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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 26 June 2018

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

ROYAL ASSENT

Mr Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts:

Nuclear Safeguards Act 2018

European Union (Withdrawal) Act 2018

Oral Answers to Questions

FOREIGN AND COMMONWEALTH OFFICE

The Secretary of State was asked—

United States: Human Rights and Diplomatic Relations

1. **Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): What recent assessment he has made of UK diplomatic relations with the US. [906035]

4. **Chris Stephens** (Glasgow South West) (SNP): If he will discuss the human rights record of the US with President Trump during his 2018 visit to the UK. [906038]

5. **Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): If he will discuss the human rights record of the US with President Trump during his 2018 visit to the UK. [906039]

14. **Neil Gray** (Airdrie and Shotts) (SNP): If he will discuss the human rights record of the US with President Trump during his 2018 visit to the UK. [906048]

20. **Peter Grant** (Glenrothes) (SNP): If he will discuss the human rights record of the US with President Trump during his 2018 visit to the UK. [906054]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): The friendship between the United Kingdom and the United States is exceptionally close. I speak to Secretary Pompeo regularly. Of course, that does not mean that when we differ from our friends and partners in the United States, we are afraid to speak out, as the Prime Minister did in the matter of the separation of young children from their parents.

Mr Sweeney: I must say that the Foreign Secretary is looking rather sprightly this morning after his overnight flight. I hope that the jet lag was not too severe.

When the Prime Minister was asked about Donald Trump's policy of ripping toddlers from their mothers and holding them in cages, she would merely say that it was "wrong" and

"not something that we agree with."—[*Official Report*, 20 June 2018; Vol. 643, c. 325.]

May I ask the Foreign Secretary, on behalf of the British people, if he can do better than that, and describe the genuine outrage that we as a country felt about this obscene policy?

Boris Johnson: I think that when the Prime Minister spoke, she spoke for me and for everyone else in the House, and, indeed, for the nation—and the hon. Gentleman will have noticed that no sooner had she spoken than the President signed an executive order repealing the policy.

Chris Stephens: United Nations human rights experts say that Trump's policy of detaining children "may amount to torture". They say:

"Detention of children is punitive, severely hampers their development, and in some cases may amount to torture."

In the light of that, does the Foreign Secretary believe that President Trump's visit to the UK should go ahead?

Boris Johnson: As the hon. Gentleman knows, the President has now repealed the policy, and I think it is still common ground on both sides of the House that it is important to welcome the Head of State and Government of our most important ally.

Drew Hendry: The Foreign Secretary should cancel this visit. We know that, as a self-confessed admirer of Donald Trump, he will not do so, but will he finally condemn the process of taking children away from their parents and putting them in cages? The language that we have heard so far does not condemn that action.

Boris Johnson: The Prime Minister condemned it, and she speaks for the Government and, indeed, for me. No sooner had she spoken than the President of the United States repealed the policy—thus demonstrating, I venture to suggest to the hon. Gentleman, the considerable and growing influence of the United Kingdom.

Neil Gray: I could forgive the Foreign Secretary for feeling a wee bit jaded this morning, but these children are still being kept in cages. This is a major issue. How can he sit there and agree that this visit should still go ahead next week?

Boris Johnson: The President of the United States is the Head of State of our most important and one of our oldest allies, and it is absolutely vital. I think it is common ground among many people in this country that we should extend the hand of friendship to the office of the President of the United States of America.

Peter Grant: Is it not time for the Government to question seriously whether the current President of the United States is a fit and proper person to be our greatest ally? This is someone who can only be described

as a serial child abuser. Putting children into concentration camps is not acceptable. The President has not yet taken the children out of those camps: he is holding them hostage to force their parents to give up their claims to asylum, and he is also trying to abolish due process by having no courts and no judges to decide on them. How can this person be fit for a state visit?

Mr Speaker: Too long. Hopelessly long.

Boris Johnson: With great respect, I refer the hon. Gentleman to the answers that I have already given. The President of the United States has repealed the policy in question, and he remains the Head of State of our most important economic, military and security ally.

Michael Fabricant (Lichfield) (Con): The President of the United States has called out the members of the United Nations Human Rights Council for what they are: a bunch of corrupt, nasty hypocrites. He has withdrawn from that council. Why do we not save \$4 million a year by doing just the same?

Boris Johnson: Because we believe in human rights, and we believe that global Britain should stick up for human rights. Yes, I think the United States has a point when it disputes the validity of article 7—the perpetual reference to article 7—in the Human Rights Council’s proceedings. I can, however, tell my hon. Friend that only this week the United Kingdom secured a record number of positive votes for our motion on the vital importance of 12 years of quality education for every girl in the world.

Mark Pritchard (The Wrekin) (Con): I agree with the Foreign Secretary that sometimes being a friend of the United States means being a candid friend, but is it not the case that, when it comes to NATO, the OSCE and sharing intelligence information, the United States keeps Britain safe?

Boris Johnson: I am grateful to my hon. Friend for a characteristically perceptive point. Yes, not only has the United States kept the UK safe, but in many ways it has kept the whole of our continent safe since the end of the second world war. That is a giant political fact that this House should recognise.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): President Trump states that EU tariffs are disproportionately higher against American goods than American tariffs on EU products. What assessment has the Foreign Secretary made of those allegations?

Boris Johnson: The reality is that the US has more tariffs against EU products, but the EU’s tariffs are often significantly higher, particularly when it comes to motor vehicles. As the House will know, there is an EU tariff of 10% against US vehicles and a US tariff of 2.5% against EU vehicles.

Kevin Foster (Torbay) (Con): The depth of our diplomatic relationship is shown by what we think not just about any current US President, but about its Congress, people and businesses. Does the Foreign Secretary agree that these links will serve us very well post-Brexit—not just in a trade sense, but in a security one?

Boris Johnson: My hon. Friend is completely right. It is vital for the House to remember that, every day in America, 1 million people go to work in UK-owned firms, and every day in this country, 1 million people go to work in American-owned firms. There is no other commercial relationship like it. America attracts about a fifth of our exports already, and that proportion is growing.

Sir Vince Cable (Twickenham) (LD): Since the Government have chosen to appease rather than to confront the Trump Administration, what success has the Foreign Secretary had in persuading President Trump and his Administration to adopt the open, rules-based trading system on which the future of our country depends and that he is trying to destroy?

Boris Johnson: Obviously, we dispute the President’s tariffs, and we have made that point very bluntly. On the other hand, there is clearly a problem with the dumping of Chinese steel, and we need to work together on that. That is the point we have been making to the President at the G7, and we will continue to make it when he makes on his visit on 13 July.

Andrew Bridgen (North West Leicestershire) (Con): Does my right hon. Friend agree that President Trump’s commitment to the defence of Europe is evidenced by the fact that, since he came to office, he has increased the funding for US forces present in Europe by 40%? If it were not for the Americans, who else would be picking up the bill for the defence of Europe?

Boris Johnson: I am very grateful to my hon. Friend, because it is absolutely true that the United States remains by far the biggest payer into NATO. I detect a sentiment in the House that we are constantly at variance with the Administration of Donald Trump, but I am afraid that that simply is not the case. We happen to agree with the US Administration that it was right to bomb the chemical weapons facilities of the Assad regime, which the Obama Administration did not do. We agree that it is right to reach out to North Korea and try to stop that regime acquiring nuclear weapons. By the way, we agree that it is right that other European nations should pay more for their defence, and we encourage the President in his views.

Stephen Gethins (North East Fife) (SNP): The Foreign Secretary said that he is “increasingly admiring” of President Trump. Is that increasingly admiring of his policy of tariffs, or increasingly admiring of separating children from their parents?

Boris Johnson: As the hon. Gentleman may have observed, my point was about the President’s willingness, in defiance of the experts, to reach out to the leadership of North Korea and attempt to do a deal. If you talk at least to the South Koreans, Mr Speaker, you will find that they are very impressed with the way the President has changed the atmospherics and given even the North Korean regime space to build down its nuclear arsenal. I think he deserves credit for that.

Stephen Gethins: The Foreign Secretary is trying to give us some context for his comments. He also thinks that the President would do a better job of negotiating

Brexit than the Prime Minister. If the Foreign Secretary did not like President Trump's policies and, say, described them as "crazy" and would not vote for them, does the Foreign Secretary think President Trump would say to him, "You're fired"?

Boris Johnson: The hon. Gentleman makes a very interesting point. Thankfully, President Trump's writ does not run in this country. We run our own affairs, we make our points to the President of the United States, and we do so with vigour where we disagree. The Prime Minister and I disagree with what he has been doing over the separation of kids from their parents. It is right for the UK to speak out over that and we will.

Emily Thornberry (Islington South and Finsbury) (Lab): May I first sympathise with the Foreign Secretary that, due to his emergency duties abroad, he was unable to join last night's fight against Heathrow expansion? Four years ago, the Foreign Secretary was asked what was the biggest lesson he had learned—*[Interruption.]* Four years ago, he was asked what was the biggest lesson he had learned from his supposed hero Winston Churchill. His answer was:

"Never give in, never give in".

For some reason, Churchill did not add, "Unless you can catch a plane to Kabul." The Foreign Secretary clearly has a new hero, and we know who he is—the clue is in the hair. He said on 6 June that he is "increasingly admiring" of Donald Trump. He has begun to tell us some of the reasons why, but could he help those of us who are yet to be convinced by telling us three things about the current President that he increasingly admires?

Boris Johnson: I hesitate to say it, but I have anticipated the right hon. Lady's question. I have pointed out, No.1, that it was admirable that Donald Trump's Administration responded after the chemical weapons attacks by the Assad regime supported by the Russians. It is a good thing that the United States is trying, and trying very hard, to solve the problem of a nuclear-armed North Korea. I admire at least the President's efforts in that respect. It is also a good thing that the President is encouraging our European friends and partners to spend more on their own defence. We will certainly assist in that effort.

Emily Thornberry: I thank the Foreign Secretary for his attempt to answer that question, but even he surely knows in the depths of his soul that when we have a President such as Donald Trump who bans Muslims and supports Nazis, who stokes conflict and fuels climate change, and who abuses women and cages children, it is not a record to be admired, but a record to be abhorred. I simply ask the Foreign Secretary not just why he joked that a man like that should be in charge of our Brexit negotiations, but why he seriously thinks that he should have the honour in two weeks' time of visiting Chequers, Blenheim Palace and Windsor Castle, and of shaking hands with Her Majesty the Queen.

Boris Johnson: I have given several examples already of the ways in which our views coincide with those of the current American Administration. I have also said that, where our views differ, we are not afraid to say it. The fundamental point, on which the right hon. Lady and I are in complete agreement, is that it is right that the United Kingdom should welcome to this country

the Head of State of our most important and most trusted ally. She is on record as saying that in the past. If she now dissents from that view, it would be surprising, and I would be interested to hear it from her own lips.

Emily Thornberry: I would like to answer but unfortunately I do not have any more time.

Mr Speaker: Order. I think the Foreign Secretary knows that the right hon. Lady has had her two questions, and therefore that it would not be legitimate to put a third on this occasion. There may be other occasions. We come now to Question 2 and we need to speed up.

Freedom of Worship (Commonwealth)

2. **Patricia Gibson** (North Ayrshire and Arran) (SNP): What recent discussions he has had with Cabinet colleagues on the extent of freedom of worship in Commonwealth countries. [906036]

The Minister for Africa (Harriett Baldwin): The Foreign Secretary chaired regular meetings with Cabinet colleagues on the April Commonwealth meetings objectives. The Commonwealth leaders' communiqué emphasised that full social, economic and political participation for all irrespective of religion is essential for democracy and sustainable development.

Patricia Gibson: Will the Minister tell the House what further practical steps are being taken to ensure the protection of human rights in the Commonwealth, including freedom of religion or belief? That is at the heart of UK foreign policy. Does she share the concerns of Open Doors that the persecution of religious minorities must remain high on the international agenda?

Harriett Baldwin: Yes, I can confirm that. Further to the very widely attended Westminster Hall debate last month, I can assure the hon. Lady that at all parts of our diplomatic network we raise these issues at the highest level.

Martin Vickers (Cleethorpes) (Con): Religious freedom in the Commonwealth is important, but Christian communities throughout the wider world suffer from persecution. Can the Minister give an absolute assurance that the Government will do everything possible to ensure that Christians and other religious groups have freedom of worship?

Harriett Baldwin: I can assure my hon. Friend that freedom of religion and belief is one of the topics we regularly raise at the highest level throughout our diplomatic network.

Dr David Drew (Stroud) (Lab/Co-op): Will the Minister ensure that she talks, via the Foreign Secretary, to President Buhari of Nigeria? With the dreadful goings on in that country and the increasing pressure on the Christian community in the north, it is about time that the President stood up and did something to protect it.

