended a Government review of the system to examine the questions

“whether retail taxes should be based on sales, rather than property; whether the retail sector should have its own form of taxation, calculated in a different way from other businesses; and how frequently the revaluation of Business Rates should take place.”

Since those recommendations were made, York Retail Forum has not been idle. It has carried out a thorough piece of work to look into the alternatives, and it has concluded that the best way forward for its businesses is to have a turnover tax. The Centre for Retail Research has come to the same conclusion. Clearly, if that formula were to be adopted, there would need to be tapering to address businesses with a high turnover but low profits, such as small convenience stores.

Local entrepreneur Phil Pinder, who chairs York Retail Forum, has looked at the figures. When just a 1% levy is placed on all online and high street businesses, the resultant revenue exceeds the current total raised by business rates. Governments gain, small businesses gain, local economies gain, high streets are revitalised, and tax-dodging multinationals such as Amazon have to pay up. While the benefits for Government would be the same, introducing a turnover tax would be like handing thousands of pounds to small businesses and would help them to invest in developing their businesses and employing more staff.

Equally, a profit-based levy would provide for a fair system: the more profit, the more a business would pay proportionately. That is favoured by many businesses, as they believe that nothing could be more equitable, and certain exemptions would not be required. With either model, there could be some tapering, so that those with the greatest returns paid more and those with the least paid less. Social interventions could be made—for instance, some relief for those who invest in microgeneration of energy. There is scope to use the system to drive forward our future economies. Either way, we need to find a new way to bring in revenue from businesses to replace the business rates system—perhaps through another non-domiciliary, property-dependent levy. Whichever system is used, it would clearly be a lot easier to operate, to collect revenue and to reinvest in communities and business growth.

One other point that I must raise in today's debate is that the Valuation Office Agency is not fit for purpose. It has lost staff; its IT systems are creaking; its programme capability is questionable, having failed businesses; its “check, challenge, appeal” system is not thorough in responding to the grievances of businesses; and its time delays are causing more difficulty for businesses that are already struggling.

That brings me to my key point: the Government have prevaricated for far too long over business rates, and we have on our hands a serious crisis on our high streets. Last year, in the light of the business rates crisis,

many of us in Parliament gathered momentum to call for change. On 8 March 2017, a business rates review was announced by the Chancellor. Since then, I have continually asked questions about when that review will begin, and have been passed from pillar to post—from the Ministry of Housing, Communities and Local Government to the Department for Business, Energy and Industrial Strategy, and from there to the Treasury. That resulted in my having to raise a point of order with the Speaker to identify who was responsible for what, and even then, discussion ensued on the Government Benches.

Businesses are saying that they cannot wait any longer, and the daily announcements of closures testify that that is the case. The Government have to get on and start their major review of a new business levy. In introducing today's debate, I am calling time on this broken system on behalf of businesses in my city and up and down the country, and asking the Minister to carry out the following with immediate effect.

First, I ask the Minister to open a complete review of a new business levy system to report in the autumn, with recommendations being made in time to be implemented in this year's Budget. Secondly, I ask him to open the consultation to all businesses across the economy and to commence the review before the summer. Thirdly, I ask him to identify some case studies to gain an in-depth understanding of why the current system is failing. I suggest York would be a good case study for the Minister to look at, and I am sure other colleagues would be helpful in advising why their communities would provide good examples too.

Fourthly, I ask the Minister to look at the offshore rental market and its impact on our high streets and businesses, and at the extortionate rents that people have to pay. There is often no connection between the local community and the offshore business entrepreneurs who seek to reap as much revenue as they possibly can, at the expense of the high street. We need reparation there, too, because that feeds into the business rates crisis that we see today.

There is an existential crisis on our high streets as they are drained of the vital enterprises that give life and character to our communities. There is no scope for further delay. I urge the Government to bring a laser focus to this issue, and I call on the Minister to act. I trust that he will be willing to meet me and other hon. Members to help move the issue forward for the sake of our communities. There needs to be a radical reform of the system. The Chancellor said it was his desire to move away from a bricks and mortar-based system. The review was promised in the Conservative manifesto, as well as in ours, so progress should not be delayed. Time is running out.

I trust that the Minister will respond clearly to the matters I have raised and tell us what actions he will take to secure a new business levy system that is in place in time for an announcement in the autumn Budget.

9.51 am

Sir Hugo Swire (East Devon) (Con): I congratulate the hon. Member for York Central (Rachael Maskell) on securing this important debate. Anyone looking into this Chamber from outside will be surprised by the lack of Members taking part in this debate on an important

[Sir Hugo Swire]

issue—a non-political issue, almost, that affects all of us and our high streets all over the country. Perhaps Members feel that there is no point in rehearsing the arguments because they will not change anyone's mind and the Government will do nothing. I know better than that because I consider the Financial Secretary to the Treasury, my right hon. Friend the Member for Central Devon (Mel Stride), to be a personal friend of mine, as well as a neighbouring Member of Parliament in Devon. I know he cares as passionately about his high streets in Crediton and elsewhere as I do about mine in Exmouth, Budleigh Salterton and Sidmouth.

The hon. Member for York Central made extremely good points and I wholly concur with her. I went with a company I am no longer involved with to the Valuation Office Agency, and it was a truly horrible experience—we saw overwhelmingly underpowered officials there. I know it is an arm's-length body, but I urge my right hon. Friend the Minister to look at the VOA and some of the decisions that it makes, because it is crippling some of our companies. The onus seems to be on the companies to disprove what the VOA asserts, which can leave companies paying outrageously high rates for many months when in fact they and the VOA know that in the end they will get a rate rebate.

My right hon. Friend—unlike many others in the House, unfortunately—comes from a business background. He is a successful businessman, so his sympathies lie naturally with the business community. We face what I described in a public meeting I had in Sidmouth a couple of weeks ago as an unhappy coincidence: an unhappy coincidence of people's behavioural patterns when purchasing goods. I am a living example. Without making a gender-based remark—well actually, I am going to make a gender-based remark—I think the majority of men probably shop more online; I certainly do the majority of my shopping online. There is a gravitation towards that, coupled with the issue of business rates and the perfectly hideous decisions by successive Governments to be too loose in granting planning permission to out-of-town megastores. That has not been mentioned so far this morning, but it is also partly responsible for the desecration of many of our high streets.

We should not be Luddites. We cannot turn the clock back. We should remember that many mews houses were used for horses 100 years ago, but they are now converted and life moves on. Patterns change and the pattern of life accelerates, so we should move with the times. Interestingly, a recent report showed that the loss of shops on the high street is actually less than the public's perception. None the less, it is a major issue.

I pay tribute to the dogged determination of a local reporter, Beth Sharp of the *Sidmouth Herald*, who, along with Alistair Handyside, who does so much for tourism in the south-west and rightly got recognised in the Queen's birthday honours list, helped organise a very good meeting I went to with some of the retailers in Sidmouth. It is clear that the unhappy coincidence of events is having a negative effect. A hotelier at the meeting, Mark Seward, said that his rates have increased by 244% in a decade—they are now £17,000 a month. That is what he has to make before he pays any of his

suppliers and before he pays the living wage to his employees. Before he does anything he has to pay money straight out.

It seems to me that we have not moved with the times. I had an interesting meeting with the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the hon. Member for Rossendale and Darwen (Jake Berry), the other day. We talked about what new initiatives might come from the Government in relation to our high streets. The accepted wisdom now is that the Mary Portas review addressed some of the problems, but did not go far enough, and we now need to look at things in a different way. There are things that we can do.

In the meeting in Sidmouth, I gave an example. Some time ago I went to a shop in Sidmouth that sells kitchen utensils. I said, "How is business?", and the shopkeeper said, "It's terrible. Business is terrible," so I asked why. I said, "Surely when it rains all the tourists come in here." He said, "Yes, all the tourists come in here. Historically, they would have come in here, looked at all our kitchen utensils and thought they were marvellous. Then they would spend a little more time here. They would buy and then go home with these wonderful things." He said, "Now they come in out of the rain and look at all the stock. They see something they like—a nice kitchen utensil to better stir their concoctions at home—and what do they do? They whip out their iPhone, take a photograph of it and then go home and buy it online." The shopkeeper said, "I am becoming a shop front for these products that I have had to buy anyway, which are now being bought online and undercutting me." He has to pay the rates and Amazon or eBay do not, or not on the same scale, and that seems to be the kernel of the problem.

Then there is an issue where we have to tread carefully. I am very proud of some of the charities that I am involved with. I am vice-president of the West of England School and College for those with little or no sight—WESC—based in Exeter. I opened its charity shop in Sidmouth and I am proud that it can raise money in that way. We would all support charity shops. The problem is that charity shops now often sell new stock. Historically, charity shops sold things that we gave them. As a charity shop, it does not pay rates. Now they sell brand-new products often totally identical to those in the shop next door, but they can afford to charge less because they do not pay any rates. As part of a wider review we have to look seriously at charity shops. Perhaps the number of charity shops should be fixed at a certain percentage or perhaps there should be other ways of making sure they do not compete with those who are still obliged to pay rates.

There are practical things that the Minister and the Government can do. First, business rates are easy to collect, but they are no longer fit for purpose because of the changes in shopping behaviour. I agree with the hon. Member for York Central that we have to get smarter in how we tax online retailers. That is extraordinarily difficult, whether we call them tax avoiders or tax evaders—there is more than a semantic difference there. The point is that they are dominating the virtual high street, and it is manifestly unfair that there is no levy or taxation on them.

If we could come up with some smart way of taxing such people, we could either do away with business rates for or seriously support high street retailers; the issue is

not just about keeping shops open in our town centres, but what the community looks like. We have already suffered from identikit high streets, where every other shop is now a coffee shop. I am pleased to say that in Sidmouth and some of my other towns, such as Budleigh Salterton, there are still individual retailers. That is the way forward. Towns have to rediscover local retailers and offer something other than multiple chains. Clearly we need to look at finding a way of applying a levy to online retailers.

Secondly—this has been done in towns and cities up and down the country—we need to look at how we can shrink the retail space. We have to accept that we will not turn the clock back on how people shop. Very often the retail side of a town is too big for the town's needs. We need to look at how we can shrink the retail part of a conurbation, which has been done successfully in some places.

On the back of that, we need to look at planning and how we can make it much easier to convert former retail premises to residential premises. It is my contention that if we made some shops residential again, we could have starter homes and bring young families into the town. That would mean that there was a night-time community, which would in turn give birth to other things, such as 24-hour retailers, wholesalers or cafés. That would bring people back into the heart of town centres. That seems to me to be a way forward.

We also need to look at the thorny issue of parking. Very often, towns were designed not for cars, but for the old horse and cart. We need to be smarter about how we get people in and out of towns and how they can park. There needs to be much greater flexibility—perhaps two hours' free parking. Again, that is a problem for district councils, because that is one of the ways they raise money. We need to look at that as well.

We need to get much tougher with our planning regarding huge, out-of-town, American-style shopping conurbations, which I personally think despoil the countryside in an American-style way. We need to find a way to make it more attractive for huge retailers to come into our towns. That can be done without having a huge, hideous store. It can be done very cleverly, and has been up and down the country. We should be aware that big high street retailers such as Marks & Spencer are changing their entire shopping policy not through choice, but for survival. They are closing their stores down and doing more online because that is the prevailing mood. If that does not underline the issues and challenges, nothing else will.

This combination of things is hugely important: shrinking the size of the town; making it easier for premises to become residential; helping councils to allow people to come into the town and to park; looking at taxing the online retailers; and looking again at the rating system. Changes in the 2017 spring Budget meant that businesses with a rateable value of less than £15,000 would not pay the levy, but based on the way it is calculated, bigger stores have to pay.

I will say one final thing to the Minister. We cannot turn the clock back. The Portas review went so far. We now have to act very quickly to ensure that we preserve and enhance our high streets in the way that I have set out. Another issue, which we get the whole time, is that people hate having services taken away from them. What used to be our post bags, and are now our email

inboxes, are highly active if something is being taken away from the local community—if the local shop, library or bank is going to close.

It is perfectly clear to me that more banks will close up and down the country as we move towards cryptocurrency, blockchain and so forth. The whole way of doing banking is going to change. We cannot stand in the way of that and say, "We must have the same services we've always had." That will be a commercial choice made, quite properly, by commercial banks. More and more banks will vacate the high street. In turn, that will give birth to other things so that people can do their financial transactions. I do not know what that will look like, but something will replace them.

Given that we know that that is coming down the line, we have to act now to pre-empt it. I very much hope that the Minister will, with his Treasury colleagues, fulfil what we said in the manifesto we would do, and speak to other Ministers about having a wholesale review based on the Portas review, looking at how we can preserve our high street and help struggling businesses.

If it goes on like this, frankly there will not be any retailers at all; they will just close one after the other. I do not wish to be alarmist. As I say, the figures are not as bad as people think, but certainly in Sidmouth we have lost two or three in the last few weeks, and are set to lose more. The fact is that no one is replacing them. We need to be cleverer, and think in a lateral way to ensure that, yes, we tax people properly, but that businesses grow and remain accessible to our residents.

10.5 am

Mr Clive Betts (Sheffield South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for York Central (Rachael Maskell) on securing this important debate about the relevance of business rates to our local communities, and the impact that they may be having on them.

I may approach the debate slightly differently, from a local government perspective, because I have the privilege of chairing the Housing, Communities and Local Government Committee, which has looked recently at business rate retention. The Committee will also look at the future of the high street in an inquiry for which we are taking evidence.

First, I am pleased that the motion moved by my hon. Friend is about a "review" of the business rates system. I think that is important. I wish to begin by saying that I hope we end up with a review rather than a complete abolition of the system. I am sure that the Treasury will be the first to say that abolishing taxes and starting again has slight dangers attached to it, in terms of a complete dislocation. Reorganisations on that sort of scale rarely go well.

I would also argue that property tax is quite important. We tax many things in this country. Nobody particularly likes taxes, but taxing property in some way is quite an important element of our overall taxation system. Of course, households pay a property tax—through council tax at one time. Some of us have been around in various forms of representative government long enough to remember when we had a rating system that covered both domestic and non-domestic properties. The change

[Mr Clive Betts]

was made when the poll tax was brought in, and business rates were effectively nationalised and council tax came in instead.

Secondly, we have to make it clear that business rates are an important source of local income for councils. Councils have a Government grant, council tax and business rates—that is basically it. They can raise certain charges, but those are their meaningful sources of money. I would strongly argue, and the Committee has, that over time we should find more ways for councils to raise money at a local level, so that local people can see accountability and the direction between the money they pay and the services that they get. However, that wider discussion is for another day.

The issue is becoming more important because in 2020 the Government intend to move to 75% business rate retention from the current 50%. Some pilots are doing 100% around the country. Increasingly, it is not about merely the totality of business rates, and what is raised in a local area is extremely important for that council. The Finance Bill before the election was going to move to 100% business rate retention. I am disappointed that we have stopped at 75%. The Government say that they will look in the future to moving to 100%, but that makes it even more important that we do not just tear it up and start again.

Matt Rodda (Reading East) (Lab): I urge my hon. Friend and colleagues to consider the importance of continuing the pilots for retaining 100% of business rates, which many local authorities in the pilots find very effective. The Berkshire unitaries all have a one-year 100% retention, and they very much wish to continue that. If the Minister considered that, I am sure it would be greatly appreciated in our county.

Mr Betts: That was a very helpful intervention. It shows that some very interesting things are going on at a local level. Very often, ideas begin in local government, are tried and tested at a local level, and then are moved on to the whole country. It is very important that we do not simply say that now we want to move away from the whole system, and leave those valuable lessons unlearned and unapplied.

The other point is that there is the capability for even more local control of business rates. In the days when we had domestic and non-domestic rates, councillors set the rates. They were nationalised when the poll tax came in and the control for setting the rate in the pound was moved to national level. That is an argument that we have had on the Select Committee. I would like to move towards more local control eventually and the system is at least capable of doing that. Business rates are also easy to collect and difficult to avoid, and we should see that as quite a strong benefit of the system.

The right hon. Member for East Devon (Sir Hugo Swire) raised some very pertinent concerns about the impact on high streets, which we see whether it is a village, a small town or a major city. We see derelict shops and the change that is happening. The Select Committee is therefore taking evidence in an inquiry on what high streets are going to look like in 2030. We are trying to look ahead to see what change is happening and whether people are planning for it.

A good point was made about the planning system. We ran an inquiry a few years ago on the high street, and it was stark then that very few councils seemed to be adapting their local plans in recognition of the change in shopping habits. Everyone can see it happening, but nobody seemed to be recognising it when they were looking at what town and city centres would be used for in the future. That will be an issue to address.

I know business rates are an issue for some small retailers, and I will come on to a couple of points we ought to address, but I suspect that that is sometimes an excuse when the real issue is the change in shopping habits. People are just changing what they do. Whatever shopping centre it is, people are simply choosing not to go there, or, as has already quite rightly been said, they go to have a look and then buy online. About 30% of retail shopping is now done online. There cannot be that degree of change without an impact on the retail floor space needed. All the signs are that that is going to continue, and I am sure it is one of the issues we will address in our inquiry.

We are also going to look at some of the things being done by retailers and the property owners, such as the company voluntary agreements that are coming out now as retailers try to negotiate their leases effectively, with a bit of pressure. The retailers did sign up to those leases and there are reasons why they did, sometimes on a long-term basis. We are going to have a look at the issues there as well.

We will also look at revaluations, but we have to remember that revaluation is a zero-sum game: it simply changes who pays what and does not actually raise more money. I am not saying that some centres and high streets are not disadvantaged, but somebody somewhere is probably gaining in the system, which is something that we have to think about.

Two points that we have to look at were powerfully raised by my hon. Friend the Member for York Central. In terms of retailing, the change in shopping habits is to businesses that by and large pay very little in business rates. That is absolutely fundamental if we are going to review the system. How do we get from a system that is a bit archaic and a bit stuck in a particular rut, to a situation where we can charge more for those big online retailers, and indeed the out-of-town shopping centres that were mentioned? Why do they pay relatively so little in rates, compared with the often smaller shops on the high street?

Ruth George: My hon. Friend is making some excellent points. Does he agree that we need to make sure that we incentivise British businesses that trade in this country and make sure that they cannot be undercut, whether on the high street or online, by companies that are directly importing and often avoiding customs and other charges by doing so?

Mr Betts: It is important that we look at those issues in wider taxation. I am not sure we can quite go there this morning, but we certainly need to look at whether we can tax some of those major companies—we know the international conglomerates of online shopping without necessarily having to name them—on the turnover that they have in this country rather than on the profits that they declare, as they move those profits into the lowest-tax countries. Of course that is what happens.

There is a wider tax issue about how we deal with some of those online companies, but in terms of business rates, the unfairness between them and retailers on the high street is very stark, as with out-of-town shopping centres. It always seems unfair. I have a major out-of-town shopping centre in my constituency, Meadow Hall, which provides a great service to people, is incredibly well used and provides a lot of jobs, but nevertheless the rates paid there are not comparable with those paid by many shops in the high street.

We also have to bear it in mind that business rates are not just about retail. Commercial, manufacturing and other businesses pay rates and there are some disparities. One point we picked up was that where manufacturing industry innovates and improves, it gets an increase in business rates on that improvement. There is something odd about taxing improvement in that way. We should also look at that. There are some other strange things, such as hospital trusts trying to claim exemption from business rates, or lower rates, under charitable status. I mean, come on—that is about moving money from one bit of government to another! The hospitals are saying they are not going to pay, but then local authorities do not get the money. The Government have to sort out those issues. There are some nonsenses around.

If there is a review and there are changes, we have to be very clear that, if the Government legislate for those changes nationally, there is a mechanism to compensate local government for any money that it loses collectively. After 2020, that is going to be quite a challenge. My understanding is that when the 75% retention of business rates comes in in 2020, local authorities will receive only council tax and business rates, which will then be redistributed in some form. There will not be a central Government grant, so if central Government are going to compensate local authorities for any change to the business rate system that reduces the amount of money in total going into local authorities, how will they be compensated? That is a challenge we all need to think about.

10.16 am

Derek Thomas (St Ives) (Con): I thank the hon. Member for York Central (Rachael Maskell) for securing this debate. It is one that I wanted to secure, but I was not successful, so I am glad to have the opportunity to contribute again on the subject. The Minister might just groan when he hears me speaking again—he has heard the issues several times before, and I was glad to raise them in last week's Opposition day debate.

I agree with my right hon. Friend the Member for East Devon (Sir Hugo Swire) that the Minister is engaged and keen to resolve this issue, and I understand how complex and difficult it is, so I will not be unfriendly in my remarks, but I want to reiterate some points I have made before, as well as bring up an issue that Cornish colleagues have been concerned about, but which has not gained any traction here in Westminster.

Issues with business rates lead me to believe that the system must be scrapped. One reason for that is the significant housing issue in Cornwall. It is a real challenge to provide and retain houses for local families and for people who live and work locally and who want to work at the hospital or in public services perhaps, but who just cannot secure the housing they need.

Everyone who lives in a house, unless they are on some sort of benefit, pays council tax, but if someone has a property that they own and which they choose to use as a holiday let, it can be registered as a business and they can avoid paying council tax altogether and then claim small business rate relief. I live in a three-bedroom house and I pay £1,600 a year to live in that property; I contribute, as lots of families do. A property next door is paying no council tax whatever, so it is not contributing.

We have a cross-party campaign in Cornwall on this issue. The real tragedy is that it is possible for a second-home owner to advertise his property as available for rent and also claim small business rate relief. Other Cornish colleagues and I have been raising that issue since we were first elected in 2015. I do not think the Government are fully engaged and fully understand the challenge that that poses for a community such as Cornwall, which needs every penny it can get. There is an opportunity for the Government to close the loophole and collect more tax, completely fairly. I urge the Minister to look at that again and to give his Cornish colleagues some cheer when it comes to trying to address our housing problems.

On the high street, my constituency also has shops that have closed since Christmas. There are lots of reasons, which include ridiculous parking increases and an obvious change in customer behaviour, but there are also business rates. In the 2016 review, St Ives saw quite dramatic increases, along with London and the south-east and other areas. It was a significant shock to many businesses.

I have examples that show that the way business rates are calculated does not make any sense. It is not clear why one shop should pay one amount while the shop next door pays something completely different. If we could understand the business rates arrangement, and if it were equitable, perhaps it would not be such a problem, but some shops have no idea why they are being charged such sums, and the check and challenge process does not help them.

Behind the headlines about the big retailers and multiples, a number of small businesses are closing or threatening to close. I have said previously in this place that about 11 businesses have told me that they do not believe they will see it out to the end of this year. Their problem is that they own their building or have a stake in it, so they have to carry on paying business rates even if they can no longer function as a business. That is a depressing message to send to what we used to describe as hard-working families.

The issue of business rates is complex; it is not just about consumer behaviour and people choosing to shop online. I disagree with my right hon. Friend the Member for East Devon. I can barely work out how to enter my card details online, so I tend to go to a shop when I have a spare moment.

Let me give examples of what is happening in my constituency. In Penzance, No. 8 has 90 square metres and is paying £14,750 a year. No. 8A, a similar property right next door—I cannot tell the difference between them—has 88 square metres, so 2 square metres less, and is paying £18,250. The Valuation Office Agency has not been able to explain the difference between them. The Minister has been engaging and helpful, and has asked about that. My office is working up a few examples of that nature so they can be investigated and studied.

[Derek Thomas]

In one sense, I am being fairly unhelpful, in that I am raising an issue about which the Minister has already invited me to give him details. We are doing that and will get them to him soon.

In Helston, Betfred has 132 square metres and pays £13,500 a year. Next door, an independent deli in a much smaller building of 123 square metres—I would love to show hon. Members the photos—is paying £16,250. We have done everything we can to support that shop with the Valuation Office Agency, check and challenge, and the local authority, and to try to get it some help. It has had a small reduction, but the bottom line is that the owners get out of bed in the morning and have to find that money before they do anything else. They cannot understand why Betfred—a multiple next door, with a much bigger shop front and, sadly, a busier shop—is paying £3,000 a year less.

In St Ives town itself, there is a fudge shop of just 20 square metres that pays £13,750. St Ives fudge is world renowned, so it is understandable that people want to shop there, but that does not justify the fact that the Government or the Valuation Office Agency have decided that for just 20 square metres it needs to pay nearly £14,000 a year. There are lots of examples in St Ives town of what seem to be arbitrary increases.

I recognise that the Government have introduced lots of measures to try to support such shops and have enabled local authorities to offer help, but we have not seen the benefit. One pub in St Ives has had real help from Cornwall Council, but those other shops have been left to find the money month in, month out. The problem with St Ives—this is the nature of the high street in a popular town—is that an entrepreneur who wants to make a go of running a shop in the town centre will have to pay whatever rent is required, because that is what the absent landlord asks for, and there are few other options. They last perhaps nine or 12 months. When they leave, the rent goes up, and a new aspirational person comes in and tries to set up a business there. Their short lifespan has an impact on the business rate valuation, and on all the other shops, which might have been there for 100 years. Since Christmas, we have lost the local fruit and veg shop and all sorts of other businesses that served the community for 100 years or more.

The real tragedy is that, previously, holiday makers would flood to St Ives and buy what they needed for the week. Now they arrive and the truck from the local supermarket, which might be travelling from Truro, will turn up and deliver all they need for the week, above the very grocery shop that would previously have sold to them.

That is about consumer behaviour, but the real challenge is that business rate charges are not equitable. More than a year ago, I got the Valuation Office Agency to come to St Ives to meet a room full of concerned business owners, and it refused to comment on any individual business. All it did was explain how we could do the check and challenge. Those businesses are in a busy part of town, so they might be expected to be financially successful. The owners work extremely hard day in, day out to make their businesses work—often, they do not have time to jump through the hoops, although many of them did—only to be told they are paying the right amount of money.

I want to ask for three things. First, we should review the review. I know we have another review, but we need to look at what happened 18 months to two years ago, and at why some shops and retailers saw ridiculous increases. We need to do something quickly to address that now, because those businesses are going out of business.

Secondly, the point about local authorities keeping the money from business rates is important, but town and parish councils also need support, because there is often a double devolution situation, with powers shunted down without money. In Helston, the town council—it would be great to have a pilot, along with York Central—would love to grapple with its town, make it vibrant and support the high street, but it has no money to do that.

If we are not going to get rid of business rates, it would be great to allow town councils to retain 1% or 2% of the business rates collected. For Helston, that would be about £200,000 a year, which would give the council the power to transform the shopping experience on the high street and support the very people who are spending that money. I know that 1% or 2% is a lot of money, but it is quite a small chunk of what is collected and would give the towns a fighting chance.

Finally, I recognise that the Government need to collect the 2.4%—

The Financial Secretary to the Treasury (Mel Stride): It is 24%.

Derek Thomas: Is it 24%? Golly! I know the Government need to continue to collect that money, and I am absolutely in favour of the transaction tax. A high street business should pay the same rate on an individual item as an out-of-town store or an online store pays. There must be a way to make taxes fair. There must be a simple way to make tax digital that enables the Government to continue to collect the money they need while ensuring the system is fair for all those who seek to sell items to customers.

I am grateful for the opportunity to speak in the debate, and I appreciate that the Minister is listening and wants to resolve the difficulties that high streets face.

10.28 am

Ruth George (High Peak) (Lab): It is a great pleasure to speak in this debate. I thank my hon. Friend the Member for York Central (Rachael Maskell) for securing it and allowing the very thoughtful discussion from all parts of the House to take place.

I am chair of the all-party small shops group, and I worked for the Union of Shop, Distributive and Allied Workers for longer than I care to remember before coming to this place, so retail holds a very special place in my heart, especially the small businesses that generate the employment that we need, but businesses and employment are under pressure.

We have heard from colleagues from across the House about how the 2015 valuation hit small businesses particularly hard. One convenience retailer in three saw an increase in its rateable value, as I mentioned earlier, and small shops have seen an average increase of £3,600 over five years—an average of more than £700 a year. That really hits their profit margins, which in most cases are already under threat due to changing shopping habits.

We have all heard about the need to support high streets up and down the country, from the city of York to high streets in rural areas such as in Devon, Cornwall and my own area of High Peak. I echo the sentiments of the hon. Member for St Ives (Derek Thomas) about businesses as holiday lets, which is an issue in the Peak district and elsewhere in the country.

Retail is not the only issue. In my area, pubs in particular have seen a huge increase in their business rates due to the change in how they are valued and the turnover basis. For example, the Anglers Rest, a community pub in the small Peak district village of Bamford, was on the verge of closing down but the community came in, took it over and brought that beautiful building back to life. It is one of the only services in the village, but it provides a post office and a village shop, as well as a pub and a café. It keeps that community thriving.

The Anglers Rest is run on a not-for-profit basis and its annual surplus income last year was about £3,000, which was needed for capital expenditure on replacements and doing up the pub. The business rates, however, increased from £11,500 before the revaluation—in effect, the pub had nothing to pay, because it had both rural rate relief from being in the very rural Peak district and small business rate relief—to £21,750, which is a bill for a further £10,000. It does not take someone of the financial stature of the Minister to realise that a surplus income of only £3,000 and a rates bill of more than £10,000 puts that community venture at risk. That is detrimental to the entire community, to which that venture is so important.

Another concern expressed by pubs in my constituency about the turnover basis of the rates is that the valuation goes online, listed among other pubs in their area, and that is seen as a shopping list by criminals looking for cash-heavy businesses. As businesses with high turnovers are being targeted, local pubs are concerned that that could be due to the release of information so readily available online. Criminals are not that stupid; they are quite capable of researching which places take significant amounts of cash.

Will the Minister have a look at that issue, which concerns pubs in my area? We have seen an increase in crime—in till snatches—which is worrying for small businesses and their staff in particular.

That is also why, earlier, I mentioned investment in CCTV. Many businesses feel that they have to make that investment now, either because crime is so high that they need a deterrent or because insurance companies often insist on installation of CCTV and other security measures to make premises viable to insure. Businesses, however, are hit with not just the insurance costs of being a victim of crime, but additional business rates.

I hope to see a system, however it is calculated, that does not penalise businesses for investment. A deterrent could be provided with time-limited exemptions for new developments, and we would see greater investment. The convenience store sector invested £856 million in premises over the past year, and any increase in that investment would benefit not only high streets, but the Exchequer.

Communities would all see the benefit too. The Scottish Government's growth accelerator scheme, for example, delays increases in business rate bills for 12 months, allowing businesses to recoup their investment at least in the initial year.

I am not sure that turnover-based methodologies will be helpful in the retail sector, in particular for convenience stores and the like, which might have a high turnover but a very low profit margin. Petrol forecourt sites are rated on a turnover basis, which causes discrepancies when retailers invest in a convenience store on the same site. They find that it is rated under the same system, causing huge rating bills, which prevents the forecourt retailers from expanding their businesses to offer services to the whole community, often in areas where there is little retail opportunity.

Another issue is to do with cash machines, as has been said. Access to cash is key, in particular on high streets and in rural areas. Retailers are billed an average of £4,000 for hosting an ATM, which is in addition to the rates payable on their shop. I hope that the Minister will look at free-to-use cash machines because they are extremely important for retailers and do not often lead to an increase in turnover commensurate with their business rates increase. The increased risk of crime that unfortunately arises from hosting ATMs means that businesses in my constituency are reluctant to take one on in areas that are in desperate need of them.

I ask the Minister—I am sure that this is a subject close to his heart—to look at the impact on employment of the turnover basis of rating. Pubs that want to open for a few additional hours to increase their turnover, taking on extra staff and growing their business, are disincentivised by the fact that turnover is the basis of their business rates, as they get no relief for the staff. They simply get taxed additionally on the turnover, whereas business taxation is based on profit.

Finally, the “check, challenge, appeal” scheme is an absolute disaster for businesses that wish to challenge their rateable value. Only one case has got to the appeal stage. By February, we had seen a 90% decline in appeal cases lodged. The check stage requires ratepayers to input details about their properties, which needs significant research on details such as the construction date of the building—quite a challenge for some of the properties in my area. The challenge stage requires ratepayers to provide an alternative valuation and to supply all the evidence needed within four months, which is often quite a hurdle. The appeal stage now requires businesses to pay a refundable £300 fee, or £150 for small businesses, which is another disincentive for businesses to go ahead.

There are plenty of issues for the Minister to look at and, I hope, respond to. I welcome the debate and the chance to speak.

10.38 am

Peter Dowd (Bootle) (Lab): It is a pleasure to serve under your stewardship, Mr Gray.

I thank my hon. Friend the Member for York Central (Rachael Maskell) for securing this debate. It is important to put the issue of business rates into context with regard to the amount of money they raise in receipts. In 2018-19, the rates will raise £30.5 billion, the sixth highest tax receipt in the country. That is a substantial amount of money. We need to look at the business rates again, and in context.

I am pleased that my hon. Friend mentioned the turmoil on the high street, although that is not equal across the country—in some places, there is even more turmoil than in others. Nevertheless, the general tone is

[Peter Dowd]

one of turmoil, with 10,000 stores to close, including the casework examples she alluded to. The prevarication needs to stop, and I am pleased that my hon. Friend gave us four ideas to consider.

The right hon. Member for East Devon (Sir Hugo Swire) made a point about the Valuation Office Agency. It is important that the VOA plays a part in this but, in reality, as an agency it can only play the hand it has been dealt. Yes, it may be able to sharpen up its footwork, but that does not go to the heart of the matter. However, I do see his point about the concoction of planning and parking—he raised several issues there. On parking, as local authorities have been denuded of support from central Government, they have tended to change how they get their money, given the reduction in grant. They're damned if they do and damned if they don't.

My hon. Friend the Member for Sheffield South East (Mr Betts) talked about more local control. That is a potential way forward, because as we are giving less money to local authorities from the revenue support grant, there has to be some more flexibility. That should be considered as part of the review. As the hon. Member for St Ives (Derek Thomas) said, it is a complex situation. Second homes is an issue that affects different areas of the country in different ways. He talked about the business rate calculation not being sensible, but that is a technicality. Trying to pin down how a valuation is arrived at does not deal with the heart of the issue: if £30 billion is being raised a year, how and where should it be raised and in what context? We need a review of business rates. My hon. Friend the Member for High Peak (Ruth George) said that there are strains on businesses. Her point about cash machines is a crucial issue in many areas. I am glad that it has been a thoughtful debate.

Business rates are causing a great deal of crisis in our retail sector, which is the UK's largest private sector employer. In the first few months of this year, 21,000 jobs were lost due to closures. Thousands of working people face an uncertain future, and that has sent ripples through the retail sector. Only this week, Poundworld fell into administration, putting 5,000 jobs at risk. That follows administration or store closures at Maplin, Toys R Us, House of Fraser, Marks & Spencer, New Look, Carpetright and Mothercare.

The Government must recognise that there is barely a British brand left that is not affected by what many consider to be a hostile environment, given the business rates situation, whether by design or default. The high street is being denuded because the review has gone on and on. The Government have taken their eye off the ball. I do not want to introduce the "B" word, but Brexit must be a factor. Everything is dominated by Brexit, so the crucial day-to-day issues are not being picked up as they would and should be.

The independent retail analyst Richard Hyman predicts that 20% of retail space will close over the coming years. My hon. Friend the Member for Sheffield South East alluded to that and we must give thought to it—that is before we even get on to poor pay and faltering productivity, both of which are driving poor consumption across the economy, as well as leading to pretty miserable lives for so many in precarious work. Why is this happening? Last week, the chief executive of Tesco blamed the

collapse of these retailers on the Government's business rates policy, saying that it played a "large part" in sending some retailers to the wall.

The Government's approach to business rates has been combined with, in effect, inaction, which has left a significant portion of the British economy exposed. There has been one review after another; there is nothing wrong with a review and we are quite happy to have them, but we would have to not let the review drift but taken action, as I am sure you would, Mr Gray. Uncertainty does not help.

The problem has been exacerbated by structural changes in the retail sector. For example, 791 villages and towns in England and Wales will face higher tax bills. Rates are rising by up to 500% for half a million businesses. That cannot be right. The rise will cause the average small shop to be hit by an extra £3,600 in rates over the next five years. Nearly three quarters of small companies say business rates are the most important issue they face. What is worse, at the same time, some large supermarkets' rateable value has reduced by nearly 6%.

Online retailers, which have been referred to many times, have benefited from the structural shifts in retail and are the also winners of the Government's business rate changes. The bill of online retailer ASOS fell from £1.17 million to £1.14 million, despite UK sales growth. The Government are in a business rates mess—it is no good pretending that they are not. The mess is hitting those who cannot bear the brunt of the tax changes, while letting others off the hook.

The Government will claim that they are introducing a package of support to mitigate the steep increases that have resulted from the seven-year wait for a revaluation, yet the Federation of Small Businesses does not take the same rosy view. They have called on the Government to

"speed up help for small firms facing unacceptable increases in their Business Rates",

while arguing that the £300 million relief promised in the Budget has not made its way to businesses. Perhaps the Minister will let us know what the hold-up is. It is the same old story: we cannot rely on rhetoric to cover things up. The Government have to recognise that the cracks are getting bigger. In some areas, panic has set in, with major newspapers now reporting on a "high street crisis". We do not want that panic to spread—I accept that it is overblown—and we do not want the Government not to deal with the matter and to put their head in the sand.

If we want to continue to have a high street, we must follow steps for business rates such as introducing a statutory annual revaluation, to stop business facing periodic and unmanageable hikes and to guarantee a fair and transparent appeals process—that has been touched on in the debate. The Government's seven-year wait for a revaluation was one of the major reasons the process descended into chaos. Had the Government got their act together, businesses would not face such steep rises in valuations and could plan accordingly. It is quite shocking in certain situations how companies and businesses are being treated.

We would exclude new investment in plant and machinery from future business rates revaluations, to encourage investment. After eight years of the Government's economic policies, we have the lowest productivity in the OECD;

businesses must be incentivised because they are relying on pools of precarious, cheap labour rather than investing in fixed capital. That is especially the case in the retail sector. Government business rates policy should reward shifts to more productive models. I hope that we will be able to deliver on that.

Overall, we want fundamentally to reform the business rates system in the age of online shopping, to ease the burden on traditional high streets and town centres and to create a fairer system of business taxation for the £30 billion that comes in. We must recognise the gigantic shifts happening in the sector, and ensure that our fiscal framework properly adapts to that. It is not about hoping another review will make it all go away; our reform of business rates must be considered in the context of our wider support for small and medium-sized enterprises.

We want to build an economy for the many businesses, not the few. That means supporting small businesses so they can compete on a level playing field, rather than playing to the interests of big companies and monopolies, which seems to be happening all too often. To do so, we have committed to increasing lending to small and medium-sized enterprises, through our network of regional development banks. We have also committed to introducing a lower small business corporate tax, which would ease the burden on smaller retailers. We would scrap quarterly reporting, to end the scourge of late payments and reform.

Labour is offering a number of proposals, but the Government must act as soon as they can, to stop the prevarication.

10.49 am

The Financial Secretary to the Treasury (Mel Stride):

It is a pleasure to serve under your chairmanship again, Mr Gray.

I congratulate the hon. Member for York Central (Rachael Maskell) both on securing the debate and on the tenacious approach she has rightly taken to the extremely important matter of business rates. I thank her for her comprehensive contribution, and in particular for the examples she gave of high street businesses—I think we all recognise that many face considerable challenges. I also thank the various other speakers, who raised numerous points. I intend to pick up on as many as I can, but I would of course be happy to engage with Members outside the Chamber on any that I omit.

I thank my right hon. and gallant Friend the Member for East Devon (Sir Hugo Swire) for his kind remarks about the amount that I care about this issue and for referencing my business background. I fully appreciate what a struggle it is in the business world, even when times are extremely good. It is never easy to go out and employ people, to generate wealth and to have a successful business. I also appreciate that business rates are one of those taxes that businesses simply cannot avoid—they are paid irrespective of profitability, which of course has particular consequences in some cases.

We need to put this debate in context. A number of Members said that business rates are an issue but are not the totality of the pressures that our high streets face. We heard much about the challenges of online marketplaces and of the planning system—when there is a change of use of businesses that reside on our high

streets, for instance—and my right hon. and gallant Friend raised the issue of parking. Myriad issues impinge on this space, and I think we are all seeking to ensure that taxes right across the system are competitive, that there is fairness among those who are expected to pay them, and that they are collected, so that we minimise tax avoidance at every stage.

That brings me to the comments by the hon. Member for York Central about possible alternatives to the current rating system. She mentioned a tax on revenue or on profitability. As soon we started to tax revenue, we would run into the problem that businesses that were not profitable still had a turnover. For example, a new entrant on the high street that we all wanted to thrive may get throttled by the kind of approach that she suggests. If we went for a tax on profits, there would be the potential for profit shifting. If there were a particular regime in one area, businesses may move profits around between multiple enterprises to reduce their overall tax.

The hon. Member for Sheffield South East (Mr Betts) recognised that. He made the important point that business rates have a distinct advantage when it comes to avoidance, because buildings cannot be shifted around in the way that it might be possible to shift other metrics. He also raised the 100% business rates retention pilots and expressed hope that we would pursue that measure. We will pursue it with vigour. I am watching it very closely in Devon, where the pilot scheme is also operating. I very much look forward to catching up with the report of the Housing, Communities and Local Government Committee, which he chairs.

My hon. Friend the Member for St Ives (Derek Thomas) raised the issue of second homes being designated as businesses because they are holiday lets. We are engaged with the VOA to ensure that no abuse occurs in those circumstances. He will be aware that certain criteria have to be met for individuals or companies to treat properties in that way. I am happy to engage with him outside the Chamber on that issue, because he raised one or two interesting points. He also raised the issue of different businesses paying different rates and gave an example of two businesses right next door to each other. He and I have discussed that, and I look forward to looking in greater detail with him at the examples that I know he will come forward with.

The hon. Member for High Peak (Ruth George) raised a point about pubs and suggested that information being made available to the public might drive crime. I am certainly prepared to look at that. I imagine that those who are out to raid the premises of pubs have other measures by which they might be able to discern whether a lot of cash is being taken—how many people are in there drinking on a Friday night, for example—but I am certainly happy to speak to her about that. She also raised the way pub rates are calculated. They are valued by the VOA using the fair maintainable trade method, which has been agreed with the British Beer and Pub Association.

Let me point out the numerous things that the Government have done on business rates to support businesses. In 2016, we announced around £9 billion of relief on business rates. We made the 100% small business relief permanent, which took 600,000 businesses out of rates altogether. We increased the threshold for the standard multiplier, removing 250,000 businesses from the higher rate of business rates. Of course, we were able

[Mel Stride]

to do that only because of our prudent stewardship of the economy, which has allowed us the space to provide that relief to the business community.

I have limited time, but I will dwell for a moment on the online business threat, which a number of hon. Members rightly raised. There is a growing number of online businesses in this space, and an increasing number of purchases are happening through online companies. It is important to make the point up front that when we refer to some of those companies paying relatively small amounts of tax compared with high street operations, we are talking not about tax avoidance but about whether the way the international tax regime operates is appropriate or functional for the 21st century. It is not. We need to find different ways of taxing online platforms, whether they are search engines, social media platforms that generate revenue, or online marketplaces, where significant value generation occurs through the relationship between users based in the UK and the platform itself.

Sir Hugo Swire: It is reassuring to hear the Minister say that we need to look at ways of taxing those rather more mobile forms of purchasing online. Will he say whether there is a team in the Treasury doing that, and when it is likely to report?

Mel Stride: There is indeed. I am personally engaged in that matter, which has been taken up at the OECD and the European Union. They have both produced interim reports on the issue and suggested that we might look multilaterally at some kind of revenue-based taxation, albeit—to get back to the problem of revenue-based tax—we do not want to choke off new entrants to the marketplace, which may be loss-making, so there may have to be some de minimis thresholds associated with that formula. We are actively pursuing that on a multilateral basis with countries in those two institutions. I discussed exactly this issue with Finance Ministers from OECD countries at the ministerial meeting of the OECD in Paris last week. We have made it clear that, although it would be most beneficial to move multilaterally with other countries, we will make a unilateral move if we need to.

I am conscious that we are down to the last minute and I would like to give the hon. Member for York Central an opportunity to respond, so I will draw my remarks to a conclusion.

10.59 am

Rachael Maskell: My constituents will be very disappointed by the Minister's response, because he did not respond to the specific questions I raised. We have a broken business rates system. The fact that the system takes only £30 billion but requires £9 billion of relief is in itself evidence that it is broken and in need of urgent repair. In the light of the many cases that hon. Members have raised, the Treasury needs to pay greater attention to this issue.

Motion lapsed (Standing Order No. 10(6)).

Parking Charges: Chippenham

11 am

Michelle Donelan (Chippenham) (Con): I beg to move, That this House has considered Chippenham parking charges.

This week in Parliament, we are discussing the two issues that I would argue are the most important to Chippenham residents: Brexit and, believe it or not, parking. I should say that those are the two issues on which I receive the most correspondence. Parking is an issue across the constituency, but today I shall focus mainly on the town of Chippenham, where problems are the most acute and could easily be dealt with, and from which the majority of businesses and residents contact me. For instance, the situation in Bradford on Avon, which I represent, is more challenging because space in that historic town is at such a premium. I have campaigned on parking and parking charges in Chippenham for many years, from well before I was elected as the local MP, and the recent council proposal on parking charges left me with no option but to call this debate.

I completely empathise with the council's motivations and thought processes in this area, but I hope to highlight the need for it to think again and to press the Minister to respect devolution but consider publishing best practice on this topic. As an MP, I have no power to dictate parking policy, nor should I, but I must stand up as a champion of my residents and businesses, as it appears that their voice has not been listened to or heard.

Chippenham's parking problems are twofold, as I am sure you are aware, Mr Gray, having represented the area yourself. First, prices are too high, and further proposed increases in prices and charges will cripple our local high street and town centre businesses. Secondly, the number of spaces available is far too low to accommodate the town's residents and visitors, and the staff that businesses need. It is important to note that both those problems need addressing.