Harriett Baldwin: Specifically on the situation in Nigeria, I can assure the hon. Gentleman that we regularly raise these issues at the highest level with our friends in Nigeria. We are aware that these conflicts are often

driven by conflict over land, grazing rights and water. They should not necessarily always be characterised by religious difference.

Steve Double (St Austell and Newquay) (Con): Sadly, around the world today we are seeing a rise in the level of persecution of Christians, particularly across the middle east. Will the Minister confirm that the Foreign and Commonwealth Office remains committed to protecting and promoting religious freedom, particularly of Christians who are persecuted around the world?

Harriett Baldwin: I can certainly confirm that, but it is wider than that. We always seek to help in specific situations relating to all freedom of religion and belief, but we also raise the issue more widely in international forums such as the United Nations.

Jim Shannon (Strangford) (DUP): Bearing in mind that the Commonwealth charter lists tolerance, respect and understanding as guiding principles, will the Minister outline what diplomatic pressure her Department will use to defend against persecution those who choose Christ in India, Nigeria and Malaysia?

Harriett Baldwin: I pay tribute to the hon. Gentleman's assiduous pursuit of this agenda. He mentions three specific countries. I can assure him that we regularly raise issues of freedom of religion and belief not just in those countries but more widely, and not only in Commonwealth countries but across the wider network.

Kurdistan and Iraq

3. **Robert Halfon** (Harlow) (Con): What progress the Government are making on encouraging dialogue between the Kurdistan regional government and the Government of Iraq. [906037]

8. **Bridget Phillipson** (Houghton and Sunderland South) (Lab): What recent assessment his Department has made of the political and security situation in Iraq. [906042]

The Minister for the Middle East (Alistair Burt): Through ministerial and other engagements, we are urging the Government of Iraq and the Kurdistan regional government to resolve differences on all immediate issues. My right hon. Friend the Foreign Secretary has pressed this message with Iraqi Prime Minister Abadi. The national elections in May were a pivotal moment. With Daesh defeated territorially in Iraq, the next challenge is winning the peace.

Robert Halfon: With the all-party group on Kurdistan, I recently visited Sulaimani University and Kurdistan University. Their students love Britain and want to study in Britain, yet are being held back by visa bureaucracy. Given that Kurdistan is in the frontline against ISIL and is a beacon of stability, can my right hon. Friend do more to unwind the bureaucracy so that more Kurdistan students can study in our country?

Alistair Burt: The Government's position is to say repeatedly that we want the brightest and best students to be able to come to the United Kingdom. Our policy in Irbil is to encourage exactly the same. I will look at

the question my right hon. Friend raises, because we want to ensure that students in the Kurdish region, who I have also met, are able to come to the UK.

Bridget Phillipson: As Iraq attempts to move forward, what discussions has the Minister had with his Iraqi counterparts about respecting international human rights standards, especially with regards to the rights of women in Iraq?

Alistair Burt: It is a constant part of the conversation we have in Iraq and in other places to make sure that as the country moves forward, particularly after a relatively successful election process, all sections of the community are included in future. When we meet Iraqi parliamentarians, as well as Ministers, we stress that a country is not complete unless women are playing a foremost part both in ministerial and civic society life.

Sir Desmond Swayne (New Forest West) (Con): In what way is the demand for full freedom and self-determination among the Iraqi people, particularly the people of Kurdistan, illegitimate?

Alistair Burt: Questions of the constitutional structure of Iraq are not for the United Kingdom. There is regular dialogue between different sections of the community in Iraq about the proper constitutional processes and structures that will help all parts of the community to develop effectively and strongly. It is essential that the new Government recognise the needs of all sections of Iraqi society.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): More dialogue is vital and must be supported by the international community. What assessment has the Minister made of the influence of Russia in the negotiations between the Kurdistan regional government and the Iraqi Government, given the significant investment by the Russian firm Rosneft in Kurdistan's regional oil pipeline?

Alistair Burt: It is true to say that, in the formation of the new Iraqi Government, there are many interests from countries in the region. What is essential is that the new Iraqi Government demonstrate their independence and determination to run Iraq without external interference, and stand up for the needs of all their communities to make sure that the disaster that befell Iraq in the past, when other communities were not properly represented, does not happen again.

Nord Stream 2

6. **Stewart Malcolm McDonald** (Glasgow South) (SNP): What his policy is on the Nord Stream 2 gas pipeline; and if he will make a statement. [906040]

The Minister for Europe and the Americas (Sir Alan Duncan): We recognise that Nord Stream 2 is a controversial proposal, as it would be a gas pipeline that would bypass Ukraine and give Russia greater dominance over the European energy market. The UK is not significantly affected, but we are none the less in regular contact with Germany and Ukraine to discuss and assess the situation.

Stewart Malcolm McDonald: I do not like saying this, because the right hon. Gentleman is a good Minister, but for him to say to that the UK is not affected displays a shocking level of languid complacency. Of course the UK will be affected if this goes ahead; it will hand to the Kremlin unimaginable economic and political leverage. Why will he not show some muscle, see that this is a big problem, not just for the UK but for the entirety of the future of Europe, and start rallying together with our allies to stop this project?

Sir Alan Duncan: I am grateful to the hon. Gentleman for his appreciation of my skills as a former oil trader. Nord Stream is indeed a pipeline that takes gas from Russia to Germany through international waters, until Denmark, and then it makes landfall in northern Germany. It is primarily a matter for those countries but, as he says, it is of extreme strategic importance to Ukraine, which I fully recognise. That is why we have had meetings with the chief executive of NAFTA. It is also significant to note that, on 10 April, Chancellor Merkel stated that Nord Stream 2, as a project, “is not possible without clarity on the future transit role of Ukraine”.

Tom Tugendhat (Tonbridge and Malling) (Con): I welcome the Minister’s statement. He is more than aware from his many trips around Europe, and indeed his expert understanding of the energy business and the United States, of the potential impact on not only eastern Europe, but our forward defences because of that. Does he agree that working together with allies around the Baltic, where this pipeline seems to be going to flow, would be very much in our national interest and that the UK very definitely has an interest in making sure that Russia does not complete this project?

Sir Alan Duncan: I reiterate that, in terms of our actual energy supplies, Russia accounts for only about 1% of UK gas demand, so it is very small and most of it comes from Qatar and elsewhere. However, this pipeline is potentially of strategic importance for the influence of Russia, as my hon. Friend the Chairman of the Foreign Affairs Committee rightly says, so of course we are in discussion with Germany and other interested parties about the significance of the proposed pipeline.

Israel and Palestine

7. **Matthew Pennycook** (Greenwich and Woolwich) (Lab): What representations he has made to his Israeli counterpart on the proposed demolition of Khan al-Ahmar village in the west bank. [906041]

16. **Mr Gavin Shuker** (Luton South) (Lab/Co-op): What recent discussions he has had with his international counterparts on prospects for the peace process in Israel and Palestine. [906050]

19. **Kevin Hollinrake** (Thirsk and Malton) (Con): What the policy of the Government is on a two-state solution in the middle east. [906053]

25. **Marsha De Cordova** (Battersea) (Lab): What recent representations he has made to his Israeli counterpart on Israeli settlements in the west bank. [906059]

The Minister for the Middle East (Alistair Burt): We support a negotiated two-state solution. My right hon. Friend the Foreign Secretary spoke to President Abbas and Prime Minister Netanyahu on 16 May and reiterated the need for progress. We remain concerned by proposals to demolish Khan al-Ahmar and by new Israeli settlement plans. The Foreign Secretary urged Israel to reconsider when he met Prime Minister Netanyahu on 6 June. I visited Khan al-Ahmar in May and afterwards raised our concerns with my Israeli counterparts and with the Israeli ambassador to the UK.

Matthew Pennycook: In his discussions with his Israeli counterpart, has the Minister made it clear that the forcible transfer of communities under occupation in area C, such as Khan al-Ahmar, would constitute a breach of international humanitarian law and, furthermore, effectively end the prospect of a viable Palestinian state?

Alistair Burt: When I made a statement about that, I drew attention to the point the hon. Gentleman mentioned in the first part of his question about how it might possibly be construed. In relation to the second part, if there is further development in that area, it does indeed call into question the viability of a two-state solution.

Mr Shuker: Does the Minister accept that the forcible transfer of Khan al-Ahmar would effectively bisect the west bank and make the price of peace that much higher? Does he also accept that the refusal of the British Government to recognise a state of Palestine makes it harder for the human rights of the Palestinians to be heard?

Alistair Burt: I am not sure about the second part because we do raise issues of human rights, particularly in relation to settlements and the like. On the first part, yes, the concern about the location of Khan al-Ahmar—its close proximity to E1 and the possibility of development there being a bar to contiguity—is indeed a concern for the whole of the international community. It is still possible for any demolition not to go ahead.

Kevin Hollinrake: There is clearly a systemic issue at the heart of this. Residents of Khan al-Ahmar are being forcibly removed and the village demolished. As the court judgment says, the homes have been built without consent, but there is no means of getting consent because permissions are systemically denied to Palestinians. It is a Catch-22 situation that leaves families in a perpetual state of homelessness. How can such a policy be deemed fair or reasonable, and what influence can my right hon. Friend bring to bear to resolve it?

Alistair Burt: The concerns that my hon. Friend raises have been at the heart of the discussions on this. Israel has a judicial system. It is true that concerns about the possible demolition of Khan al-Ahmar have been raised in the Israeli courts for a lengthy period, and it has not gone ahead, as others demolitions have not gone ahead. We continue to appeal to the Israeli authorities that, despite their judicial system, the Government can make a decision in relation to Khan al-Ahmar, and the problem in relation to finding building permits in area C is well known.

Marsha De Cordova: So far this year, the Israeli authorities have demolished 27 donor-funded structures in east Jerusalem and on the west bank. Can the Minister comment on whether any of these structures were funded by the UK?

Alistair Burt: I am not aware of any. The EU has made some claims for compensation in relation to structures, but not the UK. Again, the hon. Lady emphasises the problem in relation to settlements and structures. These are difficult issues in relation to the context of Israel and the occupied territories, and we believe this could be dealt with in a different way.

Bob Blackman (Harrow East) (Con): What assessment has my right hon. Friend made of the recent attacks by Hamas from Gaza into Israel?

Alistair Burt: As always, we condemn any terrorist attack. Hamas's policy on Israel is well known. We have no contact with Hamas and, until it moves on the Quartet principles, it is unlikely to play a serious part in the future of Gaza.

Nigel Dodds (Belfast North) (DUP): Regarding the prospects for peace, stability and good relations in the region generally, what discussions have there been with the American Administration about the forthcoming peace plan for the area, and what does the Minister make of those who would dismiss the plan even before it has got off the ground?

Alistair Burt: No one should dismiss any possibility for the peace plan. This is a first-term President who has expressed his determination through his envoys to bring something forward. There is concern that nothing has come forward yet, but it is a question of timing, and various parts of the plan have been spoken about with different entities. It is important, if it comes forward, that it be given every chance of success. The region and the world cannot wait forever for a resolution to this issue, and we would wish the prospects for a settlement well when the plan comes forward.

Several hon. Members *rose*—

Mr Speaker: If any colleague can produce a single-sentence question, it will maximise participation.

Stephen Crabb (Preseli Pembrokeshire) (Con): Will my right hon. Friend join me in welcoming the landmark visit today by His Royal Highness the Duke of Cambridge, the first member of the royal family to officially visit Israel? The visit underlines the deep bond of friendship between the two countries.

Alistair Burt: Yes indeed. The Government are delighted at the visit of His Royal Highness the Duke of Cambridge. It is an important opportunity for His Royal Highness to promote the strong relationships between the British, Jordanian, Israeli and Palestinian peoples.

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Does the Minister consider that Hamas organising a march of return to areas that have been part of Israel since 1948 is likely to move us any closer to a negotiated two-state solution for Israelis and Palestinians?

Alistair Burt: The answer is probably not. Everyone knows that the right of return will be dealt with in the ultimate negotiations in relation to an agreement. There are legitimate reasons to protest in Gaza, and there is also illegitimate exploitation of those reasons.

Fabian Hamilton (Leeds North East) (Lab): It has been widely reported that the Foreign Secretary intends to convene an imminent summit with Jared Kushner and other interested parties to lay out the red lines that the Government will apply when evaluating the Trump Administration's Israel-Palestine peace plan. Will the Minister of State tell the House in clear terms today what those red lines are?

Alistair Burt: No, I will not. There is plenty to do in relation to this without me setting out any red lines that may or may not be extant.