In 2014, I conducted a local survey on parking charges and the key findings were that 93% of residents agreed that parking charges were—then—too high, and 88% of residents said they would shop in the town centre more often if prices were reduced even slightly. I raised the topic as one of my first questions to the Prime Minister on the support we could give market towns. The then Prime Minister, David Cameron, stated that he would argue

“in the case of market towns, that we should make parking easier—and, preferably, free.”—[*Official Report*, 8 July 2015; Vol. 597, c. 315.]

A key point is that since the Salisbury incident, overall, Chippenham residents are paying the highest fees of all towns in Wiltshire for parking per hour and for permits. Prices went up in February, which I fought against to no avail; I still await the results of the consultation. Those increases mean a total increase in the last two and a half years of up to 15%. However, it is the new proposals that are deeply worrying: parking season permits would increase by 145%. That is a problem for all my constituency, but most acutely for Chippenham. Some key local businesses, not just local retail offerings, are based in the town, and both have barely any of their own parking. Staff are therefore forced to park in car parks.

The other change is to introduce parking charges on Sundays and bank holidays, which will damage all of Wiltshire and is beyond short sighted. The average car parking charge in Chippenham is £1.20, and a premium season ticket is already more than £1,200. Council representatives have regularly disputed that charges deter shoppers or affect the high street. It is therefore ironic that one of the first things done after the Salisbury incident was to introduce free parking there for three hours in the city centre to boost footfall. Let us not forget that the national planning policy framework states:

“Local planning authorities should set appropriate parking charges that do not undermine the vitality of town centres”.

Taxpayers and consumers should always get value for money. As you know, Mr Gray, Chippenham is a small and beautiful market town, and one that is brilliantly placed for businesses to locate. However, that price should reflect the relatively small offering, which is not on a par with that from a city or a large town, although the charges as they are set—as they will be following these changes—suggest that it is. People will pay for what they get: the residents and employees of Chippenham are not asking to pay nothing, but they are asking for a fair parking and permit price.

One local resident who corresponded with me on bank holiday and Sunday charges wrote:

“The town centre is already struggling and this will only make things worse. You can go to Trowbridge, which has more to offer and where the parking is far cheaper...or as we now often do...go to Yate, which is free.”

That speaks volumes—we are literally driving our own residents out of our own town.

The disproportionate prices are killing our high street. Yes, the internet and changing buying behaviours are also key, but as Juliet Davenport, chief executive officer of Good Energy, one of the largest companies in Chippenham, said, this is making the “task harder”. It is something we simply do not need to do. When it is cheaper to get a return train ticket to Bath or Swindon than to park in Chippenham for the day, it is a no-brainer, and I know which most people would choose to go shopping.

I stress that I am fully behind cutting down on vehicle use, but we simply do not have the cycle routes and sustainable transport network to enable people to leave the car to go to work or to shop. That is needed first. I also argue that when buying the *Gazette and Herald*, at £1.15, costs less than parking, someone will probably go to Sainsbury's or Morrisons just outside of the town, where parking is free, or to the Brookside retail park. When there, they might buy other things. The beauty of the high street is that when we go to buy one thing we see others, which helps to support the economy.

Let us not forget that the Portas review recommended that local areas should implement free controlled parking schemes that work for their town centres, and that we should have a new parking league table. Well, we have one in Wiltshire, but Chippenham is not playing well this season. Chippenham business improvement district, which represents 370 member businesses across Chippenham town centre, has been fielding a tide of complaints and concerns from its members on this topic. In fact, Sarah Andrews, manager of Mail Boxes Etc in Chippenham, said:

“The council need to be attracting businesses...not driving them away. I use Bath Road car park and the lines are not even drawn out clearly or maintained”.

I have had much correspondence on that. Although some of the money from charges is supposed to be reinvested in maintenance and the technology used in the car parks, that does not seem to be happening. Again, the argument is that there should be value for money and that people should pay a fair price. I reiterate that local residents are not against paying; they are against paying a charge that is not fair.

Our parking meters do not take card payments, but those in most large market towns across the UK now do. Our machines also do not give change, which means that someone who does not have the correct change is regularly losing 30p to 80p. The online service is patchy, given that we also have a number of notspots.

I must be clear: I fully appreciate that local councils use parking revenue to subsidise rural bus services, and I am not suggesting for one minute that we should cut those valuable services, which are lifelines for so many vulnerable, elderly and isolated people, but it is important to remember that we have lost a lot of our bus services in the last few years, so the policy is not working—and it is not sustainable, anyway. Plus, Sunday and bank holiday charges are expected to raise only £78,000 across Wiltshire, so they will cause more damage than they will raise revenue.

Damaging our high street to pay for rural bus services is not the answer. I have long argued for councils to look at smarter, more sustainable models such as regional bus contracts to fulfil their needs, rather than solely relying on parking revenue. In addition, and most importantly, starving towns of customers and encouraging businesses to leave serves only to reduce the business rate pot, meaning less money overall in the council's coffers in the long term. That makes little financial sense.

A retort that has often been floated is that austerity is causing the increases and changes, but it is important to remember that the money has always subsidised bus services, so that argument does not really stack up. Other areas have introduced sensible parking systems, which speaks volumes—the evidence base is there. For example, Braintree introduced a parking charge of 10p after 3 pm, and 10p all day on Sunday. Figures show that more than 44,000 extra cars took advantage of that over the course of the year, thus increasing business rates and footfall in the town. Local authorities in Middlesbrough and other places have done similar things, and even Swindon, our neighbour, has found that reducing car parking prices for short-term and long-stay car parks has increased footfall. The list goes on.

We all know that difficult decisions have to be made in politics—indeed, we as MPs know that even more than most—and sometimes cuts and price increases are the only option. However, we must always have red lines and make decisions based on the will of the community and its interests, the local economy, and the long-term plan for an area. Those must be our priorities, otherwise what are we in politics for? Hiking parking charges again does not do that, but instead smacks of short-term thinking that is simply out of touch with the town, its residents and the business community. We have such wonderful potential to attract so many more businesses, especially given our location.

[Michelle Donelan]

The consultation process was deeply flawed, which highlights my point. I have spoken to a number of businesses, the chamber of commerce, the business improvement district and multiple residents and community groups, all of whom had heard nothing about the consultation. The notice displayed on parking meters was, I think, in font size 10, and season ticket holders would never have gone to the meter to see it, even though they would be the most directly affected by the proposals. One constituent summed it up:

“I didn’t even know there was a consultation. What is the point of consulting when no one is given the chance to let the council know their views?”

As you might know, Mr Gray, I am somewhat passionate about parking—something many would find odd unless they lived in Chippenham. I invite the Minister to come to our wonderful town, which is nestled only 1 hour and 15 minutes on the train from Paddington, and sandwiched between Bristol, Swindon and Bath. It is a hub of engineering, technology and design, and has some of the leading companies in their sectors, such as Good Energy, Siemens, and MJ Church. We have a huge opportunity not only to retain those companies, but to build on them. However, the proposed changes to permits would particularly cripple the business community, because the staff spend in the retail offerings at lunch and in the evenings, and because a number of those businesses pay the permits for their staff.

For example, Alliance Pharma has said that if these changes are introduced it will simply leave, which would be devastating for our local economy. The managing director of accountancy firm Mander Duffill has said that it will stop its funding and encourage staff to park in residential streets. The business improvement district stated:

“Big businesses are threatening to leave the area if parking charges increase as much as is proposed...Town centres need a varied and robust offering”,

and that must be sufficient and well priced.

Let us be under no illusion: this is a very stark problem. The president of Chippenham chamber of commerce said:

“These changes will affect businesses in the town centre and will discourage people from visiting Chippenham.”

Little Waitrose has said that Sunday and bank holiday charges would mean closing its store. If all that happens, it will be devastating.

A Sunday charge has been suggested, but Sunday is the most profitable day for a number of businesses to which I have spoken, especially in the independent sector. In addition, a Sunday charge would make it harder for people to go to church and worship—churches in our towns do not usually have parking facilities, so this would basically be the introduction of a tax on worship across the constituency.

Even in Edinburgh, which has strong transport links, religious leaders warned that churches could close after plans to introduce parking charges on Sunday mornings were mooted. Our towns do not have the same transport networks or the available spaces that Edinburgh has—imagine the effect! Public holiday charges would particularly

damage our restaurants and bars, and they would deter people in our community from going to community events.

Let me spend a couple of minutes talking about spaces—a self-explanatory yet infuriating argument. A common argument used to defend the car parking pricing structure is the regular high levels of occupancy. That is true, but it highlights a second problem, and one should not be used to justify the other. Indeed, high levels of occupancy are often part of the answer given, but that is easily solved: we could double-deck one of the car parks, with that in Bath Road being the easiest solution.

The lack of availability of parking spaces in Chippenham is acute and is pushing people into parking on residential streets, especially in Monkton Park, Wood Lane and other areas from where residents contact me daily to complain about the problem. The issue can prove dangerous for ambulances and service delivery, and even for rubbish collections.

Chippenham has about 31% fewer parking spaces than the national average. Trowbridge has more spaces and its population is 10,000 fewer. In 2013, the British Parking Association published “Re-Think! Parking on the High Street”. Its findings showed that there is a key relationship between the quantity of car parking and footfall in town. If we want our towns to grow and develop, and to support businesses, we need more parking spaces. We need to learn from neighbouring areas such as Cirencester, whose council is investing in car parking, rather than reducing funding, and has created 150 new spaces.

We need sustainable solutions, but also plans that are smart and consider business rate revenues and the importance of regenerating our towns, rather than short-sighted initiatives that will strangle Chippenham, especially if the season ticket price increase goes ahead.

One solution is to increase the number of car parking spaces, because if there were more spaces, revenue would increase—the high footfall has already proven that argument. Charging on bank holidays and Sundays is nonsensical in all areas of the constituency, and we need more spaces in Chippenham to feed the demand. In essence, we need a co-ordinated and considered parking strategy that prioritises local businesses—our job creators—and local people, helping to boost our towns and protect jobs. I therefore urge the Minister to consider conducting a best-practice review and producing a document to assist councils such as mine, which seem to need help on this matter.

11.17 am

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): It is a pleasure to serve under your chairmanship, Mr Gray, especially in this Wiltshire-themed debate.

James Gray (in the Chair): Order. It might be helpful to remind the Chamber that although it is a Wiltshire-themed debate and I am a Wiltshire MP, I am here as Chairman and therefore I neither agree nor disagree with anything that might be said.

Rishi Sunak: Point noted, Mr Gray.

I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this important debate. She has been an incredibly long-standing champion for parking in her local area. From the moment she arrived in this place—and before—not only has she advocated on behalf of her constituents, but she spoke passionately about the Parking (Code of Practice) Bill on which I had the pleasure of leading for the Government some time ago. That Bill would clamp down on rogue parking operators, and she made a powerful speech in that debate.

My hon. Friend is also a champion of small businesses, and in many debates she has spoken with authority and passion about the importance of supporting small businesses, just as she did today. I congratulate her on all those things, and I very much agree with the central premise of what she is saying: high streets and town centres are a crucial part of our local and national economy, creating jobs, nurturing small businesses, and injecting billions of pounds into the economy. Key to a thriving town centre and high street is accessibility, and effective parking is a key element of that. The ability of shoppers and visitors to park is integral to increasing and maintaining footfall on our high streets.

For many people, their day begins and ends with parking their car. Local authorities should analyse people's need for parking provision, and adjust their strategies to support local need. Suitable parking provision is a matter on which local authorities must decide what is best for their area, as I am glad my hon. Friend acknowledges. As our communities are all diverse and unique, there should not be a one-size-fits-all approach, or a directive that comes from this office, and instead parking should be managed intelligently and be part of a wider holistic transport plan that is tailored to the needs of each local area.

The Government, together with key stakeholders and partners, promote the use of best practice and encourage the sharing of what does and does not work. We support the use of innovative techniques, such as flexible tariffs and the use of mobile technology, to create the most enjoyable experience for visitors to our towns and high streets. On that point, I am very happy to look at the Department's current operational guidance, which it provides to local authorities, to see whether there is any merit in revisiting it and making sure that best practice is more widely shared, as was suggested by my hon. Friend. I will also have that conversation with the Local Government Association in my work with it on this topic and others.

Research by the British Parking Association and the Association of Town and City Management shows that flexible and intelligent tariffs are a factor in the success of parking management strategies for high streets and towns. Perhaps that is the type of research that my hon. Friend would like to be shared more broadly. Richmondshire District Council instigated free parking for the Tour de Yorkshire in May. That encouraged people to come and enjoy a fantastic event. As the peloton travelled through my constituency, it was a boost to local businesses, supporting community spirit.

Unrestricted free parking is not always a magic bullet: it can have a negative impact on town centre footfall if spaces are used more often by workers or commuters parking all day, meaning that spaces are not available for leisure users such as shoppers. There is a balance to

strike. Intelligent tariffs, such as reduced parking charges or free parking, can be used effectively to incentivise people to visit their high street. My hon. Friend mentioned reducing the cost of parking to support local markets and events, or even during off-peak periods. That is a tool that the Government would urge local authorities to consider when developing high street parking strategies.

New technologies are supporting better access to high street and town centre parking. Technologies such as AppyParking give real-time reports of on-street and off-street parking availability, and they interface with payment apps used by local councils to offer a one-stop shop that allows users to find and pay for parking. Similarly, car parks are increasingly embracing technology to improve accessibility to customers. Larger parking companies, including NCP, now offer the ability to book spaces, giving motorists certainty that they can access high streets and economic centres conveniently.

My hon. Friend spoke clearly on the subject of high streets, and parking strategies that support our high streets and market towns are more important than ever. High streets are changing: we see it happening around us every week and the Government are committed to helping communities adapt. If a high street or market town centre is to flourish, local people, businesses and councils in an area need to work together to develop their own unique offer for the high street and town centre that resonates with the local community. It is not just about retail. People care about high streets because they are the centres of their community. Consumers are looking for a range of experiences when they visit a high street, from leisure to health services. I am pleased to say that the Government are taking forward a wide range of measures to support high streets and businesses.

In Chippenham, as my hon. Friend will know, there is a growth deal project to improve the train station. The project aims to enhance the station facilities and to develop the surrounding land for improved commercial and residential property, including increased car parking capacity. She was right to point out that local authorities should ensure that there is adequate provision for parking in town centres. My understanding is that, through that project, car parking capacity at the station will double, which I hope is welcome. In addition, there will be public realm improvements to signpost to the high street to improve access.

More broadly, since 2010 the Government have helped to create more than 360 town teams and have given more than £18 million to towns. That has included successful initiatives such as Love Your Local Market, and the Great British High Street competition. We also support Small Business Saturday UK. An estimated £748 million was spent with small businesses across the UK for Small Business Saturday UK 2017, which was up 4% on the previous year's spend. I know that my hon. Friend, as a devout and passionate supporter of small business, will welcome those measures, and no doubt she has been involved in supporting them in her area. The Government also established the future high streets forum, which is chaired by the Minister for local growth, my hon. Friend the Member for Rossendale and Darwen (Jake Berry). The forum consists of developers, investors and retailers and provides leadership from the Government and the business community to support our high streets and town centres to adapt and compete in the face of changing consumer and social trends.

[*Rishi Sunak*]

We also believe in celebrating success, including the wonderful work that communities put into their high streets, making them community hubs. The Great British High Street awards highlight some of the excellent examples of high streets up and down the country. Members may know that the last awards, in 2016, garnered more than 900 applications across 15 categories, and more than half a million people participated in the voting.

Because of the knowledge and insight with which my hon. Friend the Member for Chippenham speaks on matters relating to parking and the success of high streets, I have spoken to the local growth Minister, who has responsibility for high streets, and arranged for her to meet him at the earliest opportunity to convey her views on how parking should feed into the Government's wider strategy on high streets. The Minister is working intently on the topic as we speak, and exciting things are to happen in the near future, so I urge her to meet him as soon as she can to feed in some of her ideas.

My hon. Friend asked about consultations, and I am pleased to tell her that the Government are developing the secondary legislation under the Parking Places (Variation of Charges) Act 2017. The Act provides for powers to simplify the procedure for lower parking charges. It also introduces a requirement for local authorities to consult businesses and communities on increasing charges, to ensure that local decisions are informed by local views. I know she will welcome that.

I think that we can all agree that parking provision is essential to making our high streets accessible, and to supporting them as vibrant economic centres. An intelligent and tailored parking strategy, taking account of local needs and designed to support high streets and town centres, should be central to local authorities' transport plans. Suitable parking tariffs and, where appropriate, free or discounted parking are positive elements of such plans. We will continue to work with local authorities and key stakeholders to ensure that our high streets thrive in the future.

I end by echoing what I said in beginning: I thank my hon. Friend for securing the debate and for continuing the work that she does to champion her constituents, in this instance in relation to parking but, more generally, in the matter of supporting high streets and small businesses. She has been a tireless advocate of her constituents on those issues and I know that she will continue to press me and other members of the Government to ensure that they get the best possible deal.

Question put and agreed to.

11.27 am

Sitting suspended.

Vaccinations: Developing Countries

[*MR NIGEL EVANS in the Chair*]

2.30 pm

Stephen Crabb (Preseli Pembrokeshire) (Con): I beg to move,

That this House has considered the economic effect of vaccinations in developing countries.

It is an enormous privilege to serve under your chairmanship, Mr Evans. I am grateful to have secured time to lead what will probably be a short debate, but I hope a positive and useful one, on a subject on which this Government and successive British Governments of different colours have shown leadership and genuine commitment.

I am delighted to see the Minister in his place. He has had a busy time in Westminster Hall in recent weeks and I almost feel reluctant to drag him back here again, but I hope he finds the debate useful and enjoyable. I know that I and other hon. Members here today look forward to hearing his usual wisdom and intelligence on such matters during his winding-up speech.

Today, nearly half the world's population, including 1 billion children, live on less than \$2.50 a day. More than 1.3 billion people live in extreme poverty, which means they survive on less than \$1.25 a day. We get so used to reading those statistics that it is sometimes easy to forget what the reality means. It means families who go to bed at night hungry, wake up hungry and then go to bed the following night still hungry. It means families where people are incredibly blessed to have access to anything more than a very basic education, if any at all. These are people for whom daily work is repetitive, painful and dangerous, and who certainly cannot afford for themselves or a family member to fall sick.

We know that behind every statistic there is a human being. According to UNICEF, 22,000 children die every single day due to poverty. I do not believe that anyone in this House, or the wider British public, finds that acceptable. With many other countries, non-governmental organisations, private individuals and institutions, Britain is committed to working to end that poverty and to tackle the conditions and causes that trap people and whole nations in cycles of poverty.

As a Conservative, I believe strongly that free trade, markets and the rule of law play a powerful role in lifting nations out of poverty, but I also know that they cannot bring an end to some of the deep-rooted factors that perpetuate cycles of poverty around the world. That is why I am hugely supportive of the fact that as a nation, privately and through taxation, we provide large sums of money to fund interventions that seek to establish sustainable long-term solutions in the poorest nations. Britain is a leader in international development not just by virtue of the size of the budgets we make available, but through the expertise we deploy.

John Howell (Henley) (Con): Is my right hon. Friend aware that the number of deaths from vaccine-preventable diseases is around 2.5 million to 3 million per year, but the number of people being inoculated has reached a bit of a plateau? Does not that say something about how we should focus our activities to establish better relationships with mothers, to reach hard-to-reach groups in Africa and Asia in particular, so as to take this further forward?

Stephen Crabb: I have heard that said, and I will go on to refer to the importance of reaching the hard-to-reach groups. There is evidence that that is the way to get, to put it crudely, more bang for our buck on the vaccinations spend, because the threat of outbreaks of killer diseases is higher for some of those isolated communities and families than for those elsewhere. My hon. Friend makes a useful point early in the debate.

For the last decade and more, there has been a political consensus that we should spend 0.7% of our GDP on international aid and assistance. At times in recent years, it has felt as though that consensus is being tested; certainly, the all-out assault on our aid budget in some sections of the popular press has had a corrosive effect, at least among some members of the general public. The discussion in the popular press is overwhelmingly dominated by questions over the headline funding commitment and the suggestion, repeated over and over again, that aid money could be better spent on domestic priorities.

While those of us who support Britain's role as a leader in effective overseas development should never tire of restating the basic case for aid, we should also do more to draw attention to specific examples where UK aid has helped to achieve profound economic and social improvements in some of the poorest countries on earth. One area of British leadership and expertise that has received too little attention is the funding, development and distribution of vaccines against killer diseases, and I will use this short debate to highlight that. Diseases are not just an unpleasant inconvenience for a country; they ravage a nation's economy, directly affect its ability to grow and hold back economic development. Diseases keep poor countries poor.

It was a British doctor, Edward Jenner, who pioneered the first vaccine at the end of the 18th century, when he used pus drawn from a cowpox boil to inoculate a boy against the killer smallpox—a story that many of us will have learned about in our schooldays. More than 200 years on, British science and medical research still lead the world in improving the health of people living in extreme poverty. The eradication of smallpox was one of the great achievements of immunology in the 20th century. Smallpox was once one of the world's most feared and deadliest diseases. Just 60 years ago, it was endemic in dozens of countries containing around 60% of the world's population. By 1980, it had been eradicated, following a concerted international effort.

More recently, polio, once epidemic, has almost been eradicated too, due to concerted vaccination efforts worldwide. It has been reduced by 99% globally and the number of polio-endemic countries has decreased from 125 in 1983 to just three today. That is the culmination of a remarkable international effort that brought together Governments, NGOs and many private individuals. Rotary clubs around the world, for example, took this up as a campaign and raised enormous sums toward the effort through community-led fundraising. Full eradication of the disease is within reach, showing again what can be achieved when we harness political will, public support, large-scale resources and world-class science. I believe that that formula is the key to so many of the interventions that will make the world a better place in the years ahead.

British medical and scientific research remain world leaders in the fight against vaccine-preventable diseases. We are part of numerous initiatives and alliances,

recognising that multilateral co-ordination and use of public resources to leverage in private sector funding provide a strong platform for this work at a global level. I am sure the Minister will update us on some of those initiatives in his winding-up speech.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate my right hon. Friend on securing the debate and on the speech he is making. On the issue of private company and pharmaceutical involvement in the development of vaccines, there has been a challenge, as we saw with the Ebola outbreak, in that this is not an area of great profit for pharmaceuticals; it is difficult for them to recoup their investment from lower-middle income countries. The pharmaceutical model needs more encouragement of pharmaceuticals to invest in development of vaccines such as Ebola. What would he say to encourage that?

Stephen Crabb: My hon. Friend, who knows an enormous amount about this field, makes an important point. We are essentially dealing here with a case of market failure, where markets in the purest sense do not work in bringing through vaccine development and distribution in some of the poorest countries. I will talk about that later. I am about to talk about GAVI, the Vaccine Alliance; the model on which it operates is based on tackling exactly that problem, where there is not sufficient market demand in a poor country to create the financial incentive or pull for pharmaceutical companies to invest there profitably.

GAVI was created in 2000 and it brings together the public and private sectors with the shared aim of creating equal access to vaccines for children living in the world's poorest countries. Britain was one of its original donors, and today we provide around 25% of its funding. There is also the global health fund, which was created to accelerate the end of HIV/AIDS, tuberculosis and malaria as epidemics, and for which UK funding averages around £360 million a year. Last year, the global health fund partnered with GAVI and Unitaid to provide around \$50 million to pilot the world's first malaria vaccine for young children in Ghana, Kenya and Malawi. That vaccine has been 30 years in the making in fighting a disease that still claims thousands of lives each year.

Back in 2015, the former Prime Minister, David Cameron, announced a plan to tackle the risk of global health pandemics that included the establishment of a UK vaccines research and development network. The network's focus is to bring together experts from industry, academia, philanthropy and Government to invest in projects on vaccines and vaccine technology to combat diseases with epidemic potential, such as Ebola and Zika, in low and middle-income countries. Britain has led from the front in the global fight against killer diseases.

Vaccines are widely recognised as an important mechanism for controlling infectious disease outbreaks, although they are by no means the only mechanism. In fact, the supply of clean water, for example, is even more important in reducing the burden of infectious diseases. However, it is right that the international effort to develop and distribute vaccines against deadly diseases, of which Britain is a key part, is a strategic priority for our overseas aid policies, and it needs to remain so.

[*Stephen Crabb*]

At the heart of that challenge is the market failure referred to by my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter). Outbreaks of some of the world's deadliest diseases occur only intermittently, and often in the world's poorest countries, meaning that there might not be a strong market incentive for the pharmaceutical industry to develop vaccines for such diseases.

The UK Government are taking concerted and co-ordinated action to address that market failure. For example, the UK has committed to invest £120 million between 2016 and 2021 in the development of new vaccines for diseases with epidemic potential, in line with the expert advice provided by the UK Vaccine Network. The UK is also helping to build laboratory capacity, surveillance networks and response capacity in low and middle-income countries to deal with the threat of antimicrobial resistance, which militates against the efficacy of drugs in treating diseases.

Some of the health impacts of vaccinations are widely known. For example, between 2010 and 2016, 109 million children were given the pneumococcal vaccine to protect against the main cause of pneumonia, saving an estimated 760,000 lives. In 2017, nearly 1 million people were vaccinated against cholera when an epidemic threatened South Sudan. Only 400 people lost their lives, thanks to an integrated approach that also incorporated surveillance, investigation of and response to cases by rapid response teams, the provision of clean water and the promotion of good hygiene practices. We could cite many other examples.

However, the wider economic benefit of vaccination programmes to the poorest nations has not been fully explored. More research and data are needed to help us to tell the full story of how and why investing in vaccinations helps to alleviate poverty and create stronger foundations for economic success. We certainly know that high out-of-pocket expenditures contribute to poverty, and healthcare can be one of the most significant such expenses for those living in poor countries. In 2010, the World Health Organisation reported that the cost of healthcare prevented many poor people from seeking treatment while simultaneously pushing 150 million care seekers into poverty each year. Put simply, poor people getting sick is likely to make them even poorer and to wreck their future earning potential. When that picture is repeated across families and communities, the consequences can be dire.

At economy level, we have evidence of the ravages that killer diseases can cause. For example, the 2014 Ebola crisis in west Africa disrupted international trade and travel, cost at least \$2.8 billion in lost growth and killed more than 11,000 people in the three countries worst affected by the outbreak—Sierra Leone, Liberia and Guinea. It had a severe developmental impact in those countries, placing already weak health systems under extreme pressure, and had a negative impact on employment and school attendance rates.

In February, *Health Affairs* published a study, jointly authored by researchers at Harvard University and GAVI, that looked at the health and economic benefits of vaccinations, which it showed have a poverty-alleviating benefit, especially for the poorest people. Although the study raised some specific questions about the delivery

of vaccination programmes, distributional impacts and the transition away from aid-funded programmes as countries move across the poverty eligibility threshold, it nevertheless helped to strengthen the case for continued investment in vaccinations and helped to give us a fuller picture of how good aid spent well does exactly what we claim it does—saves lives and reduces extreme poverty.

Dr Poulter: My right hon. Friend makes an important point. Aid initiatives are far too often evaluated purely on what they cost the Department or organisation giving the money, but cost-benefit analyses that look at the wider economic and long-term healthcare benefits are how we should evaluate aid spending in the future. Will he join me in urging the Department for International Development to look at using those more effectively in the future when looking at how it spends its money?

Stephen Crabb: My hon. Friend makes an excellent point and I absolutely agree with him. That is exactly the kind of research and evidence that the Department and other bodies need to provide as those who believe in and support our overseas aid spending seek to make and restate the case for it over and over again. It is a powerful message with which to challenge sceptics and cynics.

In 2016, Johns Hopkins Bloomberg School of Public Health examined the projected return on investment in vaccinations between 2011 and 2020 in 94 low and middle-income countries. Looking only at the direct costs associated with illness, such as treatment and lost productivity, it found that the return for every £1 spent on vaccines was £16. When it expanded its analysis to look at the broader economic impact of illness, it found that the return was around £44 for every £1 spent. Such studies point to investment in vaccinations being an important means of improving health equity and reducing poverty, and to vaccinations providing value for money.

There is another aspect to this: investment in vaccinations in the poorest countries is also an investment in our own national security and resilience. I am always wary of the self-interest argument when it comes to defending overseas aid, and I think people generally see through those arguments, but polling evidence indicates that the general public understand that killer diseases such as Ebola do not respect borders and shows greater support for aid that focuses resources on tackling those diseases.

I will wrap up in a few moments, but I will close with several recommendations and observations, which the Minister will perhaps respond to today or follow up in writing at a later date. What efforts is Britain making, through its international partnerships and on its own, to improve vaccine coverage rates among the very poorest, ensuring that aid is spent on those who need it most and for whom it has the biggest benefit?

Distributional impacts should be taken into account when decisions are made about introducing or expanding vaccination programmes, and programmes accruing greater benefits to the poor should be prioritised over vaccines with less equity impact. Hard-to-reach families and people in isolated areas should be priority targets, as investment among those people significantly reduces the likelihood of disease outbreaks, which are more costly in lives and the money needed to respond.

Despite significant progress since 2000, today, nearly one infant in 10—that is, around 30 million children—does not receive any vaccinations, and more than 1.5 million

children under the age of five die from vaccine-preventable diseases every year. Pneumococcal conjugate vaccines immunise against the most common cause of pneumonia, but they remain inaccessible to millions largely due to high prices, thus leaving behind the poorest and most marginalised children.

John Howell: I thank my right hon. Friend for giving way again; he is being most generous with his time. Does he see a role for the Prime Minister's trade envoys in this sphere? We are often assigned to countries that fall into the categories that he has been talking about and we have a seminar coming up on the healthcare applications of what we can do. I do not think that that should concentrate solely on encouraging healthcare companies into those countries; it should also look at how we can help to develop those programmes.

Stephen Crabb: My hon. Friend makes an extremely important point. There are well established networks nationally in the UK and internationally, which bring trade policy makers together with academics, scientists and researchers who look at these issues. Surely within that there needs to be a role for people with a trade focus to link that investment angle into it as well. There would probably be a lot of interest, particularly among some of the private sector interests that are part of those networks, in seeing people such as Government trade envoys getting on board and helping with these programmes.

GAVI's advance market commitment pilot, supported by the UK Government, has created a temporary but pioneering funding model that is changing the picture that I described—the poorest and most marginalised not getting access to vaccines—and it is doing so by changing the market. That funding mechanism can reduce the price of vaccines, such as the ones I have described for pneumonia, by creating an incentive for new manufacturers to enter the market and increase competition. The advance market commitment has succeeded in reducing the usual delay between introduction of a new vaccine in developed and in developing countries from 10 to 15 years to just three, reducing inequalities in access between rich and poor countries.

As we look to the future of programmes such as GAVI and the global health fund, which I was describing a few moments ago, we know that decisions will need to be made in due course about Britain's ongoing support for those programmes. Those decisions will not necessarily be made anytime soon, but I urge the Minister and his teams, as they prepare for the replenishment conferences for GAVI and the global health fund, to bring together as much high-quality research and evidence as possible to enable them to make a strong, positive decision to continue funding those vital, life-saving programmes and, crucially, to explain that and show members of the public that it is a really good investment of our aid money for the future.

Investments in vaccines remain an enormously effective use of aid and contribute directly to achieving the sustainable development goals. Britain has a powerful track record to point to and we should do more to highlight that—not in the sense of being self-congratulatory, but to help to strengthen the broader case for overseas aid. Britain's leadership in the field of vaccinations flows directly from the political consensus of a decade ago to expand our overseas aid budget and direct it

towards some of the most difficult global challenges. The remarkable international effort on vaccinations underlines the importance of reforging that consensus and protecting UK aid.

2.53 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairmanship, Mr Evans. I congratulate the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) on bringing this matter to Westminster Hall for consideration today. I am very happy to make a contribution to support his proposals and the views that he has put forward.

When I look at my own life and at my two beautiful granddaughters, I know that there is little in the world that I would not do to protect them and help them, because that is what a father and a grandfather would do. There is no medication that I would not fight for, and that is why I have been trying to help my constituents to secure medication for their ill child and why I continue that fight, with help from the relevant Ministers. This is not the day for that debate; this is a separate debate, but I wanted to illustrate how much it would mean to me if I had to have medication to try to save my child and what I would do to make that happen. I do not think that there is one person in this Chamber who would not have the same opinion; we would do everything within our power to make it happen.

I think of those children in Africa and, indeed, throughout the world whose parents and grandparents have nothing; they have little or no way to get the help that their children need. As fathers and grandfathers, our compassion for them is illustrated through our own personal beliefs and through our actions to help those who do not have the ability to help themselves. That is why I am supportive of aid going to make a difference to the health of people in those nations, and why I have always supported DFID's commitment and the Government's commitment to the DFID aid programme. It may not be popular with everybody, but let us think about what it achieves. I will illustrate in my contribution what it achieves. It achieves a massive amount of help for the people who need it, and I am very supportive of that.

Prevention is better than cure. We have been practising that for some time on our own shores. It is why our newborns, every three months, have new injections that make them scream and their mothers squirm with guilt for knowingly causing them pain. The short-term pain will prevent massive life-threatening illnesses in the future and is of course well worth it, as we all know through our own parenthood.

It is estimated that the aid that we give GAVI between 2016 and 2020 will fully deliver on the UK target to immunise 76 million children and save 1.4 million lives. If ever anyone needed motivation for doing this, surely that is it—76 million children immunised and 1.4 million lives saved through the programme that we do; it is done by our Government. That is a tremendous result for the amount of aid that we grant for immunisation purposes. The fact is that through prevention we save money and promote economic growth, in that a child who is prevented from having a debilitating illness will be able to attend school and eventually start work and be able to provide, rather than being a drain on their family.

[*Jim Shannon*]

The right hon. Member for Preseli Pembrokeshire explained that when sickness comes into a family, the opportunity to earn is restricted right away, and that affects the whole family. That is the truth. If there are multiple cases in a family—two or three children and perhaps a father who is unable to earn and a mother who is not well—all of a sudden the problem is compounded. It is so important to recognise that.

There has been massive success with immunisation in Africa, and that must continue. For it to do so, we must have adequate funding and perhaps work more with partners across the world to ensure that they also have—I say this very gently—the conscience and the compassion that they should have for those who are less well off. The Vaccines for Africa Initiative website outlines success stories. There are some; let us not pass this by and say that we have not done well, because we have, but we can do more.

In 1977, smallpox was eradicated after a successful 10-year campaign carried out by the World Health Organisation. It was through our efforts with our partners that we made that happen. Before the vaccination programme began, smallpox threatened 60% of the world's population and killed every fourth person infected. That was the magnitude of smallpox. Vaccinologists are applying the lessons learned during the eradication of smallpox to control and eliminate many other vaccine-preventable diseases, so lessons learned have become good practice. That indicates how we have learned and how we intend to do better in the future.

The development of an effective vaccine against polio was heralded as one of the major medical breakthroughs of the 20th century. Currently, several different formulations of polio vaccine are in use to stop polio transmission. Poliovirus infections have fallen by more than 99%, from an estimated 350,000 cases in 1988 to 416 reported cases in 2013. Let us dwell on that for a second: a 99% reduction resulting from an immunisation programme. If that is not good news, there is something wrong with what we are listening to. That is what can be done if we have the commitment, the effort, the finance and the drive to make it happen. Our Government have been involved in that programme; our Minister and his Department have been involved in making it happen.

More than 5 million people have escaped paralysis since the launch of the Global Polio Eradication Initiative in 1988 by the World Health Organisation and its partners, of which we are one. Polio has been eradicated in the western hemisphere, and many other countries have been declared polio free. Again, that is tremendous news. As at the end of 2012, polio was endemic in only three countries in the world. The website to which I referred states:

“According to the GPEI, if enough people in all communities are immunized, the polio virus will be limited to spread and it will die out.”

That has to be our goal: the complete eradication of polio. High levels of vaccination coverage against polio must be maintained to stop transmission and prevent outbreaks. The GPEI is constantly assessing the optimal use of the different vaccines to prevent paralytic polio and stop poliovirus transmission in different areas of

the world. We have come so far, but we need to be vigilant to ensure that there is no comeback and that polio is totally eradicated.

Measles vaccination has not had the same success, but it is still a fantastic success story. It resulted in a 75% drop in measles deaths between 2000 and 2013 worldwide. During the same period, measles cases dropped by 58% from 853,500 down to 355,000—again, a massive drop and good news. The World Health Organisation recommends that every child receives two doses of the measles vaccine. I remember receiving it as a child in the 1960s quite well. I remember the swelling on my arm and the pain, but my dad stood next to me and made sure I had it done. He was always there to comfort me as well.

According to a report by the Measles & Rubella Initiative, African countries have made the most progress—fantastic progress. They reduced measles deaths by 86% between 2000 and 2014. That is another fantastic, well recorded success story of what we have done. Such stories ensure that we continue aiming for the eradication of these diseases.

Meningitis is a serious public health problem among 25 countries in the African meningitis belt. Every one of us, as elected representatives, has had constituents who have had meningitis in their family. We know of the blotches, the faintness, the dizziness and the tiredness. We know that if our child or grandchild has those symptoms, our knees knock with worry about meningitis, but in African countries meningitis is very real. It extends from Senegal, on the shores of the Atlantic ocean, to Eritrea along the Red sea. Meningitis is prevalent right across that stretch of Africa.

Half a million people living in that region are at risk from epidemic meningitis each year. In 1996, there was a particularly devastating meningitis outbreak, which caused more than 250,000 cases and 25,000 deaths. That was mainly due to the *Neisseria meningitidis* group A, or Men A, as it is referred to. Within 10 years, the Meningitis Vaccine Project developed an affordable Men A conjugate vaccine. The vaccine reduced the incidence of meningitis of any kind by 94%—is that not fantastic?—following a mass immunisation programme in Chad, in west Africa. If we can immunise, we can stop the disease, deaths, pain, suffering, sickness and illness, and that has to be good.

Stephen Crabb: I am enjoying listening to the hon. Gentleman's speech. He captures well the sense of awe and wonder around some of the achievements that have been notched up in recent decades. Does he agree that we should be telling some of those stories in the school curriculum? As we think about Britain's future global role, we should think about how to inspire a new generation of young British scientists to dedicate their education to going the last mile to finally eradicate some of the diseases he has been talking about.

Jim Shannon: The right hon. Gentleman is absolutely right. Too often, we focus on the negativity of life. Here is a positive thing we are doing. Others will speak afterwards with great knowledge of the subject matter and I look forward to their contributions. I am greatly encouraged by the young people of today, who have an eagerness and willingness to help others. That encourages me, as a grandfather and as the Member of Parliament

for Strangford. I see talent, interest and compassion among young people today, who want to help. We should have this as part of our curriculum and education programme, so that we tell others and put a bit of pride back into what we do. That is why I am being positive in my speech. Sometimes we do not tell our story, but we should.

Stephen Crabb: On the subject of inspiring young people, is he aware of programmes such as the ONE campaign's youth ambassadors programme, which links in young people with an interest and uses them to tell a story back to their own peer group about some of these exciting developments?

Jim Shannon: I am aware of that programme and the right hon. Gentleman is right; it is a smashing programme and can do great things. It can help young people to develop their personalities and their characters in a way that is good for everyone. That is the ultimate, perfect society that we all wish to live in. There are many young people who inspire us and give us great courage for the future.

I am blessed to have a great many church organisations, mission groups and individuals in my constituency of Strangford, both in Newtownards and across the whole constituency, which carry out individual projects, mostly in Africa and some in eastern Europe. They do smashing rebuild programmes for schools and medical centres. They do water aid projects as well. That is a subject for a different debate, but when it comes to ensuring that people do not have health issues, it is important that they have access to clean water. I pay credit to the churches and missions in my constituency, which do tremendous work, unselfishly giving their time, money and effort, and—I will say as a Christian—their prayer time as well. Those things are very important in trying to reflect the opinion of a constituency and how people think—how generous people are when it comes to giving, both financially and physically.

The work I have referred to must continue. We must play our part in helping other nations to fund this work for the good of humanity. It works, because we work together. How many things in this world can we do when we do it together, with a passion, belief and drive that we are all committed to? I say gently that we have to put our own people first, but that we also have to help ourselves outside our boundaries. I believe this is a great way for us to play our part. The inspiring programme that the right hon. Member for Preseli Pembrokeshire referred to is something for our young people to do—so many people want to do something. Our Minister and our Government are committed to doing the same. We should be encouraged by what we are doing, but we know that we have more to do. We have a plan of action in place—a plan of action that is working and that can do more.

3.7 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Evans. I thank my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) for securing this important debate.

We must not underestimate the value of human capital to the future of developing countries. Around the world, year on year, countries are still losing the talent and

potential of countless people, including children, whose lives are tragically cut short by vaccine-preventable diseases. The vaccines for these diseases exist: if we want those countries to reach their fullest economic potential, ensuring people there have access to vaccination must be one of our highest priorities.

Vaccines are vital in every sense of the word. They ensure that as many people as possible—children and adults—live and enjoy healthier lives throughout the world. Healthier people are more able to go to school and work, and to drive the growth of their countries' economies, intellectually or physically. The logic and the evidence are clear: vaccines are a powerful force for economic development and wealth creation.

A recent Harvard study projected that vaccines will prevent 36 million deaths by 2030 and prevent a further 24 million people across 41 developing countries from sliding into poverty. Those are staggering and extraordinary figures. They show why it is so important that vaccination is at the top of the UK Government's agenda for international development. We must not fall into the trap of thinking that health and economy are separate; in my view, they are inextricably linked. As the Harvard evidence shows, a healthy society can evolve to become a wealthy society.

I am delighted that UK Governments of various colours in the past decades have recognised the value of vaccines. In 2016, the Government invested £116 million of bilateral aid towards vaccination in developing countries. That was alongside £81 million in multilateral funding for vaccine-related areas. That funding, and all the Government's past funding for vaccination in developing countries, has helped to save millions of lives, kept people out of poverty and brought prosperity to developing countries around the world. We as a nation must sustain those efforts and ensure that the projections in the Harvard study are achieved and, where at all possible, exceeded. Given the past record, I am confident that the UK Government will be a major contributor, and I hope that they can work with partners around the world to ensure universal access to life-saving vaccines.

In addition to improving access, we must also work on research, as has been mentioned, to develop new and improved but cost-effective and more easily accessible vaccines for developing countries and their citizens. The fruits of such research will go a long way towards ensuring that we banish once and for all the diseases that wreak tragedy around the world and hold back the economies of so many developing countries. Everyone, irrespective of what circumstances they are born into, should be able to live a life that is as healthy and productive as possible, and they should have as much access as possible to basic healthcare facilities, including vaccines.

It is shameful that people, especially young children, are still dying needlessly or suffering in large numbers from diseases that are so easily preventable by vaccination. I am thankful and proud that the UK Government recognise the health and economic importance of vaccination and are working tirelessly to build the healthier world that I am sure we all wish to see. The UK foreign aid budget has many critics, but, despite the odd failing, we can be extremely proud that the provision of vaccines is a key component of UK aid. I hope the Minister will confirm that such efforts will continue and might even expand.

[Bill Grant]

At this point, I declare a slight interest. I am a Rotary International member, but I will congratulate Rotary here in Great Britain and Ireland, and their partners—including the Bill Gates foundation—for the Purple4Polio project, which, as was mentioned earlier, began way back in 1985. When that was introduced with such foresight all those years ago, there were 125 polio-endemic countries, with hundreds of new cases every single day throughout the world. Today, as was said before, only three polio-endemic countries exist, with some 22 reported cases in all last year. That is something that Rotary can be proud of, so well done to Rotary for its mission and its strapline “End Polio Now and Forever”. It is almost there and can see the finishing line.

Finally, we mentioned the successes of UK individuals in promoting vaccines. In fact, we are not talking about a vaccine, but an antibiotic. Sir Alexander Fleming, a Scottish physician and Nobel prize winner, was born in Ayrshire—not quite in my constituency, but in a neighbouring one. The provision of the antibiotic called penicillin was a success. We should be proud of this country’s achievement and our research and development. As was said earlier, we need to promote that more and encourage our young men and women as they come through life to look back at what their forefathers or forebears did. They can equal and, I am sure, better that as we enter into a new era of new technology, and medicines must surely be a part of that new technology. Artificial intelligence is way beyond me, but we can tap into genomics and we need to share it for the benefit of the people we share the planet with.

3.12 pm

Jeremy Lefroy (Stafford) (Con): It is a real honour to speak after my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) and the hon. Member for Strangford (Jim Shannon), and especially after the fine opening speech from my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb). With my speech we have all four nations of the United Kingdom in a row, which is great because that shows how important it is for our country to support vaccination around the world.

In 1853, this House passed the compulsory Vaccination Act against smallpox, which was a great step forward, but that was 50 years after it could have happened. If we look at the literature of the first decade of the 19th century, we find references to the use of the vaccine in England and Australia. I know that for a fact because in the letters of a relative of mine, Mrs Lefroy, the wife of the Reverend Lefroy, who was the next-door neighbour of the Reverend Austen, the father of Jane Austen, we find that she was in correspondence with Dr Jenner as early as 1800. Her obituary in the *Reading Mercury* in 1804 stated:

“When the vaccine inoculation was discovered, she soon convinced herself of its beneficial effects, and having learned the process, actually inoculated upwards of 800 people with her own hand.”

So there is an instance of how something was available in 1804, yet it was not until 1853 that the House made vaccination compulsory. How many lives could have been saved had it been compulsory for 40 or 50 years before that? That is why there is no excuse not to make vaccinations available, when they have been tested and proven to be efficacious and safe, as soon as possible.