Global Britain

9. **Mr Bob Seely (Isle of Wight) (Con):** What progress his Department has made on the global Britain agenda. [906043]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): Global Britain is about being open, outward-looking and engaged with the world so as to maximise our influence, and I give the House the clearest recent example of that: the 28 countries that joined us in sympathetically expelling 153 Russian spies.

Mr Seely: Does my right hon. Friend agree that this is the perfect opportunity for us to fundamentally rethink our foreign policy post-Brexit, and that more work could be done on the idea of global Britain to ensure that we have a foreign policy fit for the 21st century?

Boris Johnson: My hon. Friend is absolutely right, and that is why we have responded to the challenges that the world presents us with today by increasing our diplomatic staff by another 250 diplomats, in addition to the 100 that we added to our European strength, and we are opening 10 new sovereign posts in the Caribbean and the Pacific, with more to come in Africa.

Chris Bryant (Rhondda) (Lab): I hope that global Britain is also about being extremely robust where there are strategic issues in Europe that we have to address, such as Nord Stream 2. Will the Foreign Secretary make it absolutely clear that Russia has systematically been bullying smaller countries in Europe for years through its energy policy and that we will assist the Danes and the Germans if they want to make sure this does not go ahead?

Boris Johnson: As the hon. Gentleman knows, the Germans import a great deal of their gas from Russia and they are conflicted in that matter, but we continue to raise the concerns that he mentions with our German friends and of course with all the other states on the periphery of the EU that are threatened, as he says, by Russian gas politics.

Several hon. Members *rose*—

Mr Speaker: Order. Just a hint: global Britain can potentially have links with Australia and New Zealand if that is of interest to the hon. Member for Cheadle (Mary Robinson), who has a question that might otherwise not be reached.

18. [906052] **Mary Robinson** (Cheadle) (Con): Thank you, Mr Speaker; it most certainly is.

My right hon. Friend the Foreign Secretary will be aware that the Australia-United States free trade agreement was negotiated within 13 months. Can he outline what preparations his Department is making, so that when we leave the EU we can begin to negotiate speedy free trade arrangements with our Commonwealth counterparts? In the spirit of Commonwealth friendship, while he is on his feet, would he mind wishing the Socceros every success in their game tonight?

Boris Johnson: I have just been warned by the Minister for Asia and the Pacific that the Socceros are playing Peru tonight. I have just been to Peru and I would not want to forfeit any friendship I may have acquired on that mission. We wish both sides well in that encounter. Not just the FCO, but the Department for International Trade is waiting, straining in the slips—unlike the Labour party—to do the free trade deals that my hon. Friend rightly refers to.

Dan Jarvis (Barnsley Central) (Lab): Given that yesterday the Foreign Secretary found himself in Afghanistan, may I ask what lessons he has learnt from Britain's most recent intervention in Afghanistan and how he intends to employ those lessons in future?

Boris Johnson: May I thank the hon. Gentleman for his question because, as the House may know, the National Security Council is about to consider a substantial uplift in our engagement in Afghanistan? It is a timely moment to assess the worthwhile aspects of that offer. I believe the UK has contributed massively to modern Afghanistan. Life expectancy for males is up 10 years since the UK first went there as part of the NATO operation; female education—girls attending school—has gone from 3% to 47%; huge tracts of the country are now electrified that were not. We have much to be proud of in our engagement with Afghanistan.

Turkey

10. **Chris Evans** (Islwyn) (Lab/Co-op): What recent assessment he has made of the political and security situation in Turkey. [906044]

The Minister for Europe and the Americas (Sir Alan Duncan): Following the re-election of President Erdoğan and the AKP party on Sunday, we look forward to continuing our close co-operation with Turkey. Turkey continues to face serious terrorist threats from the PKK and Daesh, and from the Syria conflict. We are a close partner of Turkey and we co-operate strongly on counter-terrorism in particular.

Chris Evans: In the light of President Erdoğan's election at the weekend, what pressure can the Government bring to bear to ensure that human rights and the rule of law are upheld in that country?

Sir Alan Duncan: That is a perfectly valid question. This is something that we raise on every occasion that we meet Ministers from Turkey. The Prime Minister spoke to President Erdoğan last night, both to congratulate him but also to ensure that the findings of the OSCE office for democratic institutions and human rights report, which released its preliminary findings yesterday, are fully upheld.

Richard Drax (South Dorset) (Con): As a former journalist of many years standing, I feel a particular affinity for the hundreds of journalists who are jailed in Turkey and no doubt being brutally treated. Will the Government tell the House what they are doing to highlight the plight of those brave men and women?

Sir Alan Duncan: A fundamental principle of our foreign policy is to defend freedom of expression and media freedom in all the countries we have associations with. This is something that we raise on a regular basis with all our counterparts in Turkey.

Mr Speaker: The right hon. Member for Cynon Valley (Ann Clwyd) has perambulated away from her normal position, but we are nevertheless delighted to see her.

Ann Clwyd (Cynon Valley) (Lab): I agree with the hon. Member for South Dorset (Richard Drax) that thousands of journalists, as well as thousands of academics and other individuals, are being held without trial in jail in Turkey. Hundreds of thousands of people are being held without trial in prison there, including political leaders and members of Parliament. I ask the Foreign Office to be robust in its discussions with President Erdoğan on the safety of those people and their right to a fair trial.

Sir Alan Duncan: I can assure the right hon. Lady that one of the advantages of our close association with Turkey is that we can speak to it very directly and firmly, in a way that many of our counterparts cannot. We have called on Turkey on many occasions to end the state of emergency that has led to many of those arrests, and we very much hope that, following the clear result of the election, the state of emergency can be lifted.

Mr Speaker: I call Giles Watling.

Giles Watling (Clacton) (Con): Question 11, if you please, Mr Speaker.

Mr Speaker: I beg the hon. Gentleman's pardon, but I think that Mr Mahmood wanted to come in from the Front Bench.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): Thank you very much, Mr Speaker. We are all concerned about the impact of this result on the human rights of those journalists, political prisoners and academics who are being held in prison, and on press freedoms and the rule of law inside Turkey. The Minister has described our close connections with Turkey. As a first step, have the Government urged President Erdoğan to lift the state of emergency?

Sir Alan Duncan: As I have just said, we have. The answer again is yes, we would like President Erdoğan to lift the state of emergency. In the course of the elections, there were sort of commitments to do so, and we hope that those commitments can be fulfilled by lifting it as soon as possible.

Illegal Wildlife Trade

11. **Giles Watling** (Clacton) (Con): What steps his Department is taking to tackle the illegal wildlife trade. [906045]

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): We believe that the illegal wildlife trade is not only odious in itself but associated with many other forms of criminality. That is why we are hosting a global conference on tackling the illegal wildlife trade in London this October.

Giles Watling: According to the International Fund for Animal Welfare, illegal wildlife trading is increasingly occurring on the internet. Will my right hon. Friend tell me what steps are being taken to counter this?

Boris Johnson: My hon. Friend is right on the money there, and indeed ahead of the curve. We see that risk, and that was why the Foreign and Commonwealth Office hosted a group of leading technology companies only a few weeks ago to develop new ways of combating the online trade in these specimens that he mentions.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Foreign Secretary is right to say that this trade is odious, but what positive suggestions will the Government take to the conference in October? Are we going to let more species be wiped out before this trade is stopped?

Boris Johnson: As the hon. Gentleman knows, the Government are among the world leaders in introducing an ivory ban. The Chinese have joined us and are bringing many others with them. We hope that the summit will be an opportunity for other nations to join that global ivory ban and, with partners, will be looking to strengthen not just the pull factors in China and other countries, but the authorities as they crack down on illegal trade in wildlife.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): One of the very rarest and most threatened species in this country is the wildcat. It clings on in my constituency—just. Will the Secretary of State assure me that he will do everything to police this invidious and horrible crime in the most remote areas and work as closely as possible with the Scottish Government to stamp it out?

Boris Johnson: I am delighted to say that we will do everything in our power to stick up for the wildcat wherever it is found—[*Interruption.*]

Mr Speaker: Order. The hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) seems to have a compendious knowledge of rare species, and we are very grateful to him.

Ocean Conservation

12. **Peter Heaton-Jones** (North Devon) (Con): What his policy is on global ocean conservation. [906046]

The Minister for Europe and the Americas (Sir Alan Duncan): Last Friday, my right hon. Friend the Foreign Secretary announced that he personally will lead on drawing up an international oceans strategy for the Government. Our ambitious Blue Belt programme is protecting waters around the overseas territories and we are championing the establishment of science-based marine protected areas across the Southern ocean, including in the Weddell sea.

Peter Heaton-Jones: Global ocean conservation must begin at home, so will the Minister join me in welcoming many local initiatives around the coastline of Britain, which are playing such a vital role—particularly, I am bound to say, around the beautiful coastline of North Devon?

Sir Alan Duncan: We all commend the efforts of local communities. Growing awareness and subsequent personal choices and actions are crucial for preserving the marine environment, and we all need to assess our own habits as consumers and play our part in safeguarding our oceans.

Mr Ben Bradshaw (Exeter) (Lab): Effective marine conservation requires constricting fishing to sustainable levels, as in the successful cod recovery plan in the North sea. Will the Minister encourage his fellow Ministers to end the pretence that if Brexit happens British fishermen will suddenly be able to catch a lot more fish?

Sir Alan Duncan: I think that is a slightly different point from the policy we are drawing up for the wider oceans around the world and around our overseas territories. The UK has declared large-scale marine protected areas around five overseas territories, leading to about 3 million square kilometres of protected ocean. That is a massive achievement, which we wish to build on in any way we can.

James Gray (North Wiltshire) (Con): The Commission for the Conservation of Antarctic Marine Living Resources, CCAMLR, meets in October and will consider three new marine protected areas around Antarctica—particularly, as my right hon. Friend mentioned, the Weddell sea. However, it appears likely that, as happened in previous years, Russia and China in particular might well block those proposals. What further action can we take between now and October to bring real pressure to bear on Russia and China to bring in these MPAs, which are so vital for the preservation of our Antarctic wildlife?

Sir Alan Duncan: I think it is fair to say that the UK is very much a world leader on oceans policy of this sort, and I hope that any kind of environmental standards that we wish to set in our oceans are not blocked for any political purposes by countries such as Russia. We are all on the same planet, we need to preserve our oceans, and I hope that our scientific lead in this area will also give us the political authority to reach the sort of agreements that we want to.

Helen Goodman (Bishop Auckland) (Lab): President Trump's recent statement on the oceans did not mention sustainability, stewardship, ecosystems or climate. When he comes to London, will the Government challenge him on that, or do they think that it would, to coin a phrase, achieve absolutely nothing? If it is the latter, what is the point of the visit?

Sir Alan Duncan: Should I meet President Trump personally, I will look upwards, look him in the eye, and the first word on my lips will be "oceans".

Human Rights

13. **Eddie Hughes** (Walsall North) (Con): What steps his Department is taking to promote and support human rights internationally. [906047]

The Minister for Asia and the Pacific (Mark Field): Mr Speaker, I assume that everyone is so happy with the smooth operation of Asian and Pacific affairs in the Foreign Office that I have had no questions until now.

Promoting human rights will remain an essential aim of the foreign policy of global Britain. Foreign and Commonwealth Office Ministers and officials relentlessly defend and champion human rights in bilateral engagements, multilateral bodies and conferences, and in funding projects, particularly through the Magna Carta Fund for Human Rights and Democracy.

Eddie Hughes: I thank the Minister for his answer. What representations have he and the British Government made to the Indian Government in recent months in the case of Jagtar Singh Johal?

Mark Field: I thank my hon. Friend for raising this issue, which I know affects a number of constituents not just in the west midlands but across the country. I recognise that this has been an incredibly difficult and distressing time for Mr Johal and his family, whom I most recently met along with their very assiduous constituency MP, the hon. Member for West Dunbartonshire (Martin Docherty-Hughes), on 18 June.

We continue to raise Mr Johal's case with the Indian Government at the highest level. I raised it with the Minister for External Affairs on 7 May in New Delhi, and Baroness Williams has also done so. The Prime Minister, very unusually, brought up this consular issue with Prime Minister Modi at the Commonwealth Heads of Government meeting on 18 April.

Mr Speaker: I think the constituency MP should have a chance to do so.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I thank the hon. Member for Walsall North (Eddie Hughes) for using his good offices to bring this matter, on which the Minister has been assiduous, to the Floor of the House.

The Foreign Secretary has met the hon. Member for Walsall North, whom I have emailed, to discuss this case, and it has been put online, for which I am very grateful because it keeps the case in the public domain. When will the Foreign Secretary now bother to meet Jagtar Singh Johal's constituency Member of Parliament to discuss this face to face?

Mark Field: I thank the hon. Gentleman, and I am glad he is in his place. He has worked incredibly hard on this. [*Interruption.*] My right hon. Friend the Foreign Secretary says from a sedentary position that he would be happy to meet him at the earliest convenient opportunity.

Theresa Villiers (Chipping Barnet) (Con): Yesterday's protests in Tehran demonstrate increasing anger on human rights abuses and economic failure by the Iranian Government. Do this Government agree that we need change and reform in Iran to benefit the Iranian people?

Mark Field: I thank my right hon. Friend for her question. She is very assiduous on the Iranian issue. Yes, we are obviously looking towards getting reform within that country. A huge amount of work goes on both in the Foreign Office, in relation to the global Britain agenda, and in that region. My right hon. Friend the Minister for the Middle East spends a considerable amount of his time on this, and I am sure he will take it up.

24. [906058] **Daniel Zeichner** (Cambridge) (Lab): It is almost two and a half years since the Cambridge student Giulio Regeni was brutally murdered in Cairo, and the truth has had to be extracted from the Egyptian authorities. Can the Minister tell us what pressure he is putting on colleagues to try to get the truth for Giulio?

Mark Field: I understand. I have worked with the hon. Gentleman, who works extremely hard on behalf of his constituents, on a number of consular matters, including some in Asia. In relation to this desperate case—I understand the distress of Giulio's family—we are keeping regular contact at consular level. I know these things can be very frustrating, but keeping regular contact sometimes makes a real difference.

Liz McInnes (Heywood and Middleton) (Lab): Yesterday the Foreign Office, rather pathetically, used the cover story of a trip to Africa to throw the media off the Foreign Secretary's scent. Can I suggest to the Minister that his boss makes a real trip to Africa to focus urgently on the violence in western Cameroon, the instability gripping the Democratic Republic of the Congo and the danger that next month's elections in Zimbabwe will not be free, fair or democratic?

Mark Field: May I point out that the Foreign Secretary has visited Africa on no fewer than nine occasions during the past year? Although I assume there will not be too many difficult votes to be dealt with during the course of the year ahead, I am sure he will have that sort of commitment. The hon. Lady rightly points out that, in places like Cameroon and the DRC, we are highly respected as a Government and will continue to be so.¹

Mr Speaker: The last question in this session goes to Mr Philip Hollobone.

Iran (Support for Shia Islamists Abroad)

15. **Mr Philip Hollobone** (Kettering) (Con): What steps he, Ministers of his Department and the British Embassy in Tehran have taken to tackle the threat posed by Iran's support for Shia Islamists abroad; and if he will make a statement. [906049]

1. [*Official Report, 27 June 2018, Vol. 643, c. 6MC.*]

The Minister for the Middle East (Alistair Burt): We remain concerned about Iran's regional activities and support for proxy groups, we regularly raise these concerns with Iran at the highest level, and I spoke to my Iranian counterpart about this last week. We also co-ordinate closely with partners to deliver strong messages to Iran on this and other regional issues.

Mr Hollobone: Since sanctions relief started in 2015 and we re-established diplomatic relations, Iran has become the world's third-largest natural gas producer and fourth-largest oil producer, and is using these funds to finance terrorist proxies—Hezbollah in Lebanon, Hamas in Gaza and the Houthis in Yemen. What, realistically, are we doing to stop that?

Alistair Burt: Iran's activities in the region, and its interference and its sponsoring of terrorist groups, are a matter of concern for the UK, as well as for other states. Individual sanctions remain in place in relation to Iranian entities, including the Islamic Revolutionary Guard Corps—a demonstration of the world's commitment on this. However, more must be done. Iran must recognise that not only must it keep to the terms of the Joint Comprehensive Plan of Action, but other activities need to be dealt with if it is to return to a proper place in the company of nations.

Topical Questions

T1. [906060] **Mr Jim Cunningham** (Coventry South) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): My immediate priority is to mobilise international support for the chemical weapons convention. A special session of the Conference of the States Parties of the Organisation for the Prohibition of Chemical Weapons will open in The Hague today, and I hope all countries will support the UK-drafted decision, which would strengthen the OPCW. Later this week, Denmark will host a conference on reform in Ukraine, following the UK's own successful conference, helping to modernise the economy, defeat corruption and bolster Ukraine's sovereignty.

Mr Cunningham: What is the Foreign Secretary doing to promote a ceasefire in Yemen, given the situation there, with the potential for famine and carnage in that country?

Boris Johnson: I talked last night to both UN Special Representative Martin Griffiths and the Emirati Deputy Foreign Minister, Anwar Gargash. We are urging the coalition parties to engage in a political process as fast as possible. We believe there is scope for a political process, and we have made that point consistently over the past few months.

T2. [906061] **John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): In recent months, Gaza-based terrorists have not only renewed the firing of rockets into Israel, but adopted a new tactic of dispatching airborne fire-bombs, and even explosives, across the border using kites. Although that may sound crude, it poses a real risk to life and has caused extensive fire damage to agricultural fields in Israel. Will the Minister therefore join me in condemning those actions?

The Minister for the Middle East (Alistair Burt): Yes, my hon. Friend is right; these kites sound innocent, but they have indeed done a significant amount of damage in financial terms, to fields, and there are significant risks. It does not in any way help a resolution of issues if these projectiles continue to come from Gaza, and of course we condemn such actions.

T4. [906063] **David Linden** (Glasgow East) (SNP): A fortnight ago, Amnesty International released a report that showed shocking violence and human rights violations in anglophone Cameroon. What assessment have the Government made of that report? If they think the situation is that bad, will the Minister tell the Home Office not to deport my constituent Mr Tabago back to Cameroon?

The Minister for Africa (Harriett Baldwin): I am aware of that report, and I travelled to Cameroon earlier this year to encourage its Government, in this election year, to engage in dialogue and try to resolve some of the differences with the anglophone separatist movement through democracy and observing human rights.

T3. [906062] **David Warburton** (Somerton and Frome) (Con): Does my right hon. Friend agree that global Britain means that post-Brexit the UK can negotiate trade deals and strengthen relationships with countries such as those in South America, with which we have perhaps not had the closest relationship in the past?

Boris Johnson: My hon. Friend is exactly right about that. I was thrilled to be the first Foreign Secretary to go to Peru for 52 years, and the first to go to Argentina and to Chile for 25 years. We will find Governments and populations there who are immensely anglophile and yearning to do free trade deals.

T5. [906064] **Diana Johnson** (Kingston upon Hull North) (Lab): In the past few days, the Office of the United Nations High Commissioner for Human Rights has said that Venezuelan security forces have killed more than 500 people, and at least some of those killings can be directly connected back to the Maduro regime. What discussions have Ministers been having with the authorities there about human rights, freedom and the rule of law?

Boris Johnson: The hon. Lady's concerns are shared by all the countries surrounding Venezuela, and the UK signed up to the conclusions of the Lima Group. Yesterday, in the Foreign Affairs Council, the European Union agreed further targeted sanctions against individuals in the Maduro regime.

T6. [906065] **Colin Clark** (Gordon) (Con): The Hamas terrorist group continues to misappropriate international aid to rebuild its terror infrastructure, including attack tunnels into Israel. This is deeply concerning. What does the Foreign Secretary intend to do, alongside our international partners, to limit Hamas's dangerous influence in Gaza?

Alistair Burt: There are strict controls, as there must be, on the passage and entry of goods into Gaza, to make sure that they are not used for the wrong purpose. The United Kingdom makes sure that all its aid that is delivered to Gaza goes through international partners,

so that there cannot be such diversion. It is an issue and it must be dealt with, alongside a variety of issues for the people of Gaza.

T7. [906066] **Layla Moran** (Oxford West and Abingdon) (LD): Mr Erdoğan's re-election heightens the fear that he will step up the persecution of academics. Universities such as the University of Oxford have a proud tradition of being safe havens for bona fide dissenters; will the Minister do all that he can to make sure that our consulates are poised to act if they are asked for help?

The Minister for Europe and the Americas (Sir Alan Duncan): As I am sure the hon. Lady understands, our consular services largely extend to British citizens. I hope that her fears that all these things will be stepped up following the election will be unfounded and that, contrary to those fears, steps will be taken towards relaxation, particularly in respect of the lifting of the state of emergency.

T8. [906067] **Scott Mann** (North Cornwall) (Con): Clearly, football's coming home, with England making excellent progress in the World cup. What advice does the Foreign Office have for England fans who might be thinking about travelling to Russia in the next few weeks?

Boris Johnson: My strong advice is for people to look at our Be on the Ball website, where they can follow Foreign Office advice, and to not to let their hopes run away with them.

T10. [906069] **Dr Philippa Whitford** (Central Ayrshire) (SNP): Last month, when the House debated the shooting of unarmed protesters on the Gaza border with high-velocity live rounds, the Minister talked about pushing for an investigation, yet three days later the UK abstained on a UN vote on an investigation. Why?

Alistair Burt: Because both the resolutions brought forward by the Human Rights Council and the UN Security Council were biased and not likely to produce the required answer. That was why we did not support them. We still maintain that there should be an independent and transparent investigation and we have raised the issue with the Israeli authorities directly.

T9. [906068] **Chris Green** (Bolton West) (Con): For decades, the name of the former Yugoslav Republic of Macedonia has generated discord. Does my right hon. Friend welcome the agreement between that country and Greece, and does he agree that the decision has been an act of immense courage on the part of those two countries?

Boris Johnson: That is an excellent point. Prime Minister Zaev and Prime Minister Tsipras have shown great statesmanship to get this agreement after so many years, and the UK certainly supports it.

Mrs Emma Lewell-Buck (South Shields) (Lab): The UN recently reported that Saudi-led coalition air strikes are responsible for more than 60% of verified civilian casualties in Yemen. Does the Secretary of State feel that the UK's continued arms sales to Saudi Arabia are helping to quell or intensify the conflict?

Boris Johnson: The hon. Lady raises an important point, and in her concern she speaks for many people in this country. As she knows, we have the most scrupulous possible invigilation of whether or not Saudi Arabia

remains in conformity with international humanitarian law, and our lawyers believe that it is still on this side of the line.

Richard Graham (Gloucester) (Con): Last week's visit by the Thai Prime Minister highlighted his Government's commitment to the restoration of parliamentary democracy in Thailand, where there will be elections next February. Does my right hon. Friend agree that, following the recent remarkable elections in Malaysia, that is a very positive development for the region, and that the Westminster Foundation for Democracy has an important role to play in supporting and encouraging successful democracies in south-east Asia?

The Minister for Asia and the Pacific (Mark Field): Thailand is an important partner of the UK, and the Westminster Foundation for Democracy, whoever its chairman may be, has an extremely important role to play in this matter. My hon. Friend rightly points out that there is a sense of revitalisation, particularly in respect of anti-corruption and the culture of cronyism throughout the region. We were delighted to see Prime Minister Prayuth visit London and we are looking forward to the elections in Thailand in the early part of next year.

Owen Smith (Pontypridd) (Lab): In the light of the legitimate concerns expressed by global businesses such as Airbus, Siemens and BMW about the post-Brexit world, will the Secretary of State confirm that and remotely justify why his response was to say "F business"?

Boris Johnson: I do not think anybody could doubt the Government's passionate support for business. It may be that I have from time to time expressed scepticism about some of the views of those who profess to speak up for business.

Jeremy Lefroy (Stafford) (Con): What is my hon. Friend's assessment of the state of the preparations for the elections in Democratic Republic of the Congo at the end of this year?

Harriett Baldwin: As my hon. Friend is aware, I travelled to the country—I think it was last month—to make that assessment. I can share with him that, as things stand, our assessment is that things are on track to respect the accord de la Saint-Sylvestre and to hold elections on 23 December, but we remain vigilant in our work with the Government there and are doing everything that we can to ensure that those elections take place.

Christine Jardine (Edinburgh West) (LD): Given the concerns expressed in this House today, and on previous occasions, will the Secretary of State use Friday the 13th to impress on this US President that we do not share his attitude to human rights, particularly his withdrawal from the United Nations Human Rights Council, and that we will maintain this country's position as an honest broker in areas of tensions such as Israel, the middle east and Asia?

Boris Johnson: I thank the hon. Lady for her question. She will have heard my answer to the first question, which was exactly on the lines that she proposes.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): It is now for over six years that the Ecuadorian embassy has been abused in its purpose as an embassy. How long are the Government going to put up with this?