As chair of the all-party group on malaria and neglected tropical diseases, I will restrict myself to the introduction of the first malaria vaccine, RTS,S, which has been developed by GSK in partnership with many others—GAVI and PATH—with huge support from the British and US Governments and many others. It is now being piloted in three countries in Africa and we are already seeing the impact. It is not a perfect vaccine. There will be considerable improvements, but it ensures that children—it is particularly for children—have more chance when inoculated.

Combined with impregnated bed nets and, if the disease is contracted, with better medicines than we had 20 years ago, the vaccine will give children much more chance of survival. That is clear evidence of something of huge benefit to the children in the developing world in countries where malaria is still endemic. Let us not forget that it still kills 450,000 a year, most of them children. The highest prevalence is in Nigeria, the Democratic Republic of the Congo and the countries of east Africa as well as many other countries around the world.

I conclude by saying that investment in vaccination, as my right hon. Friend the Member for Preseli Pembrokeshire has said, has an enormous return: I think he said \$45 per \$1 invested; that is the kind of figure that I have seen. We will not go wrong if we continue to back investment in vaccines for diseases that affect the poorest, just as Dr Jenner did not go wrong in promoting his vaccine, even though it took this House 50 years to ensure it was available to everybody.

3.17 pm

Chris Law (Dundee West) (SNP): As ever, it is a pleasure to serve under your chairmanship, Mr Evans. I thank the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) for bringing us not only this important debate, but light and truth to an area that is often overshadowed and neglected. Although there was a lack of consensus in Prime Minister’s questions today, I think we agree in this Chamber that vaccines have brought some of the greatest public health successes of the past century.

According to the World Health Organisation, immunisations currently prevent approximately 2 million to 3 million deaths—more than half the population of Scotland—per year, and also prevent a large range of illnesses and disabilities associated with them. As we have heard, vaccination programmes do not just save lives; they also have a positive impact on increasing economic productivity.

Widespread access to vaccines in developing countries offers many benefits, including direct medical savings by preventing illness, and also through indirect economic benefits such as educational attainment, labour productivity, cognitive development, higher income, savings, and of course investment. I could go on. To put it simply, healthy children are more likely to attend schools and become economically productive adults. Vaccinating a baby benefits everyone in the long run. As all of us in the Chamber will note, we have all been through the vaccination process and are of course eternally grateful for it.

A Harvard University study published in February in the journal *Health Affairs* modelled the health and economic impact of vaccines for 10 diseases in 41 developing

countries. It showed that increasing vaccination rates in developing countries could reduce poverty. The co-author of the study, GAVI, the Vaccine Alliance, reported that in addition to saving millions of lives, vaccines will help prevent 24 million people in some of the world's poorest countries from slipping into poverty by 2030 because of the cost of medical treatment.

Previous studies have estimated that every dollar invested in vaccines—we have heard this today already—saves \$16 in terms of healthcare costs, lost wages and lost productivity due to illness. There are even greater savings of \$44 per \$1 spent if the wider benefits of people living longer and healthier lives are taken into account. That all highlights the important role that vaccination has to play in reducing poverty.

We all welcome and support the good work that the Department for International Development is doing on vaccines. Through its funding of GAVI, it provides immunisation against life-threatening diseases around the world. Since its establishment, GAVI has reached 500 million children and prevented more than 7 million deaths in the process. Save the Children has estimated that UK investment in vaccines saves the life of a child every two minutes—something that we should all be proud of. However, I have done a little research in the House of Commons Library, and it came as surprise to find figures showing that UK bilateral aid spent on vaccination-related programmes dropped by almost half between 2013 and 2016. The UK Government must therefore refocus, and increase funding for vaccination-related programmes if we are to continue to save lives.

There can be no doubt that organisations such as GAVI play a vital role in ensuring the successful roll-out of existing vaccines, but we must also recognise that there is an urgent and pressing need to research and develop new vaccines—not only for emerging epidemics, but for those that already exist and have devastating consequences for human life and economies in developing countries.

HIV is a case in point. Notwithstanding progress, AIDS remains one of the world's leading infectious killers, and new HIV infection rates remain stubbornly high—so high, in fact, that we are off track to meet the sustainable development goal targets. There is a consensus, which includes Bill Gates, Michel Sidibé and Peter Piot, that we will end AIDS only with an HIV vaccine. Does the Minister therefore agree with the experts that it is only by investing today in research and development on those new technologies that we can deliver on our promise of a tomorrow free from AIDS?

It is vital that poorer countries and emerging economies be helped to secure fair vaccine prices to increase coverage and save lives, so I ask what steps the Minister's Department is taking to ensure vaccine price transparency and to promote competition within the market to increase affordability. The failing market was touched on earlier in the debate. Finally, how is the Department approaching the upcoming replenishment period and strategy review with GAVI?

Vaccines save lives. They can transform countries, offering opportunities for poverty reduction and greater social and economic development. We must ensure that existing life-saving vaccines are introduced into countries where people need them most, and support the innovation needed to develop new vaccines.

3.22 pm

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): It is an honour to serve under your chairmanship, Mr Evans. I thank the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) for securing this important debate, and for his passionate speech. He raised important concerns about the challenges faced in the developing world, talked about the many lives saved in vaccination programmes and their huge economic impact on society, and made the argument for UK aid.

I thank other hon. Members who took part: the hon. Member for Strangford (Jim Shannon), who always speaks passionately about the work done by DFID and its partners, and its global impact; the hon. Members for Ayr, Carrick and Cumnock (Bill Grant) and for Stafford (Jeremy Lefroy), who said it was important to invest in vaccines for the poorest, as a priority; and the hon. Member for Dundee West (Chris Law), who spoke about progress and challenges in AIDS vaccination.

It is estimated that between 2 million and 3 million lives could be saved every year if vaccines against preventable diseases were given to some of the world's poorest people. It is a truly shocking statistic that in Africa alone more than 30 million children under the age of five suffer from preventable diseases every year, with, tragically, more than half a million resulting deaths. Let us be clear: we are talking about the completely avoidable, unnecessary death of children. It is a cruel and heartbreaking fact that pneumonia, an entirely preventable disease, is now the biggest infectious killer of children under five, claiming almost a million lives a year.

Should further evidence be needed to steel our resolve to increase vaccination coverage, the fact that two children die of pneumonia every minute must surely provide it. Only 7% of children in the world's poorest 73 countries receive all 11 World Health Organisation-recommended vaccines. Should the political will and resources exist to vaccinate those children, hundreds of thousands of lives would be saved, but, unfortunately, the proportion of the world's children who receive WHO-recommended vaccines has stalled over recent years. Please will the Minister outline how the Government are working to address equal access to vaccines to ensure coverage of even the most marginalised children?

In an effort to address that stalling effect, in May 2017, Health Ministers from 194 countries, including the UK, endorsed a new resolution on strengthening immunisation to achieve the goals of the 2012 global vaccine action plan—a road map to prevent millions of deaths through more equitable access to vaccines by 2020. The resolution urges countries

“to strengthen the governance and leadership of national immunization programmes, and improve monitoring and surveillance systems to ensure up-to-date data guides policy and programmatic decisions to optimize performance and impact.”

Given the skills and experience of the Office for National Statistics and the importance of statistical analysis in implementing vaccination programmes, will the Minister update colleagues on how best practice is being shared with action plan partners?

In saying that vaccines “don't just save lives, they also have a huge economic impact on families, communities and economies”,

I am using not my own words, but those of Dr Seth Berkley, chief executive officer of GAVI. I fully subscribe to the argument that reducing health costs that would

[Preet Kaur Gill]

otherwise be incurred in treating serious illnesses has a positive effect on economic productivity. The concept is clear: according to a study published today in *Health Affairs*, vaccines will help to prevent 24 million people in some of the world's poorest countries from slipping into poverty by 2030. Dr Berkley says:

"A healthy child is more likely to go to school and become a more productive member of society in later life, while their families can avoid the often-crippling healthcare costs that diseases can bring".

The statistics prove the economic value of vaccinations to some of the poorest countries in the world. According to the WHO, in Africa alone, vaccine-preventable diseases result in a significant annual economic burden estimated at some \$13 million. We have already heard about the recent research by the Johns Hopkins Bloomberg School of Public Health, which demonstrated that in every case where vaccines helped to prevent death or disability in 94 low and middle-income countries, including the world's poorest nations, there was an estimated short-term return of more than 16 times on every \$1 invested in vaccines. The figures show even more of an impact when wider economic benefits are considered, with the return on \$1 dollar of investment increasing from 16 to 44 times.

From an economic perspective, UK aid funding for vaccinations simply makes financial sense by reducing the likelihood of disease outbreaks, the response to which is far more expensive. The economic benefit, however, will be under threat if current vaccination levels are not maintained. The WHO estimates a possible negative impact of some \$59 billion over the next decade. It is crucial that Governments around the world recognise that vaccinations are one of the best buys for health and economic impact, and that they also recognise the risks to the economies of the poorest nations on earth if we are complacent about immunisation. With that in mind, will the Minister reaffirm the Government's commitment to maintaining multilateral vaccine-specific funding?

Sustainable development goal 3 requires an end to preventable child deaths, and vaccinations have a crucial role to play in achieving that, yet we know that the cost of medicines is pushing another 100 million people a year into poverty. When Ebola broke out in west Africa in 2014-15, the lack of an available vaccine resulted in devastating consequences for local populations and understandable panic in capitals around the world. The lack of a viable vaccine was due not to a lack of research, as several candidate vaccines had been developed by Governments for biodefence purposes, but to a simple market failure.

The Government are a founding member of, and have supported generously, the GAVI pneumococcal advanced market commitment. AMCs are designed to accelerate the development of key vaccines and increase their availability in developing countries. A third supplier has entered the market to supply pneumococcal conjugate vaccine, the most expensive vaccine in the GAVI portfolio. It is now selling the vaccine at roughly 40% of existing prices. Given that success, what steps are the Government taking to promote competition within the wider vaccines market so as to increase affordability? Will the Government support Save the Children's call to extend the AMC mechanism to allow funds to be spent beyond 2020? Finally, will the Minister outline the Government's plans for future working with GAVI?

As we have heard from colleagues across the House, vaccinations not only save lives, but help to support healthier, more productive populations in the poorest countries in the world. They empower countries' economies to grow and prosper, while allowing aid money to be spent more effectively on proactive rather than reactive programmes.

We are rightly proud of this country's commitment to supporting vaccination programmes in some of the world's poorest nations, but it is crucial that such programmes are maintained for the long term. Immunisation must remain a political priority, and the UK should continue to be a global leader in immunisation. Vaccines form an intrinsic part of universal health coverage, and I hope the UK Government will publicly champion the principles of united healthcare within their bilateral and multilateral support, while increasing technical and financial support to help to strengthen primary healthcare systems.

Child mortality will not be ended without a comprehensive, accessible and enduring vaccination programme. I take this opportunity to reaffirm Labour's commitment to ending preventable child deaths, and to the sustainable development goals more widely, and I am sure the Minister would like to associate himself and his Department with that.

3.31 pm

The Minister of State, Department for International Development (Alistair Burt): It is a pleasure to serve under your chairmanship, Mr Evans, and I thank all colleagues for taking part in today's debate and for the way it has been handled.

I thank my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) for the way he introduced this debate—indeed, others have mentioned the passion with which he spoke. Such passion is appropriate for the leader of Project Umubano, and for a number of years he has played an integral part in the Conservative party's social action programme in Rwanda and Sierra Leone. He spoke about the non-partisan nature of this debate, and that was emphasised by contributions from the hon. Members for Dundee West (Chris Law) and for Birmingham, Edgbaston (Preet Kaur Gill). There is no issue between colleagues in the House on this subject, and we are rightly proud of successive Administrations of all shapes and colours, and the work that has been done in making the United Kingdom a global leader in vaccination.

My right hon. Friend drew attention to the history of vaccination and the United Kingdom's involvement in it. He mentioned our position in contemporary medicine, research and development, and spoke about looking forward to the next stage. As the long title of the debate suggests, he then moved from that historical perspective to the wider economic benefits of vaccination, and emphasised a link that is not made often enough.

The hon. Member for Strangford (Jim Shannon) spoke, as he always does, with passion, commitment and great wonder about the success of these programmes. Sometimes there is immense concentration in the press and media of everything that is wrong, but in the world of medicine, lives have been saved by finding opportunities to invest in things that have led to a reduction in diseases that were once all too common, including in our own childhoods, let alone 50 or 100 years ago.

Medicine has made a remarkable contribution, and the hon. Gentleman was right to mention that. He encouraged us all to keep going on the eradication of polio, and he can be sure that we will.

My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) linked access to our success and the importance of research, and he spoke with pride about his involvement with Rotary. I, too, am a Rotarian—I am an honorary member of the Rotary club of Sandy in Bedfordshire. I recently met Judith Diment, who is chair of the polio advocacy taskforce. Rotary has done remarkable work on that issue, and we pay tribute to everything it has done over the years.

My hon. Friend the Member for Stafford (Jeremy Lefroy) contributes a remarkable amount to this House through his work on malaria and in east Africa, and he related the importance of vaccine research in those areas. The hon. Members for Dundee West and for Birmingham, Edgbaston had some questions, and if I may, I will return to those at the end of my contribution—on this occasion I actually have some time, so I will be able to answer one or two of the questions, although not all of them.

Let me bring this back to basics and the practice of vaccination. My dad is a doctor, and I am old enough to have needed injections for polio when I was very young, as that was before the wonderful man developed his oral vaccine on a sugar cube. My dad had to give me my polio injections, and I hid under every available table in the surgery because as a small boy I was terrified of needles. He will be tickled pink to know that I am responding to a debate on vaccination today, bearing in mind the struggle he had to get near me with a needle. I am eternally grateful that he did, because those vaccinations protected me—as they did many others—from the ravages of polio. My dad is still with us, so he will be able to get a copy of this debate and realise that all those days from long ago are still remembered fondly by his son. This issue is that personal. The hon. Member for Strangford referred to the moment of pain caused by a mother when a child gets vaccinated, although she knows that it will do so much good in future, and today we are remarking on the remarkable good that is done.

The number of children dying each year almost halved between 1990 and 2012—a significant achievement. Nevertheless, around 375,000 children still die every year from diseases that could be easily prevented by vaccines. As we all agree, the challenge is most acute in the developing world, where nearly 1 million children die every year from pneumonia. In 2016, 7 million people were affected by measles, resulting in nearly 90,000 deaths. It is therefore right that the UK works through organisations such as GAVI, the Vaccine Alliance, the Global Polio Eradication Initiative and the World Health Organisation to tackle vaccine-preventable diseases.

Clearly there is a strong moral case for the UK and its international partners to support developing countries to tackle the scourge of vaccine-preventable disease—the contributions to the debate have shown that we all understand that. However, the economic case for vaccination—a subject that my right hon. Friend the Member for Preseli Pembrokeshire homed in on—is also unquestionable. Vaccinating against childhood diseases is one of the most cost-effective health interventions. As colleagues have said, for every £1 spent on immunisation, there is a direct saving of £16. Those savings include

healthcare costs, lost wages and lost productivity due to illness. Vaccination is a key driver towards reducing childhood mortality globally, and vaccines administered in 41 of the world's poorest countries between 2016 and 2030 will prevent 36 million deaths.

Vaccination provides economic benefits many times beyond the direct costs of vaccinating children, which is why it is such a high impact investment. As the hon. Member for Dundee West reminded us, if we take into account broader economic and social benefits, the return on investment rises from £16 to £44 for every £1 invested. The wider economic benefits of vaccination are vast.

By preventing illness, whole families are freed from crippling medical costs, which in turn can have a substantial effect on poverty reduction. Unexpected healthcare expenses push about 100 million people into poverty every year, making medical impoverishment one of the main factors that force families below the World Bank's poverty line. A vaccinated child is more likely to be healthier, live longer and have fewer and less serious illnesses. Healthier and more productive populations trigger a virtuous cycle that results in enormous economic gains. Vaccinated populations therefore form a more productive labour force, resulting in higher household incomes and economic growth.

There is a clear positive relationship between immunisation and education. Vaccines support cognitive development, so children learn more and have more opportunities. In the Philippines, for example, routine immunisation was found to raise average test scores among students. When translated into earning gains for adults, the return on investment was shown to be as high as 21%. In Bangladesh, measles vaccination was found to increase school enrolment of boys by 9%.

There is also an effect on the next generation. Children of educated parents are more likely to be vaccinated and healthier. In Indonesia, for example, child vaccination rates are just 19% when mothers have no education, but increase to 68% when mothers have at least a secondary school education.

Additionally, the decrease in child mortality as a result of routine immunisation can have a significant impact on a country's economy by reducing fertility rates. Since more children are expected to survive, families have fewer children. A lower birth rate has significant effects on child and maternal health, as well as a broader economic impact, not least in the role that it might play in the development of women's opportunities in their societies. Up to 50% of Asia's economic growth from 1965 to 1990 is attributed to reductions in child mortality and fertility rates. Overall, the savings that come from the need to pay for fewer medical interventions, combined with a healthier, more productive labour force and demographic dividends, create more economically stable individuals, communities and countries.

Let me turn to some of the questions asked by hon. Members. First, we are very proud to be the largest investor in GAVI, the Vaccine Alliance. The UK recognises the strong and convincing economic arguments for vaccines as being a clear development best buy. That is why we, through the Department, have supported GAVI since its inception in 2000.

Since then, our investment has supported the immunisation of 640 million children and has contributed to the prevention of 9 million deaths from vaccine-preventable diseases. Those are remarkable figures that,

[*Alistair Burt*]

as my right hon. Friend the Member for Preseli Pembrokeshire said at the start of the debate, and as we have all said, we do not talk about nearly enough. If someone is looking for a demonstration to put to the people of the positive advantage not just of UK aid, but of any country's development budget, and of why they are useful, vaccination is possibly the single most obvious example that they can give.

Between 2016 and 2020, the UK's support to GAVI will directly enable 76 million children to be vaccinated and will save 1.4 million lives. Investment through GAVI represents a particularly high rate of return. The £16 direct return for every £1 invested, which I mentioned earlier, rises to £18 in the 73 developing countries that GAVI supports. Overall, between 2001 and 2020, in GAVI-supported countries, the long-term gains associated with a more productive workforce are expected to add up to £260 billion. Every year, as a result of vaccinations, each of those 73 countries will avoid more than £3.5 million in treatment costs.

Critically, GAVI not only delivers vaccines on an impressively large scale, but works to bring down the cost of vaccines to make them more affordable for the world's poorest countries. Since 2011, GAVI has enabled a 43% reduction in the cost of immunising a child, from \$33 to \$19. That price cut means that UK taxpayers' money goes much further and delivers a much greater impact, and brings those products within the reach of poorer countries' Governments, which was a key point made by the hon. Members for Birmingham, Edgbaston and for Dundee West. Our support for GAVI is explicitly designed to ensure that Governments in developing countries gradually increase their contributions until they eventual transition away from aid, which the price cut also helps with.

In response to the point made by the hon. Member for Dundee West about bilateral funding, some time ago the United Kingdom made a decision to put its support for vaccination into GAVI, because it has a wider reach than our bilateral funding programmes. That is why the contribution to GAVI has been so strong: it allows us to reach more children. We continue to offer bilateral support to health systems to make them more sustainable. Of course, GAVI will work in some of the areas where the UK is also working directly through the Department.

On the need to ensure that vaccinations support equity, the financial benefits of vaccines are mostly accrued by poorer households, which are more susceptible to financial shocks from unexpected healthcare expenses. Immunisation programmes reduce the proportion of households facing catastrophic out-of-pocket health expenses. GAVI ensures that the right people are reached through the three equity measures in its monitoring framework, which track vaccination coverage by geography, poverty status and the mother's education. We work with GAVI to ensure that the vaccinations are reaching the poorest, as my right hon. Friend the Member for Preseli Pembrokeshire said in his opening remarks. GAVI is designed to do so, and we will continue to work with it on that.

Stephen Crabb: Will the Minister address the question asked by several hon. Members about why the levels of inoculation seem to have plateaued internationally? Is

that correct and, if so, what might be the underlying causes? I hope he will forgive me if he had planned to come on to that in the next few moments.

Alistair Burt: I cannot give my right hon. Friend the figures, but let me say two things. First, in some areas, there has been a reaction against vaccination. Earlier this year, two vaccinators in Pakistan, a mother and a daughter, were killed. The Pakistani Government have worked with others to try to change the nature of the programmes, but that is a reminder of how brave some health workers have to be. In some cases there is a supposed religious objection to vaccination, and in others it can be more direct.

Secondly, yesterday, in another context, I mentioned in the House the issues that are being faced in Yemen due to the de facto Houthi authorities in the north of Yemen, which have refused permission to transport vaccines into Sana'a. That has meant that 860,000 people in the north have not received vaccines, while hundreds of thousands of people in the south have benefited from the campaign. The Department is working closely with the World Health Organisation and through diplomatic channels to help unblock the use of vaccines in Yemen, particularly in Houthi-controlled areas.

In some areas, the cause is conflict; in others, it is an ideological response or a false fear that has been spread. In some areas, vaccinators are somehow seen as being connected to the west, and it is easy for false stories to spread. All those things need to be combated, and perhaps one way to do that is to ensure that there are more local programmes, because it is essential that the effort of vaccination continues, as all hon. Members have said.

In particular, we cannot afford to lose the chance to eradicate polio, and we have to be very careful. The rise in measles may be connected to some false stories about vaccines. There appears to be a market for people who want to spread those false stories, not only in developing countries but in places such as the United States. Fake news has to be combated. The outstanding research in this area makes it very clear that the benefits of vaccination far outweigh any potential medical consequences, of which there are some from time to time, but in a very tiny proportion of people. It is essential that the public grasp that.

Let me return to other remarks by hon. Members. We have talked about how we can ensure that future research is done in areas where the economic benefits of a vaccine may be questionable and about what help we can give. That is not an easy issue to tackle or to be absolutely certain about, because the specific diseases market is highly variable and pharmaceutical companies need to know that they will make a sufficient profit for a new market initiative to be possible.

However, things can be done to assist with that. GAVI's advance market commitment, which the hon. Member for Birmingham, Edgbaston mentioned, has done significantly well, and we have provided finance to support it. It now produces 150 million doses of the pneumococcal conjugate vaccine annually at a price of \$2.95, which is significantly lower than market price. GAVI also provided £390 million as an advance purchase commitment for the Ebola vaccine, which enabled Merck to make 300,000 doses available. In the Democratic Republic of the Congo, that vaccine was implemented 13 days after the Ebola outbreak was announced.

There are ways in which the international community can help to ensure that some of the costs are borne collectively, but that is not always an easy process, so there will always be issues about how to develop the vaccine and how to pay for it. The Government are well engaged in dealing with those.

I will conclude and offer my right hon. Friend the Member for Preseli Pembrokeshire a chance to respond. As well as the support for GAVI, the UK invests in vaccines in developing countries in a range of ways. We are a leading supporter of eradicating polio, as has been mentioned. That investment brings economic returns of many times the magnitude, and a stronger global economy that will benefit us all.