Sir Alan Duncan: My right hon. Friend has raised on a number of occasions the issue of Julian Assange who is, of course, in the embassy of his own choice. We are, however, increasingly concerned about his health. It is our wish that this is brought to an end, and we would like to make the assurance that if he were to step out of the embassy, he would be treated humanely and properly. The first priority would be to look after his health, which we think is deteriorating.

Emma Reynolds (Wolverhampton North East) (Lab): The car industry today is the latest in warning that the uncertainty around Brexit could put hundreds of thousands of jobs at risk. Yesterday, the Business Secretary said that we should take the concerns of industry seriously. Does the Foreign Secretary agree?

Boris Johnson: Of course I agree with that. To cheer up the hon. Lady, I point out that today it was confirmed that the UK is still the recipient of the biggest share of inward investment in Europe and, indeed, that our share is growing.

Mark Pritchard (The Wrekin) (Con): Ahead of the important Balkans conference, does the Foreign Secretary agree that political and diplomatic dialogue, particularly in the western Balkans, rather than nationalism gives that region a bright future?

Boris Johnson: My hon. Friend is completely right and we look forward to welcoming all participants to the Western Balkans summit on 12 July where, among other things, we will be able to chart the progress that has been made on the Macedonian name issue.

Ian Paisley (North Antrim) (DUP): In advance of the visit to the United Kingdom of the President of the United States, and in the knowledge that Northern Ireland is the recipient of the highest levels of foreign and direct investment from the United States, will the Secretary of State make it clear to the ambassador that Northern Ireland is open to the President for a visit, and that he will receive a considerable welcome there?

Boris Johnson: I am sure that that point will be well taken by Woody Johnson.

Bob Blackman (Harrow East) (Con): What discussions has my right hon. Friend had with the Home Secretary on providing India with the same visa controls as other friendly countries?

Boris Johnson: I have noticed the discrepancy to which my hon. Friend alludes, and we are in discussions about that now.

Points of Order

12.38 pm

Several hon. Members *rose*—

Mr Speaker: A flurry of points of order. What a joyous occasion.

Marsha De Cordova (Battersea) (Lab): On a point of order, Mr Speaker. Yesterday evening, the Minister for Disabled People, Health and Work published a written statement on the personal independence payment. The statement covered a range of issues, including an announcement that a new process to identify people affected by last year's High Court ruling concerning PIP mobility activity 1 has begun. The statement raises some real concerns and leaves many questions unanswered. In the light of that, have you, Mr Speaker, had any indication as to whether the Minister will be making an oral statement on these important issues so that Members of this House can properly question her?

Mr Speaker: I am very grateful to the hon. Lady for her point of order. The short answer is that I have received no indication of any plan on the part of a Minister to deliver an oral statement to the House on the subject. However, she has flagged up her very real concern and dissatisfaction, which will have been heard on the Treasury Bench. There are many days to go between now and the summer recess and it is a matter to which, I suspect, she will wish to return, quite conceivably, on the Floor of the House.

Ross Thomson (Aberdeen South) (Con): On a point of order, Mr Speaker. I seek your guidance on a matter of procedure. Is there any provision in the Standing Orders of this House that defines the notion or action of flip-flopping? If not, could "Erskine May" be updated to include this, because it happens increasingly frequently in this House? Yesterday, within 24 hours, the Scottish National party orchestrated the most spectacular political flip-flop, as it backed Heathrow expansion but then abstained when it came to the vote. I would be very grateful if you could look into this issue to see whether we can define flip-flopping in the Standing Orders.

Mr Speaker: No looking into the matter by the Chair is required. I will not say that the visage of the hon. Gentleman displays a puckish grin. Rather, I would say that he is finding it difficult to contain his own excitement and hilarity at the point that he has just made. The notion of flip-flopping, as the hon. Gentleman describes it, has never found its way into the Standing Orders of the House, and I would not advise him to bet a large sum of money on the likelihood of it doing so. He has made his own point with his customary alacrity and he looks well pleased with his efforts.

Chris Bryant (Rhondda) (Lab): Further to that point of order, Mr Speaker.

Mr Speaker: I am not sure that there is anything further, but in my experience the hon. Gentleman often thinks that he has the last word—and occasionally does—so we will give him a chance.

Chris Bryant: I am sure that you will have the last word on this, Mr Speaker. It would of course be available under "Erskine May"—I know this is deprecated, but none the less it is sometimes enacted—for people to shout one thing and vote another, which is deprecated by the Chair. For that matter, sometimes people walk through both Division Lobbies, which could be described as flip-flopping, surely.

Mr Speaker: It could be. The hon. Gentleman is right that the first practice that he mentioned is very much deprecated. Members should not shout in one direction and vote in the opposite direction; he or she can choose not to vote, but should not vote in the opposite direction. The hon. Gentleman is also right that, although it does happen from time to time—one suspects, sometimes with a degree of official encouragement from some quarters—the practice of Members voting in both Lobbies, thereby cancelling out their vote, is very strongly deprecated from the Chair. It seems to me to be not a proper way to conduct oneself in the House. Anyway, the hon. Gentleman has got across his point about the meaning of flip-flopping. I dare say that it will be heard by many people across the Rhondda and possibly elsewhere.

Patrick Grady (Glasgow North) (SNP): On a point of order, Mr Speaker.

Mr Speaker: Not on the subject of flip-flopping?

Patrick Grady: No; it is altogether more serious. At the start of the sitting, you announced that Royal Assent had been granted to the European Union (Withdrawal) Bill. I wonder whether you can advise how we can get it on the record that this is the first time that that has happened without the legislative consent of the Scottish Parliament. This is a very serious issue, with which I know that the House has dealt. The Government had been repeatedly requested not to send the Bill for Royal Assent until an agreement had been reached. Will you further advise what opportunities exist for Members to interrogate the Government's decision-making process around that matter?

Mr Speaker: I am not sure that my advice is required. The hon. Gentleman has found his own salvation; he has put the point forcefully on the record. As to opportunities for scrutiny, the hon. Gentleman is the most eager of beavers in this Chamber and he also has very, very important responsibilities regarding his colleagues, in relation to whom he exercises discipline and offers career development opportunities if they comply. I therefore feel sure that the hon. Gentleman will be able to arrange for colleagues to air this matter between now and the summer recess, and the glow of contentment that he is displaying suggests that he knows that I am right.

Food Advertising (Protection of Children from Targeting)

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

12.43 pm

Kirstene Hair (Angus) (Con): I beg to move,

That leave be given to bring in a Bill to prevent the marketing and advertising of food that does not meet certain nutritional requirements from being targeted at children.

We are all united in ensuring that children have the best possible start in life, and that includes ensuring that they have a healthy start. Sadly, for all too many young people, that is not the case—and the problem is even worse in more deprived groups. Take Scotland, where in 2015-16 the most deprived areas had a 16% rate of childhood obesity, compared with 12% in the least deprived. In fact, nearly 30% of children are at risk of obesity or of being overweight in Scotland. However, this issue affects the whole United Kingdom, with one in five children starting primary school obese or overweight. According to the Centre for Social Justice, obesity will cost our economy £50 billion by 2050.

Of course, we all know the cause of these shocking figures. Bluntly, there are far too many children in this country who are not eating enough of the food that they need and too much of the food that they do not need. Not only does this affect their day-to-day lives, but the implications for later life cannot be overestimated, not least given that obesity is the biggest preventable cause of cancer after smoking—a statistic that very few are aware of. There is no simple solution to this, and no silver bullet for this growing problem with childhood obesity. While I warmly welcome the Government's recently announced consultation, it certainly cannot be left only to Acts of Parliament and regulations from Government Departments. That will not be sufficient and would not deliver the results we so desperately need. The driving force must come from individual households—parents and young people—making the right choices to enjoy healthy lifestyles.

But there are steps that would help, and it would be a failing of this House not to match fine rhetoric with decisive action. Schemes such as the Daily Mile, started in the constituency of my hon. Friend the Member for Stirling (Stephen Kerr), contribute to helping young people to get active and stay fit. Rolling this out across the country is absolutely the right thing to do. Equally, the Government's bold step to implement a tax on sugary drinks has not only led to increased revenue to help to tackle obesity but sparked change in the industry as it seeks to reformulate recipes.

Yet we cannot ignore the pervasive influence of advertising across the wide range of media, given that these varying media channels have become such an important part of our daily lives. There are proposals to ban junk food advertising on TV before 9 pm. Such a proposal may have its merits, but we need to be careful about the potential unintended consequences of such a blunt policy proposal and make sure that we maintain a level playing field between online and TV advertising. The original regulations, reviewed in 2010 by Ofcom, found a 37% drop in children's exposure to junk food advertising, with particular success in the reduction for younger children, at 52%—particularly important given their greater likelihood of being influenced by adverts. So the policy is backed up by evidence.

We must recognise that advertising regulations are now out of date. They must reflect the changed ways in which we receive media and the changed viewing patterns of children and young people. Current broadcast regulations ban junk food adverts only where the programmes, and channels, are specifically for children's entertainment. But what of family programming? Nearly 3 billion junk food adverts impacted on children through after-school television in 2015. Fifty-nine per cent. of adverts broadcast over family viewing time would be banned from children's TV, but do we not expect children to see them during family shows such as "The Voice", "Coronation Street" or "Hollyoaks"? This is a loophole clearly being exploited that must be closed. The high ratings of these shows mean that despite the fact that nearly 1 million children might watch "The Voice", because they do not make up 25% of the audience, it is not deemed a children's show. If we reduced the percentage threshold needed to mark a programme as appealing to children from 25%, it would reduce their exposure to junk food adverts at all times.

We know how sophisticated online targeting through platforms such as Facebook, YouTube and online games has become. Despite many ongoing issues with protecting children online, I was pleased to see Google launch YouTube Kids—a safe place for child-friendly videos. That is a recognition, albeit a small one, that online publishers have just as much work to do as broadcasters in protecting children's health. There should also be, for online publishers, a very straightforward ban on junk food promotions for children and young people.

I have heard the argument that advertising does not have an impact on obesity and that therefore the Government should not intervene, but that is a red herring. A good illustration of this is the money spent on advertising in 2015. Only 1.2% of all food and non-alcoholic drink advertising was spent for advertising vegetables, while 22.2% was used for advertising cakes, biscuits, confectionery and ice cream. If producers did not see significant return for their expenditure, it simply would not be spent. Why, if advertising is such a distraction, do companies spend a quarter of a billion pounds on it and lobby so vociferously for no extension of advertising restrictions? Focus groups categorically suggest that children not only remember the adverts they see in detail but that they influence what they pester their parents for.

For the avoidance of doubt, I am not calling for a ban on all junk food advertising—that would be a sledgehammer to crack a nut—but we cannot ignore the fact that advertising is contributing to childhood obesity and that existing loopholes must be closed. I do not suggest that this will end childhood obesity. It is far too complex a challenge for such an easy solution. The Government are absolutely right to bring forward a whole range of solutions to tackle this issue, and a cross-departmental approach is exactly what we need. We have a responsibility to give our children the best possible chance at the start of their life, and this Bill, which seeks to avoid such direct targeting, is part of delivering that best start.

12.50 pm

Sir Desmond Swayne (New Forest West) (Con): Yesterday, after the urgent question, I asked the Under-Secretary of State for Health and Social Care, my hon. Friend the

Member for Winchester (Steve Brine), why children from the poorest areas are disproportionately among the fattest, and I suggested that it was not because they watched more adverts. He responded that it might be the case that they watched more adverts. I suggest to my hon. Friend the Member for Angus (Kirstene Hair) that a piece of work needs to be done before the Bill proceeds, to establish the exact role of advertising in making our children so much fatter. The reality is that children have always been the target of such advertising. She will be too young to recall, but I certainly remember the Milkybar kid, whose unique selling attraction was that the Milkybars were going to be on him.

My hon. Friend suggested a much more profitable avenue for our attention. She pointed out that by the time children came to school, one in five was already too fat. We will have those children in school for the best part of 15 years, for five days a week and 40 weeks a year. It would be staggeringly unproductive if we did not use that time to sufficiently exercise them to make them thinner. I suggest that if we have not the political will to do that, advertising is not going to do the job.

Question put (Standing Order No. 23) and agreed to.

Ordered,

That Kirstene Hair, Kerry McCarthy, Conor McGinn, Fiona Bruce, Andrew Selous, Stuart C. McDonald, John Lamont, Paul Masterton, Mr Alistair Jack, Jamie Stone, Mr Alistair Carmichael and Bill Grant present the Bill.

Kirstene Hair accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 23 November, and to be printed (Bill 237).

Mr Alistair Carmichael (Orkney and Shetland) (LD): On a point of order, Mr Speaker. I am grateful to you for hearing a point of order at this stage in our proceedings. You may be aware that it is reported in *The Times* today that the United States Government have sought to

interfere in the contents of the report of the Intelligence and Security Committee on United Kingdom involvement in rendition. If that report is true, it is a matter of the greatest and gravest importance for the House. I can think of no precedent for a foreign power seeking to interfere in the workings of our Committees. What protection can you give to the Committees of the House to ensure that they are allowed to do their work in the way that they are mandated to by us? Have you had any indications from the Government about their intention to bring the House up to speed and make us fully informed in relation to that matter?

Mr Speaker: I am grateful to the right hon. Gentleman. I certainly do not seek to cavil at what he has said, because I am familiar with the thrust of the argument and concern that he is advocating to the House. I will just say that the Committee is not in fact a Committee of the House; it is a statutory Committee, in a slightly different category to all the other Committees to which we regularly refer. Nevertheless, I have heard what he said. I have no knowledge of the matter, and I have not myself read the report to which he refers.

If memory serves me correctly, the Committee is chaired by the right hon. and learned Member for Beaconsfield (Mr Grieve), who is a very senior and respected Member of the House. The right hon. and learned Gentleman is well aware of the remit and autonomy of the Committee. If he felt that his Committee was being interfered with in any way, I rather doubt that he would be backwards in coming forwards. The right hon. Member for Orkney and Shetland (Mr Carmichael) is himself a former senior member of the coalition Government. He will know very well, I am sure, the right hon. and learned Member for Beaconsfield, and he might wish to approach him for a brief conversation, not on the detail of the report, but about his concern. If that does not satisfy him, I have a feeling that I will be hearing from him again.

Draft EU-Canada Trade Agreement Order

[*Relevant Documents: First Report of the International Trade Committee, Continuing application of EU trade agreements after Brexit, HC 520, and the Government response, HC 1042.*]

12.56 pm

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I beg to move,

That the draft European Union (Definition of Treaties) (Canada Trade Agreement) Order 2018, which was laid before this House on 21 May, be approved.

I am delighted that we have the opportunity once again to debate the comprehensive economic and trade agreement between the EU and Canada, known as CETA, and that this is taking place on the Floor of this House. This follows on from the thorough and constructive debate last year and the overwhelming support shown by the full House in a subsequent deferred Division. I note that a majority of those on the Labour Benches who voted in that Division chose rightly to vote in favour of the agreement, and I hope they will continue to do so, because this debate comes at a crucial point in world trade, with the potentially destructive rise in protectionist sentiments.

Free trade is the means by which we have collectively taken millions of people out of abject poverty in the last generation, and we must not put that progress into reverse. We should also realise that trade is not an end in itself, but a means to widen shared prosperity. That prosperity underpins social cohesion and, in turn, political stability. That political stability, in turn, is the building block of our collective security. To interrupt the flow of prosperity is to risk creating a torrent of instability. We have an opportunity today to reaffirm Britain's commitment to the principles of free trade and the application of an international rules-based system.

Geraint Davies (Swansea West) (Lab/Co-op): Does the Secretary of State accept that after exit day, we will be bound by these treaties with Canada and hopefully Japan, but that there is no legal obligation for Canada and Japan to honour their obligations to us, because we will be out of the EU? That is the big problem with leaving the customs union.

Dr Fox: We already have had substantial bilateral discussions with Canada, and it agrees with the United Kingdom that CETA should form the basis of a bilateral agreement between the UK and Canada as we leave. However, we will have greater leeway to look at what additional elements we might want to include when we are no longer tied to the European Union.

Chris Bryant (Rhondda) (Lab) *rose*—

Dr Fox: I will make some progress.

This Government are clear that CETA is a good deal for Europe and a good deal for the United Kingdom. Our total trade with Canada already stood at £16.5 billion last year, up 6.4% on the previous year, with a services surplus of £1.9 billion. CETA will improve on this already strong economic partnership. It is an agreement

that will potentially boost our GDP by hundreds of millions of pounds a year. It will bring down trade costs, boost trade and investment, promote jobs and growth and increase our ability to access Canadian goods, services and procurement markets, benefiting a wide range of UK businesses and consumers. More trade and more growth result in more money for the Treasury, with benefits for our publicly funded services. CETA is a comprehensive and ambitious agreement—the most comprehensive agreement between the EU and an advanced partner economy that has come into force so far.

Jeremy Quin (Horsham) (Con): My right hon. Friend referred to the benefits that may flow to Canada, the UK and the EU, but there is a broader point to be made today about the benefits of free trade to the whole world. I hope that the House—hopefully united, and with Opposition Members hopefully united as well—can send the signal that free trade is a good thing for the world economy and that it is free trade that brings people out of poverty on a global basis.

Dr Fox: I think that something we share across the House is the belief that we would prefer people to be able to trade their way sustainably out of poverty rather than having to depend on aid budgets, and, of course, free trade is one of the key ways of ensuring that that happens. My hon. Friend is right: it is important that we send a signal, and I hope we can add to the signal that we sent last time that it is not possible to believe in the concept of free trade while not agreeing with any of the specific agreements that make free trade happen. It is important that we have consistency throughout.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) *rose*—

Dr Fox: Of course I give way to the Chairman of the International Trade Committee.

Angus Brendan MacNeil: I am picking up the clear message that it is the view of the Brexiteer UK Government that the European Union has negotiated a very good trade deal. Is that correct?

Dr Fox: We think it is the most advanced and ambitious trade deal that the EU has produced so far. That is not to say that it could not have been more ambitious in some areas, such as services. There is, of course, room for improvement in the future.

Canada is an important strategic partner too. As one of the “Five Eyes”, and as a member of NATO, the Commonwealth, the G7 and the G20, we have bonds that go far beyond just our trading relationship.

As Members will know, CETA was provisionally applied in September last year, removing 98% of the tariffs previously faced by UK businesses at the Canadian border, and UK firms are already benefiting. We have seen drinks exporters such as Dorset's Black Cow Vodka and Kent-based sparkling wine producer Hush Heath Estate improve their market access and profitability with the reductions in tariff and non-tariff barriers. We are also seeing new UK exporters to Canada, including

Seedlip, which produces the world's first distilled non-alcoholic spirit. Under CETA, Seedlip does not have to pay the 11% pre-CETA tariffs on its product.

Moordale Foods, which entered the Canadian market in March 2017 with assistance from the Department, was helped by CETA duty elimination. Pre-CETA, its range of products would have been subject to duties of 12.5%. Its prices in Canada are now closer than ever to its current domestic UK price, and its products can now be found in key Canadian gourmet food outlets, including the flagship Saks Fifth Avenue food hall in Toronto. That is an example of trade in action, and of how it will help the United Kingdom to earn more abroad and provide more jobs in the UK.

Chris Bryant: The Secretary of State has suggested that when we leave the European Union, there will be things that he will wish to secure from a new trade deal that the UK will sign with Canada, in addition to what this trade deal leaves us. Can he list three things that he would like to see in that new deal?

Dr Fox: As we will be in negotiation with Canada, I will not enter into that, but, as I have said, there are areas in which the final agreement was not sufficiently ambitious, such as services, and also issues related to data movement. There are areas in which the United Kingdom will have greater freedom when we are outside the European Union.

Kevin Hollinrake (Thirsk and Malton) (Con): My right hon. Friend may be interested to know that while Wensleydale Creamery, which is just outside my constituency and makes fantastic cheese, is already trading with Canada, the agreement is bound to help it to increase that trade. He has identified the benefits of free trade very clearly, but does he accept that we also need fair trade, so that the standards—the non-tariff barriers to which he has referred—are the same on both sides of the trade agreement, and businesses are treated fairly?

Dr Fox: That is a good point. The debate tends to revolve around tariffs rather than non-tariff barriers, which are often the biggest impediments to trade. However, as has been pointed out by Members on both sides of the House, since 2010 an increasing number of non-tariff barriers have been applied by the G20 countries. It is not acceptable for the richest countries in the world to say, “We have done very well out of free trade,” and then to pull up the drawbridge behind them. If we ourselves have benefited from free trade, it is our moral duty to ensure that generations after us, both at home and internationally, benefit from it as well.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): The Secretary of State is making a compelling case for supporting the trade deal, and there is a great deal of cross-party support for it, but will he confirm for the record how long it took to agree the deal with Canada, and how long it will take him to ensure that we have the same deal, or something better, once we have left the EU?

Dr Fox: As I have already said, and as we have already agreed with Canada, the existing agreement will form the basis for the bilateral agreement that we will

have with Canada when we leave the European Union. If we enact the Trade Bill—which Labour voted against last time—we will have no friction as we leave the EU, because this agreement will continue. However, that does not close down the possibility of our being able to improve on it in the future.

Several hon. Members *rose*—

Dr Fox: I will give way—for the last time, for the moment—to my right hon. Friend the Member for Wokingham (John Redwood),

John Redwood (Wokingham) (Con): I am glad that the Secretary of State is now stressing to Labour Members, who do not seem to understand it, that the deal that the EU has done novates to us as well as to the rest of the EU. The EU that signed the agreement will not be in existence once we have left, so there is an equal opportunity for it to novate to us. There is no reason why it will not novate to us, and I am sure that my right hon. Friend will be able to improve on it subsequently.

Dr Fox: I have said twice that we have already had discussions with Canada to see how we can build on the agreement that we will inherit as we leave the European Union. It is not a question of choosing one or the other. The agreement will already be there for us—assuming, that is, that the House of Commons passes the trade legislation which is necessary to give our businesses, our communities and our workers the certainty of continuity as we leave the European Union.

Several hon. Members *rose*—

Dr Fox: I will make some progress.

In parallel with the trade benefits to which I referred, investment in the UK from Canada continues to grow. In 2016, Canada had £18.6 billion invested in the UK and we had £21.1 billion invested in Canada.

As I have said, ratifying CETA is also an important step towards our future trading relationship with Canada as we prepare to take advantage of the opportunities offered by our exit from the European Union. During the Prime Minister's visit to Canada in September last year, both she and Prime Minister Trudeau reiterated their intention to seek to “transition” CETA swiftly and seamlessly into a UK-Canada deal once the UK has left the EU, and formally announced the establishment of a working group to ensure that the transition was as seamless as possible. Officials from our two countries have already begun to meet to discuss that transition. It is important that, as a first step, we prevent a “cliff edge” for British and Canadian businesses.

Of course, while we remain in the EU we continue to support its ambitious trade agenda. Free trade is not a zero-sum game, but rather a win-win. Ratifying CETA will send a strong message about our determination to champion free trade, to seek global trade liberalisation wherever we can, and to support the rules-based international trading system to deliver mutually beneficial outcomes. That is a key part of the Government's vision of delivering a prosperous and truly global Britain as we leave the European Union—

Sir William Cash (Stone) (Con) *rose*—

Dr Fox:—which could not be a better way to lead into my hon. Friend's intervention.

Sir William Cash: I congratulate my right hon. Friend not only on what he has said today—which is completely correct—but on the fact that the repeal Act to which Her Majesty has just assented reinforces the point that we will now be able to make our own international trade deals under that Act. I congratulate my right hon. Friend and the Government on that achievement.

Dr Fox: I am grateful to my hon. Friend. Of course, our ability to take full advantage of what we have already agreed depends on our passing both the Trade Bill and the customs Bill in this House. If we are unable to do so, we will be unable to provide that continuity for businesses and workers in the United Kingdom, which would be hugely to their disadvantage. I hope that the Opposition will think again about their vote against the Trade Bill on Second Reading, and will give it the fair wind that it deserves during its subsequent stages.

It is important for the UK that CETA is ratified successfully by all EU member states, because ratification by all member states is required for the treaty to enter fully into force. This will give Canadian and EU businesses greater certainty that the agreement will continue into the future.

Areas that were not provisionally applied include a large part of the chapter on investment, including the new investment court system, about which there has been extensive discussion in Parliament and in wider civil society. The UK supports the principle of investment protection, and looks forward to engaging further with the Commission on the technical detail of the investment court system. We support the objectives of obtaining fair outcomes for claims, high ethical standards for arbitrators and increased transparency of tribunal hearings.

I also want to be clear that investment protection provisions protect investors from discriminatory or unfair treatment by a state. This includes protection of UK institutional investors—for example, pension funds—where we have a duty to ensure that individual investments are protected. We have over 90 such agreements in place with other countries. There has never been a successful investor-state dispute settlement claim brought against the United Kingdom, nor has the threat of potential claims affected any Government's legislative programme.

Tom Brake (Carshalton and Wallington) (LD): Will the Secretary of State confirm that any investment court system is in fact a pooling of sovereignty? He will be aware that Canada and the EU have agreed that they want to transform the investment court system into something more open, transparent and global. Will he confirm that the UK Government will also undertake to do that after Brexit?