Hon. Members also mentioned Ebola. The handling of the recent outbreak contrasts with that of the previous one. The WHO and the Department supported the development of two Ebola candidate vaccines during the 2014 outbreak that have been brought through into the most recent one. These are some examples of how we—through DFID, GAVI and bilateral programmes to strengthen and sustain health systems—have been able to put vaccination at the very top of the agenda, as the most cost-effective way of dealing with health problems.

I conclude by acknowledging the dedication and hard work of all the health workers around the world, who often put their lives at risk to deliver vaccines to children, even in the hardest-to-reach places; by saying that I am very proud of the United Kingdom's investment in vaccines in developing countries, and I say that on behalf of us all as this is a non-party issue; and by saying that saving the lives of children and improving the lives of families in some of the world's poorest countries is simply the right thing to do.

Finally, I will say that the exchange between the hon. Member for Strangford and my right hon. Friend the Member for Preseli Pembrokeshire about the inspiration that can be gathered for this work and the promotion of it through schools, so that people are more aware of what we can do, is the way that we should finish today. Sometimes this place has to deal with difficult subjects that occasionally colleagues fall out over—not this one. This is something we can agree on and we can all use our own influence to ensure that a new generation of young scientists, young doctors and young health professionals are inspired to work, not only in this country but throughout the world, knowing how important vaccination will continue to be.

3.51 pm

Stephen Crabb: Thank you, Mr Evans, for calling me to speak again.

By way of wrapping up, I will just thank the Front Benchers. I thank my right hon. Friend the Minister for that very useful update he has given at the end of this debate. I also thank the other Front-Bench spokespeople, the hon. Members for Dundee West (Chris Law) and for Birmingham, Edgbaston (Preet Kaur Gill).

This has been a very useful debate; I have certainly learned a tremendous amount. I am grateful to all the colleagues who have spoken or made interventions, and for the spirit in which they did so. As my right hon. Friend the Minister said, this is an issue on which there should be no differences at all between the parties. It can bring this House together as something to unite behind, not to be self-congratulatory, but to recognise the remarkable progress that successive British Governments have helped to achieve internationally, in partnership with so many other international bodies and other Governments.

I will finish by asking the Minister to urge his team at the Department to keep briefing us and updating us on these developments. Do not keep Members in the dark—not that he does at all. However, there is a powerful story that we all want to tell in our constituencies about this issue, and it would be incredibly helpful if he and the NGOs that his Department works with provided us with as much information as possible.

Alistair Burt: Perhaps I might make an immediate commitment. I will write to all colleagues here, on the back of this debate, to set out some of the facts that have been raised by us all and, as it were, do it in the form of a factsheet, which they will then have available to give to constituents. I am very grateful to my right hon. Friend for the suggestion.

Stephen Crabb: I am grateful to my right hon. Friend the Minister for that response.

Finally, Mr Evans, I thank you. As ever, you have chaired this afternoon wonderfully. Diolch yn fawr.

Mr Nigel Evans (in the Chair): As someone who has witnessed the vaccination, via the Department for International Development, of many babies under a tree in Uganda with the International Development Committee, may I say what a privilege it has been to chair this debate?

Question put and agreed to.

Resolved,

That this House has considered the economic effect of vaccinations in developing countries.

3.53 pm

Sitting suspended.

Terminal Illnesses: Continuing Healthcare

[SIOBHAIN McDONAGH *in the Chair*]

3.56 pm

Chris Evans (Islwyn) (Lab/Co-op): I beg to move,

That this House has considered the Government's policy on continuing healthcare for people with terminal illnesses.

It is a pleasure to serve under your chairmanship, Ms McDonagh, in this important debate this afternoon.

I rise to speak today as a member of the Public Accounts Committee, which in November last year held an inquiry into the National Audit Office's report on NHS continuing healthcare funding. Although this particular issue concerns health policy in England and I am, of course, an MP for a Welsh constituency—you can probably tell that from my accent, Ms McDonagh—I secured this debate in my capacity as the secretary for the all-party parliamentary group on motor neurone disease, in which I have worked closely with the Continuing Healthcare Alliance, an organisation comprised of 17 different charities, including the Motor Neurone Disease Association and Parkinson's UK.

Many of those charities' long-held concerns were addressed in both the NAO report and the PAC inquiry, and we were all hopeful that the Government would finally address the many issues surrounding continuing healthcare, and rectify them to make the lives of those who suffer from ongoing or terminal illnesses that little bit easier. However, I am saddened to be standing here today to say that, judging by the Government's response to the PAC report, that was wishful thinking. The PAC set out a number of recommendations for the Government with regard to continuing healthcare, which the Government have yet to fully take on board. That is disappointing, but unfortunately—I am sad to say—not surprising.

One of the key issues highlighted by the NAO and the PAC was how the clinical commissioning groups—CCGs for short; they are responsible for administering and approving eligibility for continuing healthcare—are not being held to account for delays in assessments and eligibility decisions. In 2015 and 2016, a third of patients had to wait for longer than 28 days for a decision on their eligibility for continuing healthcare. The Government said in their response to the PAC report that 80% of assessments are conducted within 28 days, and that they will regularly monitor the effectiveness of the assessment procedure. That percentage—80%—sounds huge, but I wonder and worry about the other 20% of patients who are not receiving such assessments.

However, the NAO report demonstrated that existing mechanisms are not effective in addressing CCG performance. Across the CCGs, the percentage of patients judged as eligible for continuing healthcare, or CHC, ranged from 41% to 86%, which suggests there are differences in the way each CCG interprets the national framework for eligibility. The Government are yet to address this variance and provide more concrete proposals for changes to the process.

What is more, the Government seem more concerned with hitting the 28-day decision target rather than with assessing whether judgments are accurate and in line with the national framework. They must be careful to ensure that the quality and accuracy of decisions are

not compromised by the drive to meet targets. Although it is important to ensure that patients are not kept waiting too long for a decision on their eligibility, we must make sure that those in need of help are not deemed ineligible, so as to hit waiting time targets.

The PAC also recommended that the NHS and the Department of Health and Social Care do more to raise awareness of the availability of CHC among patients, their families, and health and social care specialists. According to the CHC Alliance, two thirds of people do not find out about CHC until very late in their journey in the health and social care system. Furthermore, a 2016 survey of MND patients found that although 30% of respondents were receiving CHC, 33% were not aware that it existed. As many will know, motor neurone disease is particularly cruel; most people who are diagnosed will pass away within 18 months of diagnosis.

The Committee asked the Government to update it on how awareness of CHC has been raised among the relevant groups. The Government have said they will carry out joint work with the NHS to understand awareness gaps and how the process for determining CHC eligibility is understood, with a plan of action ready by summer 2018. As of this month, June, patient organisations are still waiting to be approached regarding levels of CHC awareness.

Another area in which the Committee required more clarification from the Government was on how they plan to improve the quality of the assessment tools and staff and assessor training. The Committee has also asked the Government to be clear on how they plan to monitor the impact of changes in reducing variations in eligibility rates between CCGs. Rather than give a detailed response, the Government instead chose to refer to the recent changes made to the national framework. They also said they would carry out the work providing more insight into CCG variations by autumn 2018, but it remains to be seen whether they will keep to that deadline.

The CHC Alliance has reservations about the changes. The eligibility assessment tools include the decision support tool, which is a checklist for eligibility. That tool lies at the root of the eligibility issues with CHC, yet only minor cosmetic changes have been made to it. There are also issues with the definitions of severe and priority conditions in some care domains. They can lead to the impression that CHC eligibility is for terminally or morbidly ill patients only, which is simply not the case. Such misinterpretations of the framework contribute to the very low conversion rate between the checklist and those receiving eligibility. The rate was only 29% across 2015 and 2016, according to the NAO report.

There are further concerns surrounding the Government's proposals to stop CHC eligibility decisions being made in acute or specialised hospitals. That will seriously disadvantage those patients in need of long-term care in such settings. For example, a spinal injury patient in a specialised spinal hospital could be at risk of losing out on CHC funding if the Government choose to remove eligibility assessments and decisions from those institutions. I urge the Government to seriously reconsider that proposal, as it does nothing to help those in desperate need of CHC funding and causes unnecessary worry and concern for their families, friends and carers.

I mentioned the inconsistency of approval rates for eligibility across CCGs. The Committee recommended that the NHS should establish some sort of oversight process to ensure that eligibility decisions are made consistently within and across CCGs, as well as setting out criteria to identify and investigate outliers in eligibility decisions so as to generate a greater understanding of the variance in eligibility outcomes.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on securing this debate. There is no guiding framework for continuing healthcare in Northern Ireland, which makes getting a CHC assessment particularly challenging. It is unlikely to be offered or mentioned by someone's local health or social care team, but it is definitely available. Does the hon. Gentleman agree that we need a UK-wide change in how CHC is managed for those who are terminally ill, instead of expecting phenomenal charities such as Macmillan to stand in the breach?

Chris Evans: I thank the hon. Gentleman for his intervention; he is always insightful. My experience is the same as his. Most people do not know about CHC. That is not just an issue for the Northern Irish, Scottish or Welsh Governments or whoever; it is a UK-wide issue. We are dealing with people who are near the end of their time on this earth, and we have a duty not just as politicians, but as human beings, to ensure that their time is as comfortable as humanly possible. I think the whole House would support us on that.

The Government's response has been to try to dodge responsibility by saying that the NHS already has assurance mechanisms to hold non-compliant CCGs to account. Those are mechanisms that the NAO report demonstrated are not effective in eliminating unwarranted variation when it comes to eligibility decisions. The NHS has not been addressing CCGs' non-compliance with the national framework. The Government need to help and encourage them to do so to ensure that accurate decisions are made and that people in need of help are not left struggling without it.

Perhaps most concerning of all, there has been little substantive stakeholder engagement with patient organisations representing those affected by inconsistencies and variation in eligibility outcomes. In my discussions with a range of organisations, that is the No. 1 problem. They do not believe they have been asked what they think of how the present system is working. The Government did not lead a full public consultation for the national framework revision, and the closed engagement process has left patient groups feeling unhappy, ignored and out of the loop. The revision was conducted over a very short period, with a very select group of consultees. It is little wonder that the changes made to the framework are so unsatisfactory given that those in receipt of care have not been consulted on what changes need to be made.

All the pledges to improve the framework and the eligibility process mean nothing if the changes are not properly funded, so it was disappointing to see the Government provide such a vague breakdown of the costing of efficiency savings in their response to the PAC inquiry. They expect to reduce spending by £855 million, yet no details are provided as to how those large cost savings will be achieved without limiting either eligibility

or the support provided. The Government believe they can save £122 million by improving the commissioning of care packages and a further £293 million by allowing CCGs to locally deliver improvement initiatives. However, those savings in practice may refer to cuts to care packages. We need further assurance from the Government that care packages and support will not be sacrificed to save money. Sometimes, there are issues wider than saving money.

Overall, the Government's response to the NAO report and the Committee inquiry is disappointing and lacklustre. As with many aspects of the Government's health policy, it seems that they view the revisions to the framework as a money-saving project, rather than considering the detrimental impacts the changes may have on the patients and their families who are in desperate need of CHC funding. It feels as though the Government have learned nothing from the report and have taken none of the recommendations on board. I am sad to say that that seems typical of the Government in so many areas.

The response was not good enough. Further clarity is needed on the issues. I have mentioned that the changes need to be set in concrete. Through my role on the all-party parliamentary group for MND, I have met several MND patients. I have to pay tribute to the bravery of those who are suffering with MND, as well as their families. I pay tribute to their passion to help others. If anyone wants to see humanity in action, I ask them to go along to a Motor Neurone Disease Association meeting. What strikes me is that it is not about them or the sufferer; it is about the people who come after them.

All my life, I have counted myself as a socialist in the belief that I have as much responsibility for the person sitting next to me as I have for myself. I honestly believe that I see that all the time in the Motor Neurone Disease Association. I can only pay tribute to those people from the bottom of my heart for the work they do for families and for carers. Even after the ones they loved have gone, there are still people out there fighting for those with MND. I know the Minister is compassionate; I have often been very impressed with her work in this Department and as a Minister for Justice in a previous life, and I know she cares. I hope that today she will show that the Government she represents really care about these people.

4.9 pm

The Minister for Care (Caroline Dinéage): It is an absolute pleasure to serve under your stewardship, Ms McDonagh. I start by congratulating the hon. Member for Islwyn (Chris Evans) on securing this important debate on NHS continuing healthcare. I pay tribute to him for the inspiring work he does on the all-party parliamentary group on motor neurone disease. I also pay tribute, like him, not only to those who suffer from this very cruel illness, but to those who provide the unstinting care and compassion to loved ones who go through that horrible experience.

One of my first experiences as a Member of Parliament was helping a constituent who had motor neurone disease to get her continuing healthcare package to kick in during a very difficult part of her life. I am completely aware of the people to whom the hon. Gentleman refers. I met a few carers for people with motor neurone disease earlier this week, as part of carers week. As ever,

[*Caroline Dinenage*]

I was completely overwhelmed by their incredible sense of duty and the commitment that they give to those for whom they care.

The hon. Gentleman is right to ask for further clarity on the issues he raised, and I hope that today I can provide him with some reassurance on those issues about which he is most concerned. We know that continuing healthcare is provided to some of the people with the highest and most complex health and care needs in the country, and they deserve our support. Of course, the nature of the situation presents some challenges. The hon. Gentleman made some valid points about the current issues facing the NHS continuing healthcare system, including some of the issues raised in the Public Accounts Committee earlier this year. I will set about trying to address them all, and will drop him a line afterwards about anything that I miss out.

Decisions about NHS continuing healthcare are important because they have a very big impact on people's lives. It is right that there is a careful and considered decision-making process in place. The hon. Gentleman talked about people not being aware of continuing healthcare, which was a really good point. It is fundamental that we raise awareness of continuing healthcare and ensure that those who are entitled to it during a particularly difficult period of their lives claim it. Work on that by NHS England and the Department of Health and Social Care is under way, and will be announced later this summer, as we have confirmed to the Public Accounts Committee.

My Department is responsible for the NHS continuing healthcare national framework, which the hon. Gentleman mentioned. An updated version of the framework was published on 1 March, and will be implemented on 1 October this year. The revised framework follows an extensive period of external engagement with stakeholders and patient representative groups, including the Continuing Healthcare Alliance and those working within the NHS and local government. The update incorporates a new structure, which is intended to provide clarity, reflect legislative changes such as the Care Act 2014, and include minor clarifications on some policy areas. It is really important to underline that none of the changes is intended to alter the eligibility criteria for NHS continuing healthcare or the extent of the service provided by the NHS.

The hon. Gentleman mentioned progress and the next steps on the NHS continuing healthcare assessment tools. As set out in the Government's response to the Public Accounts Committee, my Department is working very closely with NHS England to review the NHS continuing healthcare checklist tool. That work is due to report by this autumn. However, we know that those changes alone are not enough to deliver all the necessary improvements, particularly on some issues such as the variation in eligibility criteria, which the hon. Gentleman highlighted. That is why we are working very closely to support NHS England with their NHS continuing healthcare improvement programme.

It is important to be clear that there will always be some variation in NHS continuing healthcare eligibility rates. Such variation can be due to a wide variety of reasons, including the age dispersion within the local population and variation between geographical areas in health needs. It is really important that NHS England is

working to understand the unwarranted variation in eligibility rates between clinical commissioning groups, and helping them to apply the national framework more consistently. NHS England is also developing a pilot to test the feasibility and the cost of running a sustainable case-level audit of eligibility decisions across clinical commissioning groups, to provide that kind of assurance on consistency and fairness in the provision of NHS continuing healthcare, which we all know is utterly vital.

Another area that NHS England is working to improve is the length of the NHS continuing healthcare assessment process. A quality premium is now in place to incentivise clinical commissioning groups to carry out more than 80% of assessments within 28 days. There is, of course, also a fast track for those who need the service much quicker. Clinical commissioning groups with the highest numbers of delayed cases are required to establish improvement plans to set out key milestones and planned measures to improve.

The hon. Gentleman will be pleased to hear that progress is being made. The latest quarterly data shows that in the last quarter of 2017-18, 66% of assessments were completed within 28 days. That is still not good enough, but it is up from 58% at the beginning of the year. The number of clinical commissioning groups delivering the expected standard of 80% within 28 days has gone up from 52 to 87 so far this year. As I have said, there is steady progress, but more to do.

The hon. Gentleman raised the target of £855 million of efficiency savings that we are planning by 2021. It is really important that I make it absolutely clear that that is not a cut in spending, but a reduction in growth in spending. Spending will continue to rise in real terms, with a projected budget increase of almost 4% a year, and of 20% between 2015-16 and 2020-21. I think he will agree that that rate of growth would be the envy of many other areas of health and care spending—indeed, of many other Departments.

The eligibility threshold for NHS continuing healthcare has not changed. The assessment of needs by a multidisciplinary team, as well as the primary health need test that we set out in the national framework, must be adhered to when deciding on continuing healthcare eligibility. No financial considerations or efficiency programmes alter that. Any planned efficiencies are not predicated on changes to eligibility or on limiting the care packages available. Clinical commissioning groups have an absolute responsibility to ensure high-quality standards of care, and any reduction in the growth in spending must not affect that.

It is vital that we continue to work closely with NHS England, local authorities and key stakeholders to ensure that we keep improving the system for those who need it. I know that there is still work to do, as the hon. Gentleman has highlighted, but I hope that he can appreciate that the Government and NHS England are aware of the challenges that we face in the provision of NHS continuing healthcare. I hope that he is aware of my personal dedication to getting this right. I am confident that the steps we are taking to improve the system are the right ones and will deliver an improved experience for patients, families and carers.

Question put and agreed to.

4.17 pm

Sitting suspended.

Immigration Rules: Paragraph 322(5)

4.30 pm

Siobhain McDonagh (in the Chair): Before I call Alison Thewliss, let me say that I think it has become obvious to everybody that there might be quite a strict time limit on speeches.

Alison Thewliss (Glasgow Central) (SNP): I beg to move,

That this House has considered paragraph 322(5) of the Immigration Rules.

To assist those who wish to intervene or speak later, I will speak about the background to this issue and about recent case studies from my constituency, and then I have some questions for the Minister. That may help them tailor their remarks.

I pay tribute to the members of the Highly Skilled Migrants campaign group, who have now held four large demonstrations outside this Parliament and have been extremely active on social media. They have self-organised and worked hard to give this issue the attention it deserves. I also want to thank Amelia Hill at *The Guardian* and Kirsteen Paterson at *The National*, who have given this issue first-rate coverage.

For more than a year at least, the Home Office has been issuing highly skilled migrants, many of whom entered the UK via the tier 1 general route, with notices detailing that their leave to remain application has been refused. It seems that many of those decisions have been predicated purely on the applicants' alleged poor character in the wake of amendments to their tax returns and income statements. In making those decisions, the Home Office has deemed highly skilled migrants a threat to national security under paragraph 322(5) of the immigration rules, which refers to

"the undesirability of permitting the person concerned to remain in the United Kingdom in the light of his conduct (including convictions which do not fall within paragraph 322(1C), character or associations or the fact that he represents a threat to national security".

That is highly inappropriate.

It is important to note that paragraph 322(5) is discretionary: it should be for the Home Office to determine whether to use it, based on the merits of each individual application. It also places the burden of proof on applicants, rather than on the Home Office. From my constituency casework, and from listening to highly skilled migrants who have contacted me, I have seen that that is regimented, calculated decision making. Individuals' applications are refused whenever they supply details of different incomes, or seek to amend information in a tax return, often on the instruction of an accountant.

None of the migrants to whom I have spoken has any issues that should cause them to be considered a threat to national security, but the very invoking and recording of this paragraph could compromise their future work and travel. After all, what country would wish to accept somebody who had been refused by the UK on such grounds?

When an application is refused, it is incumbent on the applicant to challenge the decision through the courts. In many cases, the judge has overruled the Home Office's decision, finding it entirely disproportionate. A number of refusals appear to have been predicated on nothing

more than the individual making an honest mistake. As far as Her Majesty's Revenue and Customs is concerned, when the correction is made, the case is closed. Some of the sums involved in those corrections are only a few pounds—sums of £1.20 and £1.60 have been reported—and many were from many years ago. For one of my constituents, it was from 2010. Many people have asked me, "If there was a problem back then, why didn't it affect my status at that point?"

I raised this matter with the Financial Secretary to the Treasury at Treasury questions in May, and he confirmed that

"people should clearly continue to make appropriate changes to their tax returns. I reassure her and the House that Treasury Ministers and HMRC officials are working closely across Government—particularly with the Home Office—on the issues that she raised in order to ensure that we get these matters right."—[*Official Report*, 22 May 2018; Vol. 641, c. 710.]

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this matter to Westminster Hall for consideration. Does she agree that some of those affected are doctors—highly skilled, highly valued members of our medical society—in the Ulster Hospital in Northern Ireland and in hospitals throughout the United Kingdom of Great Britain and Northern Ireland? We must ensure that those who are living, working and making a difference in our communities, and are pouring into them, are able to continue to do that without the undue stress of overly onerous immigration procedures, caused by simple non-criminal mistakes on tax returns. Perhaps some in this House have made such mistakes themselves.

Alison Thewliss: The hon. Gentleman is absolutely correct. Many of the people I have spoken to are in shortage occupations and are much valued. They are the very people we wish to attract to this country to work.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Several highly skilled migrants in my constituency of Slough have had their Home Office applications refused due to the heavy-handed application of paragraph 322(5). Many who contacted me have lived in the UK for more than a decade and have British-born children, and are now in a state of despair. One told me:

"I have given my best years, and contributed to the growth of Britain. My private, family and professional life are established here. I am a law-abiding citizen and have never faced criminal charges of any kind."

Does the hon. Lady agree that it is very difficult to respond to somebody in such circumstances, and that the Tory Government's hostile environment must end?

Alison Thewliss: I agree. That chimes with many of the stories I have heard. We must think particularly about the impact on children, who do not know why their parents are not allowed to work all of a sudden. Some people have not been able to access medical care for their children, which is deeply worrying.

Paul Masterton (East Renfrewshire) (Con): The hon. Lady is aware of my constituent, to whom this rule was applied. In many ways, the biggest impact was on his wife, because NHS Scotland removed her access to medical services, even though she was eight months pregnant. Although NHS Scotland and Home Office

[*Paul Masterton*]

staff have very difficult jobs in highly stressful situations, mistakes can have serious consequences that are hard to unpick.

Alison Thewliss: I thank the hon. Gentleman for that intervention. I had cause to meet his constituent, and I was so concerned about his situation that I wrote to the Cabinet Secretary for Health and Sport in Scotland to ensure that all GP practices in Scotland understand that they cannot just take people off their lists in such circumstances. Certainly, women who are eight months pregnant need medical care and should not lose it due to Home Office errors.

Stephen Timms (East Ham) (Lab): Will the hon. Lady give way?

Alison Thewliss: If the right hon. Gentleman lets me make a wee bit of progress, I will appreciate it.