Dr Fox: I have set out what I believe are the principles, but the mechanism may well be different. The Commission has not yet finished its work on the technical detail of the ICS. We have reservations about the ICS as a system, but, as I have set out, we believe that there needs to be protection for investors. What we cannot do as a country is say that our investors should be protected overseas when they make investments of UK money, but a reciprocal agreement should not be in place for

others. We have to ensure that this is fair and equitable, and that is what we seek to do. I have to say to the right hon. Gentleman in all candour that I am not terribly attracted by the ICS, but we want to see the detail that the European Commission comes to and, when we leave the European Union, we will want to discuss with Canada what we think, on a bilateral basis, the best disputes resolution system might be.

It is also important to note that the customary international right to regulate has been re-emphasised in this agreement. Moreover, the agreement explicitly provides that member states should not reduce their labour or environmental standards to encourage trade and investment, ensuring that our high standards are not affected by this agreement. Let me say that nothing in CETA prevents the UK from regulating in the pursuit of legitimate public policy objectives.

Such objectives include the national health service. This Government have been absolutely clear that protecting the NHS is of the utmost importance for the UK. The delivery of public health services is safeguarded in the trade in services aspects of all EU free trade agreements, including CETA. Neither will anything in CETA prevent future Governments from taking back into public ownership—should they be crazy enough to do so—any services currently run by the private sector. The legal text makes this clear, if Labour Members would like to read it, although I have to say that the fear of nationalisation is the No. 1 issue that potential investors currently give for thinking twice about the UK as a foreign direct investment destination.

In fact, robust protections in CETA are covered in a number of related articles and reservations in the text. A key article is article 9.2, in chapter 9 on cross-border trade in services, which excludes services supplied in the exercise of governmental authority from measures affecting trade in services. In addition, in annex II on reservations applicable in the European Union, the UK has gone beyond the EU-wide reservations and has included additional national reservations for doctors, privately funded ambulances and residential health facilities, and the majority of privately funded social services. The UK Government will continue to ensure that decisions about public services are made by the United Kingdom, not by our trade partners. This is a fundamental principle of our current and future trade policy.

Mr Philip Hollobone (Kettering) (Con): Given these extensive labour and public sector protections, which I congratulate my right hon. Friend on negotiating, could this EU-Canada agreement not serve as a template for a UK-EU trade agreement on our exit?

Dr Fox: As the Prime Minister has made clear, we hope, given we are starting from the position of complete regulatory and legal identity with the European Union and given the size of our trade with the European Union—not least the fact that the European Union has a surplus in goods with the United Kingdom of almost £100 billion—that we would be able to negotiate an even more liberal agreement than CETA. That is of course a decision not just for the United Kingdom Government, but for the other 27 Governments, who need to look not to political ideology, but to the economic wellbeing of their own citizens.

Let me say something on scrutiny. We have committed, through our White Paper published last year, that we will ensure appropriate parliamentary scrutiny of trade agreements as we move ahead with our independent trade policy. The Government can guarantee that Parliament will have a crucial role to play in the scrutiny and ratification of the UK's future trade agreements, and we will bring forward proposals in Parliament in due course.

I would like to provide further reassurance to the House about the Government's ongoing commitment to openness and transparency. Indeed, we have scheduled a debate on the Floor of the House on the EU-Japan economic partnership agreement, which the Minister for Trade Policy—it is a pleasure to welcome my hon. Friend the Member for Meon Valley (George Hollingbery) to his position on the Front Bench—will be leading straight after this debate. This is already over and above the engagement required for EU-only trade agreements.

Angus Brendan MacNeil: Should the right hon. Gentleman be talking not only about “Parliament”, but about “Parliaments”? Last week, the International Trade Committee took evidence from John Weekes, the former Canadian ambassador to the World Trade Organisation. He was also Canada's chief negotiator for the North American free trade agreement, and an adviser to the Canadian Government and Parliament on CETA. One of the things he was asked was whether the central Government in Canada were tempted to make a power grab, or to deal with the provinces as they stand. He said that it added a degree of complexity, but that it made for a better deal at the end to respect the provinces of Canada, rather than deal with this centrally. Should the UK Government not ape that, and should the Secretary of State talk not just about Parliament, but about Parliaments? If we reach that stage when Scotland is still in the UK, we will need such respect.

Dr Fox: I have considerable sympathy with the hon. Gentleman, although trade is a reserved power for this Parliament. We have to accept as a country that, in an age of increased consumer awareness of trade, the public will want a genuine consultation about any future agreements that the Government reach. That requires us to avoid some of the pitfalls that occurred with the Transatlantic Trade and Investment Partnership, when the public felt that they had not been consulted during the process and were asked to take it or leave it.

It is therefore incumbent on Governments to devise mechanisms by which there is the fullest possible consultation not only with Parliament, devolved bodies and English regions, but with civil society. The Government will set out our proposals on that in the near future. I would add that I am grateful to the Select Committee for its thoughtful work on this area, because I think there will be quite strong consensus across the House about the mechanisms of consultation, even if we do not agree with the outcomes of such consultations.

I welcome this opportunity to make the case for CETA to Parliament, and to provide an opportunity, as the Government have done on previous EU free trade agreements, for full scrutiny of this important agreement. During the implementation period, the United Kingdom will retain access to EU free trade agreements, but we will also be able to negotiate, sign and ratify new

UK-only free trade agreements for the first time in more than 40 years. In doing so, we will safeguard the benefits achieved in CETA for UK businesses and consumers, and lay a foundation for an even stronger relationship in the future. Canada is a progressive, dependable and honest trading partner which is committed, as we are, to the World Trade Organisation and the international rules-based system. This is an important time, internationally, to show our commitment to a free trading Commonwealth, G7 and NATO ally. I commend this order to the House.

1.19 pm

Barry Gardiner (Brent North) (Lab): I am grateful for the opportunity to speak in this important debate on the Floor of the House at last. The order will specify CETA as an EU treaty for the purposes of the European Communities Act 1972. It is important to recognise that, unfortunate though it may be, the agreement itself cannot be changed at this stage by anything we might say this afternoon.

We want a comprehensive and mutually beneficial trade agreement with Canada. We want to boost fair and open trade with our closest allies and neighbours. Of course we do. We share a common language, unique cultural and economic bonds, the same parliamentary model and a common legal tradition, and we count Canada among our closest, oldest and most trusted allies.

In 2016, our exports to Canada amounted to some £8.3 billion—our seventh-largest non-European export market. In turn, we are Canada's third most important export market. Our appetite for Canadian goods means that Canada runs a trade surplus with us of some \$6.8 billion according to 2017 figures. We are Canada's most important European trading partner. The vast majority of Canada's European-bound goods move through our ports. We are the second-biggest recipient of Canadian investment. Similarly, we are the second-biggest foreign direct investor into Canada. More than an estimated 700 British firms have an established presence in Canada and some 1,100 UK firms are owned or controlled by Canadian interests.

In matters of trade, the UK and Canada face similar issues. Boeing's efforts to have punitive tariffs levied on Bombardier C Series aircraft threaten thousands of jobs both in Canada and here, where the company's Northern Ireland plant engineers and manufactures wings for those aircraft. We both face the spurious and illegal tariffs imposed by President Trump on our steel and aluminium exports under the false pretence of national security.

Do we want a trade deal with Canada? Of course we do. Only by working together can we and Canada address and resolve American protectionism and make a concerted effort on the world stage to enforce the rules-based system that underpins international trade. Only by working together can we push for a serious response to global overcapacity issues.

John Spellar (Warley) (Lab): Will my hon. Friend give way?

Barry Gardiner: I will give way to my right hon. Friend in a moment if he is patient—I am sure he will be.

[Barry Gardiner]

Yes, a Labour Government would very much welcome a trade deal with Canada built on the commercial and diplomatic ties that bind our two countries; a deal that seeks to further elevate our shared standards, rights and protections; and a deal that would lead to increased economic prosperity and jobs. The EU-Canada comprehensive economic and trade agreement is not such an agreement.

John Spellar: I thank my hon. Friend for giving way. Given the considerable links and advantages of our relationship with Canada, if we cannot do a deal with Canada, which country can we do a deal with?

Barry Gardiner: The presumption in my right hon. Friend's question is entirely wrong. The presumption is that we cannot do a trade deal with Canada, but of course we can. We want to do a trade deal with Canada, but he will recognise that we did not want the TTIP deal with the United States even though the United States perhaps has a claim above Canada's to be our closest ally on the international stage. The question is not who but what. Of course we can do a deal, but it must be the right deal for British business and jobs.

Andrew Percy (Brigg and Goole) (Con): I spend a lot of time in Canada as our trade envoy. What would the hon. Gentleman's message be to those British companies I meet in Canada that tell me how the provisional application of CETA is helping to boost their trade in that country and open up procurement—there are \$20 billion-worth of opportunities in the city of Toronto alone. He wishes to cut that off to British businesses by rejecting this deal, so what is his message to them when they are already benefiting and helping to support jobs in the United Kingdom?

Barry Gardiner: As I think I have already made clear to the House, we want those jobs and procurement opportunities, but we want them on the right terms.

Dr Fox: For the sake of clarity, is it the Opposition's position that the United Kingdom should not ratify CETA?

Barry Gardiner: I will of course answer the right hon. Gentleman's question—I will come to it later in my speech. Like my right hon. Friend the Member for Warley (John Spellar), the Secretary of State will just have to be patient a little longer.

The CETA deal has been marred by controversy. Hundreds of thousands of people have taken to the streets across Europe in protest. The deal was largely conducted in secrecy and with minimal consultation. It threatens the essential ability of Governments to legislate in the public interest. That is why it is so essential that Parliament has finally been afforded the opportunity to debate the agreement on the Floor of the House.

I pay tribute to the work of the European Scrutiny Committee under the chairmanship of the hon. Member for Stone (Sir William Cash), who is no longer in his place. In this respect, the Committee made repeated attempts over the past two years to ensure that Parliament was given just such a chance. The debate has been pending since the Committee granted a scrutiny waiver to the Secretary of State in October 2016.

Catherine McKinnell: Going back to the earlier discussion, if the position is not to support the Canada trade deal, will my hon. Friend explain what the procedure is for negotiating a new trade deal with Canada, given the complexity of leaving the EU?

Barry Gardiner: I do not know whether my hon. Friend heard the Secretary of State's remarks. He has made it clear that negotiations are under way. The constitutional position is that all current agreements with third-party countries that we have through the EU will have to be rolled over as new agreements. They will be legally distinct. In that respect, they must all be renegotiated.

Several hon. Members rose—

Barry Gardiner: I see a lot of Members standing. I am happy to give way later in my remarks but I want to make progress now.

The debate has been pending since the European Scrutiny Committee granted a scrutiny waiver to the Secretary of State in October 2016 to proceed with signing the agreement in order to bring the trade elements, but not the investment elements, into provisional application. That waiver was on the express condition that there was prior debate on the Floor of the House. That debate did not take place.

It is unusual to bring a statutory instrument to the Floor of the House rather than to a Delegated Legislation Committee. The Government are pretending to have afforded the House the opportunity to properly debate and scrutinise a controversial agreement and one of the most extensive that the country has entered into—the Secretary of State has admitted as much. However, at this stage it is all too late. The agreement is signed and cannot be renegotiated.

On 5 July 2016, the European Commission published its proposals for the signature and provisional application of CETA. On 7 September 2016, the European Scrutiny Committee recommended an urgent debate on the Floor of the House, noting the significant political and legal importance of the agreement. On 6 October 2016, the Minister sought clearance from the Committee to sign the agreement without having such a debate. On 12 October 2016, the Committee granted the Government a conditional scrutiny waiver, allowing them to proceed with signing the agreement only after a debate on the Floor of the House—the Committee directed the Government to ensure such a debate. [Interruption.] I hear the Secretary of State muttering from a sedentary position, "Process, process, process," but process is how the House ensures proper transparency and scrutiny.

On 17 October 2016, the Secretary of State advised the Committee that it was his intention to override scrutiny and proceed not only with the signature of the agreement but with its provisional application, despite the controversy attached to it and despite the fact that the House had been given no opportunity to scrutinise or debate it.

Owen Smith (Pontypridd) (Lab): Will my hon. Friend give way?

Barry Gardiner: No.