It seems extremely odd to me that HMRC could be satisfied, but that the Home Office should treat the same behaviour as akin to deception at best and terrorism at worst. If I, the Minister or anybody in the Chamber made a legitimate, in-time correction to our tax return our lives would not be turned upside down—as the hon. Member for Strangford (Jim Shannon) said—and we would not have the threat of removal hanging over our heads. It is said that half a million British citizens amend their tax records every year within the one-year grace period that HMRC allows. Others, of course, do it outside that period. None of those people is treated as a criminal under paragraph 322(5). The only reason highly skilled migrants are treated in that way is their nationality. As far as I am concerned, that is discrimination under article 8.

In one case that was reported to the press, an individual who had come to the UK via the tier 1 route went through this process. He presented a letter from his accountant detailing that the error was the accountant's fault, and a letter from HMRC explaining that it was satisfied that the individual was not acting dishonestly, but the Home Office refused to exercise any discretion or change its original decision. In another case, after an individual's tax information was scrutinised by three different appeal courts, no evidence of irregularities was found. The individual's lawyer noted that the Home Office had made a basic accounting error by confusing his gross income with his net income.

Sir Edward Davey (Kingston and Surbiton) (LD): The hon. Lady is making an excellent speech. That is one of the key points: Home Office officials do not know anything about tax, and they are making decisions about people's lives based on their tax information. This responsibility has to be taken away from them today.

Alison Thewliss: I absolutely agree. Paul Garlick QC, who specialises in extradition and human rights law, said:

“The system is crippled by not having enough people to do the work while those who are there don't understand the basics”, as the right hon. Gentleman says. Paul Garlick continued:

“They genuinely have no idea of the difference between tax years and accounting years, or what is a legitimately deductible expense. My feeling is that since Theresa May's announcement of a 'hostile environment' for immigrants, caseworkers have been told to look for discrepancies that could form the basis of an accusation that the applicant is lying, because that's the quickest way to dispose of an application”.

Teresa Pearce (Erith and Thamesmead) (Lab): The hon. Lady is making an excellent case. HMRC has wide-ranging powers and can prosecute when there is any whiff of criminality, but it has not done that in any of these cases because these are mistakes or small errors of the kind that many of us have made.

Alison Thewliss: The hon. Lady is absolutely right. If there were a case to answer, HMRC would have something to say about it.

This issue affects not just those individuals. Last week, I spoke to Saleem Dadabhoj, who employs 20 people in his business. If his situation is not resolved, all those people will be made unemployed and a British company worth £1.5 million will be wound up. That is economic madness, and the Home Office should carefully consider the impact of its target-driven culture on the economy, especially in these uncertain times.

I have spoken to many highly skilled migrants, all of whom have been distressed about the way they have been treated, having given the best years of their lives to the UK and made their home here. We should thank that group, not put them out.

My constituent, Omer Khitab, travelled to the UK on a study visa in 2006 and completed a master's course in international marketing at the University of the West of Scotland in 2009. He then worked in journalism and marketing before starting his own business. His accountants completed his tax return on his behalf, and the errors they made inadvertently were rectified by my constituent a few months later. Omer has written documents from his accountants to prove that, and accepting full responsibility for the errors.

Omer also suffers from depression and anxiety, a factor that his GP and his psychiatrist have acknowledged would, without doubt, contribute to his inability to spot an administrative error in his tax return. His stress is only worsened by the ongoing nature of his case. He said:

“I feel this is my home, I thought my children will grow up here, I will get married and die here. That letter saying I don't belong to this place, I am a threat to national security, it's very hard to swallow”.

It is hard for all of us to swallow.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Does the hon. Lady agree that, given the association of that rule with terrorism provisions, the implications are wide ranging and can leave a black mark on people's lives forever? It is difficult for them ever to get a visa or to work anywhere worldwide after all that.

Alison Thewliss: Absolutely. That is why there needs to be a proper and thorough inquiry into the use of the provision. If Home Office staff are being advised to use it as a means of refusing people, they are clearly not looking at the full implications or the possible long-term impact.

My constituent Omer was refused leave to remain on the basis that he had deceived the Department, which goes entirely against all the evidence that he provided. Furthermore, HMRC has written to Omer to say that its staff are satisfied that he has acted honestly and not tried to deceive anyone.

Mustafa Ali Baig also travelled to the UK to study in 2006. He obtained master's degree in international marketing from the University of the West of Scotland in 2009. Mustafa and Omer have a lovely picture of the two of them graduated—two young boys with all their lives ahead of them, and Omer certainly is almost unrecognisable from that picture, given the stress he has been under lately.

Before coming to the UK, Mustafa obtained a bachelor of law degree at the University of the Punjab, and he has master's degree in political science. He has worked in business development, marketing and public relations, and has undertaken voluntary positions for civil rights and social action groups. He also volunteers to run a current affairs radio show. He is very much part of the Glasgow community, and he has gone above and beyond to advocate for his friends.

As far as I am aware, there is no question as to Mustafa's integrity, but, due to that immigration rule, as the hon. Member for Ealing Central and Acton (Dr Huq) has just pointed out, he has been told that he is a questionable character and a threat to national security—as a result of correcting a small error on his tax return in 2010. That is no basis on which to remove someone in such a way. His case goes to the immigration tribunal on 20 June—that proves that decisions on such cases are still being made, despite what the Home Secretary has said.

Mr Sanjeev Pande travelled to the UK in 2005 on a student visa and graduated from Glasgow University in 2008. He started his own IT business and was also employed as an IT consultant and project manager—a lucrative career. Most recently, he had been leading an IT project for a bank in Scotland, before his right to work was removed by the Home Office.

Mr Pande applied for ILR—indefinite leave to remain—under long-term residency rules in 2017. He had been in the UK for 12 years at that point. He hired an accountant, but his tax return submissions were subsequently questioned by the Home Office. As a result, Mr Pande made attempts to change his accountant and to rectify the errors, but the Home Office has continued to pursue him on the basis that officials believe him to be dishonest.

Most distressingly, Mr Pande was detained at Heathrow airport on his return from a family holiday in 2017. His passport and BRP—biometric residence permit—were confiscated by immigration officers, removing his right to work. That has a huge impact on the family finances, because he has a mortgage and other commitments. Judges found in his favour at both first-tier and upper tribunals. Indeed, paperwork from the first-tier tribunal states that in some detail—it is a long quote but it is worth putting it on the record—with the judge saying:

“The refusal letter is I think confusing in itself in relation to the Appellant's income, but I have to say that I found both the Appellant and his wife to be credible witnesses. I do not think that they have acted dishonestly. The Appellant relied on the advice of an accountant. He was entitled to rely on that advice and whilst he is under a duty to check information, it is entirely unfair to expect him to have a level of accountancy and tax knowledge

accorded to professionals in this field... He was clear that he sought clarification from the accountant but eventually, when he was unable to get satisfactory answers, he changed accountants... It also appears to me that the Appellant was unfairly treated by the Home Office. His passport was retained during the first appeal proceedings. As a result he was unable to find employment since employers refused to employ him without the benefits of his passport. He was, I think, therefore prejudiced and I consider that this matter should be taken into account in the question of proportionality.

Taking all of the above into account, therefore, I do not consider that the Appellant has acted dishonestly. He may have been misguided, but that is a different matter and I consider that it would be disproportionate in the circumstances to expect the Appellant and his wife to leave the UK, particularly as they own property in the UK, they pay tax in the UK and they have spent a considerable number of years here.”

The last case I want to highlight is that of a female constituent—I do not want to name her, because her children are at school in my constituency. She travelled to the UK from Nigeria and has been refused leave to remain in similar circumstances to the others, under paragraph 322(5) of the immigration rules. She legitimately made changes to her tax return, but the Home Office is again putting forward the argument that she has tried to deceive the Department and it has refused her an administrative review.

My constituent is a qualified accountant, and has been unable to continue seeking work in her field as a result of the status imposed on her by the Home Office. She has been made destitute as she has no recourse to public funds—many on tier 1 have no such recourse.

My constituent has been to my office to seek help in getting school uniforms for her children. Unable to work, she is struggling to keep her family afloat, and there is a real risk that she and her children will be made homeless as a result of the Home Office decision. Her landlord, the Wheatley Group, confirmed only yesterday that, due to the support of her church paying her rent, it was not to proceed with legal action to evict her at this point, but that option remains open. I am extremely grateful to the Wheatley Group for the discretion it has shown, but the situation is not sustainable—my constituent needs to get back to work.

The issue has been considered by the Select Committee on Home Affairs, and the Home Secretary corresponded with its Chair, committing to put all 322(5) applications on hold and to carry out a review by the end of May. As far as I can ascertain, that review has not yet been published and no further detail on it is available, although as I said in connection with my constituent Mustafa, 322(5) decisions are still being made.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I congratulate the hon. Lady on securing this debate, and I apologise for missing the first few minutes of it due to business in the main Chamber. She is absolutely right that the Home Affairs Committee, on which I sit, is still not clear where the Government are going on the matter. Does she agree that this scandal shows the wider systemic problem in the Department, as we have seen through Windrush, this immigration rule and a series of decisions being made wrongly when there is a hostile environment, a lack of discretion, cuts in staff and cuts in ability, as well as Ministers who, quite frankly, do not have a grip on what is going on in their Department? The net result is damage to individuals and their families.

Alison Thewliss: I absolutely agree. It is worrying that even the Home Affairs Committee cannot get answers on certain things. This rule is of huge concern, and decisions under it are clearly still being made, as I heard from people I spoke to at the Highly Skilled Migrants demo last week. They are clear upon that.

Anneliese Dodds (Oxford East) (Lab/Co-op): The hon. Lady is being generous in giving way, and she is making a very powerful speech. Does she not agree that the Home Office was made aware of such issues in letters from me and others present in this Chamber back in mid-March, but no action was taken? Having such a delay in action is simply not good enough when that is affecting people's lives in such a terrible manner.

Alison Thewliss: Yes, I absolutely agree with the hon. Lady. For some months, I have been trying to get answers for the constituents who have been to me. The woman I mentioned came to see me in January, and she still has no answers in her case. When constituents come to us, it is not always evident that they are affected under those particular rules, and we often have to see the refusal letter to understand exactly why the refusal has been made, but a growing number of people have been getting in touch with me about finding themselves in this circumstance. Those who are not my constituents I have encouraged to get in touch with their own MP, as I am sure they have done going by the number of people in the Chamber today.

To add insult to injury, *The Times* reported this morning that a new visa route for migrants who want to start businesses in the UK

“is to be expanded to include non-graduates under efforts to increase technological innovation.”

That is rank hypocrisy. How can the UK Government reasonably expect to attract new migrants to the country when they treat the highly skilled population who are already here, and have been for years, with such utter disrespect?

I have a number of questions, which I hope the Minister will assist with. When will the review that I mentioned be published? How many cases are in process, and how many are awaiting judicial review? I have asked the Home Office how many people have been refused under the provision, and I understand that Channel 4 News also put in a freedom of information request to the Department without getting an adequate response.

Was an instruction issued to start refusing cases under the rule? If so, by whom and when? On 2 May, *The Daily Telegraph* reported that Home Office caseworkers had discussed using previous amendments to tax returns to cast doubt on current tax returns. How widespread is that practice? Will the Minister allow people caught up in all this the right to work, the right to access NHS services and the right to rent during their appeals? They often lose those rights as soon as the administrative review is refused—that is the first line of appeal after the initial refusal—and, as was mentioned by the hon. Member for East Renfrewshire (Paul Masterton), that can have a serious impact, in particular on women who are pregnant.

Will the Minister tell me whether compensation is to be offered to those wrongly caught up in this mess, just like Windrush? People affected can be out tens of

thousands of pounds, particularly if they cannot get legal aid for their cases, because they have not been able to work and have gone into debt and arrears.

Lastly, what does the Minister have to say about the impact of this policy on individuals? I have been told by many about the strain on their mental health; relationships with their family here and with relatives abroad, who they are not able to visit; the stress of having to report to the Home Office regularly, sometimes on a fortnightly basis; and the loss of employment. Does the policy have a wider economic impact?

The Home Office's policy of deliberately targeting these highly-skilled migrants is yet another example of this cruel Tory Government's hostile environment policy in action. The group being targeted here are highly skilled: they are doctors, accountants, IT professionals, teachers and academics, to name only a few. They have put down roots and contributed greatly to their communities.

The UK Government continue to talk about attracting talent, yet their behaviour towards this group shows that they clearly are not interested in retaining much of the highly skilled population who are already here—already well integrated and contributing hugely. I urge the Minister to take swift action now to support highly skilled migrants who have done us the honour of choosing to live here.

Several hon. Members *rose*—

Siobhain McDonagh (in the Chair): Order. As all hon. Members will be aware, this is a very popular debate—people have done very well in getting their MPs here. Eight people wish to speak in the 20 minutes remaining before I call the Front-Bench spokespersons, so if we are to get everyone in, I am afraid Members must not speak for longer than two and a half minutes. I call Douglas Ross.

4.51 pm

Douglas Ross (Moray) (Con): I will scrap most of my speech in front of me, but I thank you for calling me, Ms McDonagh; it is a pleasure to serve under your chairmanship. I genuinely congratulate the hon. Member for Glasgow Central (Alison Thewliss) on securing this debate. It is important that we discuss this subject. I am extremely grateful, as a member of the Home Affairs Committee, to have had the privilege of meeting campaigners and some of the affected people earlier today. That allowed the Committee members to hear some of the real hardships faced by a number of people because the immigration rules, which are there for a reason, are perhaps not being implemented in as useful and credible a way as possible.

We heard this morning that no fewer than 1,000 highly skilled immigrants face expulsion from this country under this paragraph. That is not right. The hon. Member for Glasgow Central mentioned the two individuals who owed HMRC £1.20 and £1.60; we heard that they were brothers and that that was their only offence against HMRC, yet the Home Office is using this rule potentially to remove them from this country. It seems that either a simple mistake or no mistake at all leads to law-abiding immigrants' applications being refused out of hand. That means that no common sense is being used.

I was going to read from the letter to the Home Affairs Committee from the Home Secretary, but the hon. Lady did that. However, I urge the Minister to respond to this point: the Home Secretary said in the letter that he or the Immigration Minister would report back to the Home Affairs Committee by the end of May. Today is 13 June. I checked with the Clerk before this debate; despite chasing up the Home Office's parliamentary officials this afternoon, we as a Committee still have no knowledge of the Home Secretary or the Immigration Minister's response. We really need that as quickly as possible.

I asked our guests at the Committee this morning, because I did not want to put words into their mouths, whether it is the policy that is wrong or the implementation. I believe that they agreed that the policy is right—we are right to have these anti-terror policies—but the way it is implemented is wrong. I hope that the Immigration Minister will go from this debate and give case workers more clarification on how to use this policy the way it is intended, not to inflict suffering on people who should not be affected by it.

4.53 pm

Lyn Brown (West Ham) (Lab): I want to tell hon. Members about two constituents. Muhammad has lived in and contributed to the UK for 11 years. He has a master's in architecture from Oxford Brookes. His wife is pregnant; he has a career, a home, a mortgage and a real life in the UK. The Home Office refused him indefinite leave on the basis of a minor tax error. The error was not his. Muhammad is dyslexic and does not do his own tax returns—they were submitted by a professional accountant, who made a mistake and issued an apology. Muhammad immediately paid every extra penny owed once the mistake was discovered.

Last year, Muhammad's grandmother died. In April, his only brother died, too. He could not go to the funerals because he would not have been allowed back in the country afterwards. The baby is expected in September; he has been invoiced by the NHS for £9,000. If he does not pay that £9,000, his wife will come off the GP's list. Muhammad's case is not singular—far from it.

Sadeque is a senior lecturer at a university in the UK. Before that, he was at the University of Derby. He has lived and worked in the UK for seven years. Sadeque applied for indefinite leave in 2016, which was refused by the Home Office because in 2011 he made and accepted a minor error on his tax return. He repaid it in the same year. It is hardly a mark of bad character. He has been suspended from his job and soon will be forced to withdraw from his part-time master's at Oxford University. He volunteers with Amnesty International, Save the Children and UNICEF and promotes IT skills in the Bangladeshi community. He was graduate of the year at the University of Bedfordshire in 2011. In 2012 and 2013, he was a finalist of the British Computer Society, of which he is now a fellow. In fact, he is also a fellow of the Royal Society of Arts.

Sadeque's wife and daughter have already left the UK. His second daughter was born in Bangladesh but Sadeque has never met her. Why? Because he cannot go there; if he did, he would not be allowed to return. In Bangladesh, Sadeque was the dean of a university faculty. So why will he not just leave, when he is being so

badly and disgustingly treated by our Government? That is basically what he plans to do. He has been worn down and is going, despite the pending judicial review.

It is hard to look at cases such as those of Muhammad, Sadeque and Windrush and not conclude that this Government are chasing an arbitrary immigration target, regardless of the needs of our economy—or, indeed, the NHS or any sense of decency we might still have left as a country. Frankly, the Government have to look at the reputational damage caused by this issue.

4.56 pm

Jess Phillips (Birmingham, Yardley) (Lab): Like all hon. Members, I have constituency cases in this matter. My constituent Inam Raziq has been fighting his case and it seems to have taken many years off his life, but also £80,000 of his money. He is among the people who helped to organise the hundreds of case studies spoken about today at the Home Affairs Committee.

I sent 300 case studies to the Committee and to the Home Office in November last year. In the seven months since I did that, the Home Office has failed to do anything about the issue. Let us be honest: it is just another issue of low-hanging fruit. It is the Government saying, in a target-driven culture, "Who are the people we can get rid of quickest?" I wrote to Ministers about this issue in November, telling them of all the hundreds of case studies, including the specific case of my constituent Inam. Still, when questioned about it, the Home Office says, "Oh, we didn't know about it." I do not write the most amazing emails, but I told you—not you, Ms McDonagh; there is no doubt that you would have listened.

I wonder if the Minister will tell me whether she feels that these were good and honest mistakes. In here, we are allowed to make good and honest mistakes. The Health Secretary made a good and honest mistake when he forgot that he owned some luxury flats. I am sure that colleagues will agree that we can all forget the owning of luxury flats—I am sure I have forgotten many. He forgot to declare them to this place and to—I cannot remember where it was—[*Interruption.*] Companies House, that is right. That was considered an honest mistake. Inam Raziq is an honest man. I will leave the judgment of the Health Secretary for everyone else here.

4.59 pm

Faisal Rashid (Warrington South) (Lab): It is estimated that thousands of migrants who have been living and working in the UK for many years are wrongfully facing deportation because of minor tax discrepancies or rectifications. The immigration rules we are discussing today under paragraph 322(5) are extremely vague. Fortunately, the Home Office issued guidance on when to use that sub-paragraph to deny leave to remain. It states:

"The main types of cases you need to consider for refusal under paragraph 322(5)...are those that involve criminality, a threat to national security, war crimes or travel bans."

Let us be clear: we are all here because the people being denied leave to remain under that paragraph are none of the above. They are doctors, lawyers, engineers, IT technicians and other highly skilled migrants who make a valuable contribution to our country.

[*Faisal Rashid*]

One of them is a constituent of mine who has lived in this country for almost 10 years. He works in the IT sector, he has one son, who was born in this country, and his wife is expecting their second child. He is being punished because he made a minor tax rectification, which HMRC accepted, prior to applying for indefinite leave to remain. He even notified UK Visas and Immigration of the change. Because of that minor change, his application has been on hold for more than two years. He is anxious and concerned that he, like many others, will be forced to leave the country that has been home for him and his young family for the past 10 years.

My constituent works hard, pays his taxes, provides for his family and contributes to his community. His future, and the future of hundreds of others in his position, should not be left in limbo because he did the right thing and corrected his tax returns. He and his family are living with stress, anxiety and uncertainty, which is not acceptable. It does not take a review to recognise that something is wrong here. Ordinary people who contribute to our economy are being denied leave to remain because of routine changes or simple mistakes. Are these wrongful deportations a result of pressure from the Government to meet deportation targets, or is the Government's typical defence—that this is merely a result of their reckless incompetence—to be believed?

5.1 pm

Mr Steve Reed (Croydon North) (Lab/Co-op): I congratulate the hon. Member for Glasgow Central (Alison Thewliss) on securing this important debate.

I will focus on one constituent, because the individual cases really highlight the damage the Government are doing. I have a woman constituent—she prefers to remain anonymous—who came here from Zimbabwe in 2007 after winning a British Council scholarship to Birkbeck College in London. She has been a model citizen ever since. She works very hard—she has never had fewer than two jobs at a time—and she brings up her three children without any recourse to public funds. She has held management jobs, and she is the director of a company she set up in 2010. She has been a governor and a volunteer at a school in her community. She has run three marathons for charity, she volunteers at Crisis at Christmas and she helped to set up an arthritis charity.

In 2010, this woman suffered the horrific experience of being raped. Her attacker was eventually sentenced to 15 years in prison. In the aftermath of that trauma, she made a mistake on her tax return. She put that down to the many pressures in her life at that time. Considering that she was dealing with a serious sexual assault, holding down multiple jobs, volunteering and bringing up three children, she had an awful lot on her plate. She realised the mistake herself, reported it to HMRC, put her affairs in order and paid off the underpayment. HMRC accepted that it was a mistake and did not impose a fine. A few months later, she applied to the Home Office for indefinite leave to remain but, after a 19-month wait, she was rejected on the grounds of a tax discrepancy that had already been resolved to the satisfaction of HMRC.

This woman has now used up all her life savings on legal advice, has lost the right to work, can no longer afford to pay her mortgage or her bills, and is forced to live on handouts. She faces immediate deportation unless she can raise enough money to carry out further legal action. The Government have ruined this woman's life.

Clearly, this woman and the thousands like her are assets to this country. They must not be used as pawns in the Government's attempts to cover up the failures of their immigration policy by targeting people whose presence in this country is wholly legitimate and wholly beneficial. I hope the Minister agrees to suspend the use of paragraph 322(5) for purposes it was never intended for, sets up a hardship fund to help people this policy has damaged, and offers compensation to people who have lost their jobs, homes, savings and livelihoods because of it—and I hope she says sorry to the people she has damaged.

5.4 pm

Stephen Timms (East Ham) (Lab): I, too, congratulate the hon. Member for Glasgow Central (Alison Thewliss) on all her work on this issue and on her speech.

A large group of my constituents are affected in exactly the same way as others, but let me first say this. I was a Minister with tax responsibilities on four separate occasions. It is an important principle of our tax system that, once a mistake has been identified and any additional tax due has been paid, the authorities do not come back with further recriminations unless new information subsequently comes to light. It has to be like that, otherwise there would not be an incentive for people to own up to mistakes and pay the additional tax due.

In the cases we are talking about, people have owned up to mistakes, tax has been paid and HMRC has been completely satisfied, but the Home Office has come back, sometimes years later, with recriminations—it has not just demanded more money but destroyed people's livelihoods and, in a number of cases, broken up families—in a way that is wholly wrong and unfair. Like others, I have met many people in that situation.

My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) referred to the Health Secretary, who failed to do what he should have done. As she said, he made what he described as an “honest administrative mistake” and received no sanction. I do not complain about the fact that there was no sanction, but we cannot have one rule for Cabinet Ministers and affluent people, and a completely different rule for our constituents. That is not the way things are done in Britain, and the Home Office cannot be allowed to behave in that way. People's lives are literally being destroyed because they made honest administrative mistakes that have long since been rectified.

For far too many, the Home Office's hostile environment has become an oppressive nightmare. This must end, and we need the Minister to take action today to start to put things right.

5.6 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): I, too, congratulate the hon. Member for Glasgow Central (Alison Thewliss).

I will concentrate on one case—that of my constituent, Mr Iftikhar Ahmad—although there are many others. He has run a business in this country that employs other

people since 2011. He is also a victim of the Prime Minister's hostile environment. I do not know what it says about the state of our country that we have ended up with a provision that was designed to protect us from terrorism being used to pick on people for minor tax difficulties, but it does not make it sound to me like the sort of place anyone would particularly want to live.

The Minister must know perfectly well that whenever MPs raise this issue, the replies they get are wholly inadequate. We get a cut-and-paste letter with a standard stamp on it, which tells us that nobody bothered to read our letter and that there is absolutely no prospect of our being told when the matter might be dealt with. I do not blame the Minister for the hostile environment—the Prime Minister created that state of affairs when she was at the Home Office—and I know that since this issue got a bit of attention in the press, the Government have announced that it is no longer their policy. I was delighted to hear that.

Despite the limited time, I wonder whether the Minister will tell us honestly what happened. She is the Minister left holding the baby. What happened? How did we end up in this state of affairs? Will she give us a clue about what she thinks is the number of people affected? I certainly have reason to believe it is well over 1,000. The number of people affected by Windrush started small, but we suddenly discovered it was much bigger. How many lives like the ones we have heard about are being wrecked as a result of this situation, and what will she do for people such as Mr Ahmad, his wife and his three children? He cannot provide for them anymore. Just like everybody else who is affected, he has almost spent his life savings—savings he accumulated through his hard work in this country, while he was paying taxes and helping the rest of us. He is almost spent up. Will the Minister give him a chance to work while the review is concluded?

5.9 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to serve under your chairmanship, Ms McDonagh. I also thank the hon. Member for Glasgow Central (Alison Thewliss) for securing this excellent debate. I will try not to repeat the points that have been made by her and others. I declare an interest: I was chair of Barrow Cadbury Trust, which funded the Migrants' Rights Network from its inception, and the MRN has been part of the group of organisations that has supported the work in Parliament today as well as at other times.

On Friday, I met a group of constituents in my surgery that included both individuals and couples who have been affected by the new operation of the immigration regulations. They are all from India and are highly qualified, well paid and well respected IT professionals. They came to answer this country's skill shortage—a shortage that has not gone away. They work in our large and reputable companies such as Sky and Royal Mail, and one of the affected people they know even works for HMRC. Today, the Government launched a programme to attract tech entrepreneurs to the UK, yet the Home Office is effectively sending home high-skilled tech people who contribute so much to our economy. I must also say that they are, of course, net contributors to the Exchequer.

After the Windrush scandal, this is yet another example of the hostile environment operating at the Home Office. Many have been refused for spurious reasons. Those

without the right of appeal cannot work, cannot take up the offer of promotion, cannot rent a flat and may lose their driving licence. Even those with pending appeals or judicial review applications who can work are losing jobs because nervous employers have asked them to resign. Many cannot travel to see family and cannot explain to their family why they cannot visit them. One person I met was told by the Home Office that he could get his travel documents to attend his brother's funeral if he withdrew his application.

Given these people's age profile, many have small children, or they want to start a family but cannot do so because they are in limbo. They told me, "We love this country and we don't want to leave, yet we feel we're just numbers. You"—not me but this Government and, they feel, this country—"want to attract talent from across the world, yet you don't respect those of us who are here. This is affecting the reputation of the UK around the world."

Some are refused not for tax problems but because, with their employer's permission, they have extended their leave beyond 28 days to 45 days, or for maternity leave.

5.12 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I thank my hon. Friend the Member for Glasgow Central (Alison Thewliss) for securing the debate and pursuing this issue with her usual determination and eloquence, not just today but over several weeks. I thank all hon. Members for their contributions and, like the hon. Member for Moray (Douglas Ross), thank the campaigners and witnesses who spoke to us this morning to give us an insight into what is going on.

I do not think there is a more effective way to highlight yet another rotten Home Office stink than by relaying the personal stories of the individuals affected, as hon. Members rightly have. I started jotting them down—the hon. Member for Strangford (Jim Shannon) spoke about doctors who had made simple mistakes with their tax returns and the hon. Member for Slough (Mr Dhesi) spoke about law-abiding citizens with families who had been here for a decade—but I stopped when I got to the gobsmacking story relayed by the hon. Member for West Ham (Lyn Brown) about the accountant who had owned up and yet found that that was not enough to satisfy the Home Office, and about all the consequences that followed.

This all reeks of another episode of the Home Office coming up with a new wheeze to increase the number of people they can remove, and implementing it with no concern for whether decisions stand up to scrutiny in terms of the law or, indeed, basic common decency. It is clear that the Home Office did not like tier 1 general visas as they were closed to new applicants in December 2010, and those still in that process face severe repercussions—low-hanging fruit indeed.

Will the Minister, in responding, tell us whether there has been any change to Home Office guidance? Have any new policies or instructions been issued that relate to tax discrepancies and the relevance of paragraph 322(5) to that issue? If not, what is her explanation for this sudden upsurge in the number of cases we have seen in the last 12 months? Members have pointed out, and

[*Stuart C. McDonald*]

were told this morning, that there are probably now more than 1,000 cases. Will she confirm the numbers her Department has? What do the data on appeals and judicial reviews tell us? What has happened to the review we were told was due to be completed by the end of May? Going further, why has the Department been so slow, given that those such as the hon. Members for Oxford East (Anneliese Dodds) and for Birmingham, Yardley (Jess Phillips) and my hon. Friend the Member for Glasgow Central have been raising this matter for months? Once again, it seems that there are systemic issues in the Home Office and those at the top do not appear to know what is going on.

When did the practice of comparing declared income on Home Office applications with tax returns commence, and what safeguards were put in place to ensure that caseworkers, who are not accountants or tax lawyers, did not put two and two together and come up with five? That is exactly what seems to be happening in too many cases. We have all read about cases where minor errors were corrected without demur from HMRC and where different sums were declared purely as a result of different accounting periods or rules applying. We heard again about cases where the difference was £1.20 or £1.60.

When was it decided that paragraph 322(5), which Home Office guidance states is usually to be focused on people involved in serious crime, threats to national security, war crimes and travel bans, was remotely appropriate for the circumstances we have heard about today? As my hon. Friend the Member for Glasgow Central and the hon. Member for Ealing Central and Acton (Dr Huq) said, that could have serious implications for applications to travel to other countries.

No doubt the Minister will flag up, as she has before, examples of where apparently there has been genuine fraud. Obviously she cannot publish the details of those cases, and that is understood, but the problems with that being the total response from the Home Office are twofold. First, it is utterly contrary to the experience of everyone in the Chamber, as has been relayed, and it seems that yet again the Home Office is using the excuse of a few bad eggs to throw out more than 1,000 people. Secondly, it is a question of trust. I do not think that many members of the public or MPs here—especially after Windrush—will be happy with the Home Office saying, “Trust us. We’ll review things and sort it out.” If she wants us to have confidence in the process, there must be an independent review of what is going on. Will she set that up?

Finally—and most crucially of all—what steps can be taken to allow those individuals to live their lives here while they challenge what appear, in many cases, to be absolutely perverse decisions? Individuals and families are facing destitution and bankruptcy because of the outrageous changes to appeal rights made in 2014 and 2016. If the immigration system was just and respected the rule of law, they would all have an in-country right of appeal to a tribunal and their leave to remain would be automatically extended so that they could still work until the appeal process had been completed. What will the Minister do about that?

I finish by repeating what my hon. Friend said. So many of those involved are people we should be thanking, not threatening with removal. If there is one positive from today, it is that they know that MPs across the political divide are on their side and determined to put things right. I very much hope that the Minister is listening.

5.16 pm

Afzal Khan (Manchester, Gorton) (Lab): It is an honour to serve under you, Ms McDonagh. I thank the hon. Member for Glasgow Central (Alison Thewliss) for securing the debate and all Members for their contributions.

The Government’s treatment of highly skilled migrants has been shocking and unfair. Such migrants who have made legitimate and lawful changes to their tax returns are being put in the same category as serious criminals and terrorists. This is not just about the treatment of highly skilled migrants; it is about a hostile environment created by this Government, who treat all migrants like criminals and cannot distinguish between legal and illegal migrants. It is also about an ineffective Department that makes absurd mistakes, refuses appeals and cannot pick up on casework trends without media outrage.

First, I would like to discuss paragraph 322(5) and the way it is being used. According to Home Office policy guidance, it should be used for cases of criminality, threat to national security, war crimes or travel bans, yet a large number of refusals are on the basis of minor tax errors, many of which individuals picked up on and corrected themselves, as is their right. The Government’s overbearing hostile environment treats all migrants like criminals. Does the Minister recognise that many people are being penalised on the basis of 322(5) because of mistakes by the Home Office?

According to Home Office guidance, UK Visas and Immigration caseworkers are instructed to refer potential refusal decisions under paragraph 322(5) to a senior caseworker. Given the mistakes that I and other hon. Members have mentioned, does the Minister think that the system is working? How can such basic errors get past senior caseworkers and be allowed to play havoc with people’s lives?

Those are the actions of an overbearing Home Office driven by the Tory target of reducing net migration and failing to treat applicants in a fair and reasonable way. At least 1,000 highly skilled migrants seeking indefinite leave to remain are wrongly facing deportation owing to this paragraph. Our country desperately needs thousands of these people as NHS doctors, lawyers, teachers and engineers, and the effect of a refusal in such cases is devastating and lasting. People become ineligible for another visa and they are banned from returning to the UK for 10 years.

Often, people are either given only 14 days to leave the country or, if they stay, refused the right to work, to rent or to access NHS services. That is all without mentioning the mental and emotional effect of the process. During Home Office questions last week, I raised the issue of highly skilled migrants with the Minister, who said that,

“there have been several instances where those minor discrepancies have run into tens of thousands of pounds.”

She went on to say:

“We want to make sure that we collect the amount of tax that is owing.”—[*Official Report*, 4 June 2018; Vol. 642, c. 7.]

Of course nobody here would disagree that we want to collect tax that is owed. However, it is in HMRC’s interests for people to correct their taxes, and HMRC is explicit that that is entirely permissible and encouraged, if done within the 12-month timeframe. Is the Minister comfortable with the role the Home Office is taking on, second-guessing HMRC decisions and reassessing cases that it has said are settled and will not be penalised?

In conclusion, many cases of highly skilled migrants are heartbreaking, not to mention nonsensical from the perspective of the UK’s interests. Our NHS is facing a staffing crisis, and our businesses need skills. Yet the Home Office is denying visas to NHS doctors, lawyers, teachers and engineers, condemning them to be labelled as terrorists, criminals and a threat to national security when they have committed only minor tax errors. Will the Minister commit to apply paragraph 322(5) properly—to target serious criminals, not bad accountants? Will she tell her officials not to automatically deny visas when they spot minor mistakes? Will she recognise that minor mistakes in tax returns are not evidence of fraud? This reckless and hostile environment is targeting the wrong people.

5.21 pm

The Minister for Immigration (Caroline Nokes): It is a pleasure, as always, to serve under your chairmanship, Mrs McDonagh. I congratulate the hon. Member for Glasgow Central (Alison Thewliss) on securing this exceptionally well-attended debate. There have been numerous contributions from hon. Members; I fear I will not have enough time to do them justice by referencing them individually, but I think it is important that we look closely at this whole matter. That is one reason why we have the review.

The hon. Lady and many hon. Members have raised individual cases, which are of course central to this debate, but we must also reflect on the policy as a whole, and many hon. Members have requested that I do so.

Stephen Doughty: When the Minister appeared before the Home Affairs Committee in May, she claimed she had not had the time to look at those cases because there had only been two working days since the issue had been flagged up. She was told in November last year by my hon. Friend the Member for Birmingham, Yardley (Jess Phillips). My hon. Friend the Member for Reading East (Matt Rodda) wrote to her in February and we have heard that my hon. Friend the Member for Oxford East (Anneliese Dodds) wrote to her in March. Can she clarify for the House, and for other members of the Committee, when she first knew about this issue?

Caroline Nokes: It is important that we reflect that I cannot comment on correspondence received by my predecessors back in November. What is important is that we are looking at the review now and at the individual cases, of which there are many. I will come to the specific points about numbers in due course.

As hon. Members will know, the Government are committed to building an immigration system that is fair to British citizens and legitimate migrants, while being tough on those who abuse the system or flout the law. We welcome those who wish to come here, stay here

and take up highly skilled work, but people must play by the rules. Reports have suggested, and we have heard it repeated today, that the Home Office has been telling people who made a minor mistake on their tax records that we are deporting them because they are a threat to national security. I want to be very clear: that is not what is happening. We are not refusing people for making minor tax errors. We are certainly not saying they are terrorists.

The refusals we are discussing all relate to the tier 1 (general) route, which allowed individuals to come to the UK to look for work without needing a sponsoring employer. The hope was that they would make a significant economic contribution to the UK through taking up highly skilled jobs. The Government closed the route in 2011, as it had not worked as intended and, indeed, there were levels of abuse. Many applicants ended up in relatively low-paid work; an operational assessment of the route in 2010 found that 29% of tier 1 migrants were in low-skilled jobs and the employment of a further 46% was unclear. When they applied to extend their stay, many had PAYE earnings that were below what they needed to score enough points to remain in the route, but they also claimed for self-employed earnings. In some cases, the evidence showed that the claimed self-employment did not happen, and in other cases the evidence was less clear.

We were unable at the time to carry out the same level of checks with HMRC that we can today, and applicants in those cases where the evidence was not clear were given the benefit of the doubt. Now that those same individuals are applying for settlement, we are able to make more rigorous checks with HMRC on what applicants have told us in the past about their self-employment, and compare it with what they have told us for HMRC purposes.

Again, I want to be really clear: we do not have a policy of refusing people for making minor tax errors. We all know that many people have to make corrections to their tax records. However, there is a clear pattern that does not reflect that sort of minor correction. In many cases, more often than not, the self-employed earnings used to claim points in the tier 1 application have been £10,000 or more higher than the self-employed earnings reported to HMRC. That is not minor.

There are numerous examples where applicants have either not amended their tax records, or have amended them several years later, only shortly before applying for settlement, so that the records match. We have even seen cases where applicants have subsequently amended their tax records back down again after applying for settlement.

We give applicants the opportunity to explain, and we take their explanation and all available evidence into account. Any such cases must be signed off by a manager before they are refused. The review that I am carrying out is checking those safeguards to make sure that they have been followed correctly. We refuse cases only where applicants have been unable to provide a satisfactory explanation of what their self-employed activities are or why their earnings reported to the Home Office and to HMRC are so different. We will refuse cases where the evidence leads us to conclude that an applicant provided misleading information to one branch of Government or other.

Afzal Khan: Will the Minister give way?

Caroline Nokes: I am sorry; I only have a few minutes and I want to explain what paragraph 322(5) is for. It is for refusing applications where the evidence shows that an individual has not played by the rules. While there has been a focus on the minority of judgments that go against the Home Office, more often than not the courts have supported our refusal decisions.

Lyn Brown: Will the Minister give way?

Caroline Nokes: I am sorry; I simply do not have time. I have about three minutes left.

To pick an example, in May this year the upper tribunal agreed with us that an applicant's explanation was simply "hopeless", and noted the timing of the amendment in relation to the ILR application. Paragraph 322(5) is a long-standing provision within the immigration rules, dating back to 1994.

Lyn Brown: Will the Minister give way?

Caroline Nokes: I have already told the hon. Lady that I will not. Paragraph 322(5) was not introduced to support compliant environment policies, as has been suggested, as it long pre-existed those policies. It does not mean that any particular individual represents a threat to national security, but for obvious reasons we do not seek to isolate national security refusals from others.

However, I also recognise that it is not enough simply to talk about circumstances that happen more often than not. Each case is individual and must be treated on its own merits, which is why we are using this review to make sure that no one who has made an innocent mistake has been caught up in tackling the wider abuse. That is why we have had this review, which is still ongoing. The first phase is complete, and I just wanted to indicate specific numbers. There were 281 in the first

phase and 1,671 in the second. While I do not wish to prejudge the final conclusions, it has been very clear that they are broadly in line with what I have said this afternoon. I will report the conclusions of the review to Parliament once it is completed. [HON. MEMBERS: "When?"] The first phase of the review, as I indicated, is already complete. As soon as the second phase, which is a significantly higher number, is done, we will report it to Parliament and to the Home Affairs Committee, as I said.

We are aware of 427 appeals and judicial reviews in progress. Many are still outstanding, but no applicants have been successful at judicial review, and only 38 appeals have been allowed, mostly on human rights grounds. All current cases are on hold, and while it is the case the applicants' statuses are protected, that means that those who applied before their existing leave expired can continue to work, and their other rights, to rent and to NHS services, are also unaffected.

In 50 of the cases we have considered, there has been a discrepancy in excess of £10,000 between the income claimed to HMRC and the income claimed to UKVI, and 34 of the applicants sought to amend their tax records only within the 12 months preceding the submission of an application.

It is very important that we have a rigorous review that reports when the findings are clear. However, I would like to inform Members this afternoon that we have taken a very thorough approach with this, determined to find out whether there are any genuinely wrong refusals and to put them right.

Question put and agreed to.

Resolved,

That this House has considered paragraph 322(5) of the Immigration Rules.

5.30 pm

Sitting adjourned.

Written Statements

Wednesday 13 June 2018

EXITING THE EUROPEAN UNION

EU Exit

The Secretary of State for Exiting the European Union (Mr David Davis): Today we are publishing two documents produced by the UK negotiating team for discussion with the EU.

These cover:

Civil Judicial Cooperation

Company Law (Accounting and Audits)

These will be available on gov.uk and copies will be placed in the Libraries of both Houses.

[HCWS763]

HOME DEPARTMENT

Fire Reform

The Secretary of State for the Home Department (Sajid Javid): I am pleased to announce that I have approved the proposal from the Police and Crime Commissioner (PCC) for North Yorkshire (Julia Mulligan), to take on governance of North Yorkshire Fire and Rescue Service.

I have carefully considered the proposal, taking into account representations made by the public, police and fire personnel, and relevant local authorities in response to the PCC's local consultation. I have had regard to an independent assessment of the PCC's proposal, carried out by the Chartered Institute for Public Finance and Accounting (CIPFA) and today publish this, in the interests of transparency. A copy of the independent assessment will be placed in the House Library and published on www.gov.uk shortly.

Having had regard to this material, I am of the view that a transfer of fire governance to the PCC is in the interests of economy, efficiency and effectiveness, and that there is no adverse effect on public safety.

My officials will now prepare the necessary statutory instrument to give effect to this proposal in the coming months.

As a directly accountable leader overseeing both fire and policing, the PCC can increase efficiency and effectiveness, maximise available resources and improve the service delivered to the public. I look forward to seeing the benefits this will bring to North Yorkshire.

[HCWS762]

TRANSPORT

Road Safety

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): The UK has some of the safest roads in the world, but every road death is an unnecessary tragedy. That is why the last Government set out an ambitious range of further measures to enhance the safety of UK road users in its 2015 road safety statement.

Today I am publishing a progress report on the delivery of the planned actions from that statement. We have made some good headway: 15 of the 23 short-term actions have been delivered including three where our original objectives have been exceeded. Penalties for using mobile phones when driving have been significantly increased, we have exceeded our commitments to funding police forces in England and Wales to build drug-driving enforcement capability, and most recently new legislation came into force on 4 June allowing learners to drive on motorways when accompanied by an instructor in a dual control car. I am placing a copy of the progress report in the Libraries of both Houses.

This is good progress. But it is only part of a wider picture.

First, I am pleased today to announce the successful bids for the safer roads fund, which we made available to enable local authorities to improve the 50 most dangerous stretches of A roads in England. We are investing £100 million to tackle these dangerous roads. This sum fully funds all bids from the local authorities concerned. The additional £75 million initially allocated for the work has not been required, but we will continue to look closely at further scope for capital improvements to improve road safety.

I am placing a copy of the list of successful local authorities and the sections of roads to be improved in the Libraries of both Houses and all local authorities have been notified directly today. A report on the lessons learned from the bidding process is also being published today, to aid knowledge sharing and capacity building among local authorities. I have made this report available in the Libraries of both Houses as well.

Secondly, last week the Prime Minister also announced two important and path-breaking road safety projects: a £350,000 innovation competition to provide police forces with the next generation of mobile breathalyser equipment, enabling swifter and more timely read-outs on drink-driving tests; and a £480,000 partnership between police forces and the RAC Foundation to trial an innovative approach to road collision investigation, carrying out more in-depth, qualitative analysis of the underlying causes of road safety incidents.

This package of measures underlines the Government's recognition of the importance of road safety. But, thirdly, we intend to go further still, and I have asked the Department to develop a refreshed road safety statement and a two-year action plan to address four priority user groups—young people, rural road users, motorcyclists and older vulnerable users. The first three of these groups are continually overrepresented in our road casualty statistics, while we have data to confirm that the safety of older road users is a growing concern. Our goal is for everyone to continue to enjoy the mobility that driving offers, but to do so safely. The development of this refreshed road safety statement will also take account of the early lessons from the new road collision investigation pilots.

It is important to say that the Department cannot and does not seek to achieve all these actions in isolation. We remain grateful for the constructive and expert support of key partners, including motoring groups such as the AA, RAC and the RAC Foundation; road safety campaigners including PACTS, Road Safety Foundation, Brake, Road Safety Trust, and RoSPA; local authorities and the police, as well as colleagues

in other Government Departments and devolved Administrations. Officials will work with these organisations, and with colleagues at DVSA, DVLA and Highways England to deliver this new package of road safety measures.

Attachments can be viewed online at: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-13/HCWS761/>.

[HCWS761]

Petition

Wednesday 13 June 2018

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Felixstowe Academy

The petition of residents of Felixstowe, Suffolk Coastal and the wider Suffolk area,

Declares that the most recent Ofsted report for Felixstowe Academy declares it as an 'Inadequate' school and that the Academy has been placed into 'Special Measures'; further notes Ofsted's damning summary that outcomes

for pupils are below the government's floor standards; that Special Education Needs pupils do not make adequate progress; that there is a culture of bullying at the school that has not been dealt with effectively; that too many parents have lost faith in the school's ability to deal with that bullying; that too many pupils are persistently absent; and that the support provided by the Academies Enterprise Trust (AET) has been ineffective in helping the school to improve since the previous inspection.

The petitioners therefore request that the House of Commons urges the Government to remove the Academies Enterprise Trust (AET) from the management of Felixstowe Academy so the school can have a fresh start under new leadership for the benefit of pupils.

And the petitioners remain, etc.

[P002154]

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Fire Reform	35WS		

PETITION

Wednesday 13 June 2018

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**not later than
Wednesday 20 June 2018**

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