On 18 October 2016, the Government confirmed their support for signature, provisional application and conclusion of CETA. Overriding scrutiny, Mr Speaker,

is no minor matter. The Committee rightly called an emergency evidence session demanding that the Secretary of State account for his decision to override the Committee's scrutiny reserve and to proceed with provisional application. The Secretary of State had the audacity to tell the Committee:

"I very much believe in the democratic process and the importance of transparency and, as the Committee knows, I have long been one of those Members who has been very much supportive of the scrutiny process and I'm sorry that the timescales meant that it was not possible to have a debate before decisions needed to be made on CETA."

He went on to tell the Committee that this was

"down to the parliamentary calendar and the timescales set for us. However, I therefore reinforce my commitment to the Committee today to hold such a debate and I'm very happy to have that debate on the Floor of the House. Our officials are already working with business managers to identify a date most likely, we understand, in November."

That, for the avoidance of doubt, was November 2016.

So, November comes around and, having had no indication of a debate being forthcoming, the Committee published its summary of that urgent evidence session and noted:

"We consider such a debate to be urgent and ask that it be scheduled before 13 December".

[Interruption.] I know the Secretary of State does not like this, because it brings up all the ways in which he has sought to avoid transparency and scrutiny in this place.

By 30 November, the Secretary of State failed to secure a debate in the timeframe he himself had suggested to the Committee. On 7 December, the Committee repeated the need for a debate and called for it to take place before mid-January 2017, recognising that the Secretary of State would not be bringing forth a debate by the earlier stipulated deadline of 13 December.

It was farcical. The Secretary of State had absolutely made it farcical, but it got worse. My office submitted a freedom of information request on 15 December requesting details of the correspondence between the Department and business managers regarding scheduling a debate on CETA since 1 December 2016. It may come as no surprise that the Department failed to respond within the suggested timeframe. However, a response was forthcoming by 25 January. Staggeringly, it admits in its response that the first attempt to bring forward a debate on CETA was not in July 2016, as one might expect, and not even in September when the House returned after summer recess. It was an email sent from an undisclosed official to the Government Chief Whip's office on 25 October at 1.57 pm, just 24 hours prior to the Secretary of State's scheduled appearance before the Select Committee.

For the avoidance of doubt, I want to reassure the House that the Secretary of State did not misspeak. He did not mislead the Committee in any way when he told the hon. Member for Stone that

"our officials are already working with business managers to identify a date".

They had been: for a whole 24 hours and 33 minutes. If it should be that prior to being summoned to give evidence to the European Scrutiny Committee on why the Government had blatantly ignored the Committee's limited and conditional waiver and the condition that a debate take place, the Secretary of State had instructed

his officials to come up with a cover, at least the literal interpretation of his words was strictly accurate. More troubling is his apology to the Committee implying that there had been efforts to find time to schedule a debate, saying,

"I am sorry that the timescales meant that it was not possible to have a debate before decisions needed to be made on CETA in the Council."

Jeremy Quin: I am most grateful to the hon. Gentleman for giving way. For someone who seems so keen to have had a debate on this particular treaty, he seems very, very wary about actually getting on to the substance of the issue we are here to discuss. The only point on which I have heard him say he disagrees with what is laid before the House is some wording about it impinging on national Parliaments to regulate their own affairs. What bit of the treaty does he disagree with? Is it chapter 23, which ensures that we protect employment rights? Is it chapter 24, which ensures that we protect environmental rights? Or is it the legal text that provides protections for our NHS? What is it that he disagrees with?

Barry Gardiner: I am grateful to the hon. Gentleman for pressing me on to the substantive part of the debate, but he will understand that the way in which international treaties progress through this House, the way in which they are scrutinised and the transparency with which that is done are matters of real importance. The reason why is that the substance of these treaties needs to be agreed in terms of a mandate. It then needs to be ensured that the scrutiny that applies is available to Members of this House at all stages. That is what in this situation entirely failed to happen.

The Secretary of State said:

"I am sorry that the timescales meant that it was not possible to have a debate before decisions needed to be made on CETA in the Council. This was down to the parliamentary calendar and the timescale set for us."

"Not possible"? How did he know? He never bothered to ask. Why would the Government so determinedly pursue such a tack? The Secretary of State told us why when he admitted to the Committee in October 2016 that the

"UK could not be seen to block the agreement as it would send a negative signal to Canada."

In a meeting between the Secretary of State and his Canadian counterpart that took place on 16 July, we are told by the then Canadian Trade Minister, Chrystia Freeland, that

"when I asked him if I could count on his and Britain's continued support for CETA, he told me Britain would not just be supporting CETA, Britain would be pushing for CETA at the EU table."

Heaven forfend that Parliament might have had a say in such a deal now that the Secretary of State had given his gentleman's agreement to Canada!

There are two key issues that Members need to consider today. One is the issue of substance, and we will come on to the reservations on that score that exist throughout Europe, not just on the Opposition Benches, where they are currently being debated in constitutional courts and campaigned on by colleagues in the trade union movement. Incidentally, they were fully set out in Labour's general election manifesto last year. The second issue is process. Why have the Government repeatedly

[Barry Gardiner]

attempted to avoid proper scrutiny of the agreement? The reality of today's debate is that it is nothing more than a masquerading exercise designed to give the illusion of scrutiny when there has in fact been so little. We are now too late in the process and can do nothing to alter its course.

Angus Brendan MacNeil: I think many people watching will want to be clear, given the fragile and febrile nature of their politics in the UK at the moment, on what position the hon. Gentleman would adopt on CETA if he was to find himself International Trade Secretary in a few months' time.

Barry Gardiner: If we were out of the European Union, we would then be negotiating a new trade agreement with Canada and we would ensure that all—[*Interruption.*] Much that is in CETA is to be welcomed, as was outlined by the hon. Member for Brigg and Goole (Andrew Percy) who intervened on me earlier. Much of it is to be welcomed, but there are aspects of the trade agreement that the hon. Gentleman will recognise, and all of Europe recognises, as simply unacceptable.

Other Parliaments have, of course, had the opportunity to properly register their views on this agreement and perhaps this illustrates why the Secretary of State has been so concerned about allowing the House to have its say. In the Committee stage of the Trade Bill, I set out how a Labour Government would ensure full and proper consultation with key stakeholders—businesses, unions, civil society and the devolved Administrations—in advance of entering into negotiations on trade talks. My party believes that Parliament should have a vote to approve such mandates. That was why we tabled amendments to the Bill in respect of the same, but the Government voted down every single amendment we put forward.

Dr Fox: Are we then to assume that, for the purposes of consistency, Labour will table a negative motion under the Constitutional Reform and Governance Act 2010—or CRAG—procedure?

Barry Gardiner: I will come on to our position in due course.

The European Commission hailed CETA, calling it “the most ambitious trade agreement between countries ever undertaken.”

However, unlike other deals currently being progressed by the European Commission, it is a mixed agreement—trade and investment.

The investment provisions of CETA touch on matters of national competence and, as such, the agreement must be ratified at the national level and the regional level where appropriate. The European Commission and respective national Governments have sought to circumvent this process by provisionally applying CETA since 21 September last year, but the deal has not been ratified and is therefore not yet fully enforceable. To understand why, we need to look at the Wallonian Parliament in Belgium, which refused to ratify the agreement over concerns about investment aspects of it and, in particular, the investor-state dispute settlement mechanism, now known under this agreement as the

investment court system. This is where process meets substance. Belgium has referred the matter to the European Court of Justice to seek a ruling on whether the investment court system is even compatible with EU law.

Caroline Lucas (Brighton, Pavilion) (Green): The hon. Gentleman is making a powerful case about a very flawed process. Following public pressure, the provisions in CETA for an investment court system are still only marginally better than the original investor-state dispute settlement system. Does he share my concern that this still amounts to a parallel justice system for large corporations that could render the UK vulnerable to lawsuits, such as that brought by Veolia against Egypt for introducing a minimum wage?

Barry Gardiner: I absolutely share the hon. Lady's concern. That is one reason why it was part of the Labour party's manifesto at the last election that we would not approve trade agreements that had these mechanisms in them.

Sir Desmond Swayne (New Forest West) (Con): On a point of order, Madam Deputy Speaker. There is some pressure on time. The hon. Gentleman has been at it for over 20 minutes and we still do not know where he stands. Is it in order for him to keep the House in such suspense?

Madam Deputy Speaker (Dame Rosie Winterton): It is quite in order for the hon. Member for Brent North (Barry Gardiner) to be making his opening remarks. I am sure he is not going to be too much longer; there are a lot of people waiting to speak.

Barry Gardiner: Thank you, Madam Deputy Speaker.

Owen Smith: Would he give way to a Labour colleague?

Barry Gardiner: I would give way to a Labour colleague.

Just last week, the incoming Italian Government signalled that they too would refuse to ratify CETA when the new Agriculture Minister indicated that the lack of protections for Italian food producers presented a serious threat to the sector, calling the deal wrong and risky. France, Germany and the Netherlands have not ratified the agreement, and the Dutch Government are waiting on the ECJ ruling before determining how to proceed. In Germany, the issue is being heard in a case before its domestic constitutional courts to determine whether the investment court system is even compatible with the German constitution.

Vicky Ford (Chelmsford) (Con): The hon. Gentleman is making a very good point but, if CETA is such a terrible deal, why did so many Labour Members of the European Parliament vote for it, including their lead spokesman on the issue, who had full transparency on the deal as it was negotiated?

Barry Gardiner: The hon. Lady makes a false premise. Many parts of this deal would be welcomed, but there are essential parts of it that cannot be welcomed and which would stop us, therefore, being able to ratify it in the way she suggests.

The ISDS mechanisms give superior legal rights only to foreign investors to raise disputes against our Government to petition for compensation when their profits, or even their potential profits, are impacted by legislative or public policy decisions. This effectively allows companies to sue Governments when they are legislating in the public interest; for example, by introducing plain packaging for cigarettes, national insurance, minimum wages or even banning fracking. These provisions have become increasingly commonplace in new-generation trade agreements and this is what has resulted in such widespread international public outcry against deals such as the Transatlantic Trade and Investment Partnership, the Trans-Pacific Partnership and CETA.

The proliferation of investor-state dispute settlements can encourage treaty shopping, whereby investors restructure their activities to establish in countries where they may benefit from ISDS mechanisms, should they seek to effect policy change or petition for compensation. While the Government have previously argued that the UK has only ever been subject to four such dispute cases, and that the UK never lost such a case, it begs the question: why does the Secretary of State feel that this mechanism needs to be incorporated in a deal with a country such as Canada?

Geraint Davies: Will my hon. Friend give way?

Barry Gardiner: I will give way to my hon. Friend in just a second.

The Secretary of State spoke about the need to give investors protection and security and he has boasted many times in the past 12 months about the record number of FDI deals that he has been able to achieve. Unaccountably, he failed to report that those deals, though record in number, showed a 92% drop in value. Today's figures also reveal a drop in the number of deals, and the number of jobs saved by such investments is down by 54% year on year, according to his website.

Indeed, many Canadian companies have used investor-state dispute provisions in trade agreements to challenge foreign Governments, whether it has been the closing down of mines in El Salvador following a moratorium to protect unpolluted drinking water, or the Obama Administration's decision to suspend the Keystone pipeline over concerns about potential damage to the environment. The very threat of facing such a case, even when the chance of winning is in the Government's favour, can clearly act as a deterrent to Governments from pursuing actions in the public interest—a regulatory chilling effect. This may well have been President Trump's view when he reversed his predecessor's decision and greenlighted the Keystone pipeline, thus avoiding costly legal action and the chance of a substantial payout.

Having watched cases taken against the Uruguayan and Australian Governments by the tobacco giant, Philip Morris, many countries are cautious about introducing plain packaging in tobacco product laws. It is not just European Governments who have expressed concerns about ISDS.

Angus Brendan MacNeil: I am slightly puzzled by the hon. Gentleman. At the moment, there is talk about the provisional application of CETA. What situation would he want with CETA? I know that he has reservations—if I have reservations about a car I am going to buy, I do not buy it. He has reservations about CETA, so would

he not apply CETA? Would he provisionally apply it? What would his position on CETA be if he were the Secretary of State for International Trade and President of the Board of Trade in a few months' time?

Barry Gardiner: I did answer that question earlier following an intervention. There are many aspects of this trade agreement that we would welcome and would wish to pursue, but we cannot—[*Interruption.*]

Madam Deputy Speaker (Dame Rosie Winterton): Order. Will the hon. Gentleman face the Chair? We cannot hear otherwise.

Barry Gardiner: I apologise, Madam Deputy Speaker. There are many aspects of the deal that we would welcome, but there are elements of it that are absolutely unsustainable and constitute red lines. South Africa, India and New Zealand have all stated their opposition to ISDS procedures, and New Zealand has gone so far as to sign side letters with five counter-signatories to the Trans-Pacific Partnership disapplying the ISDS provisions included in that agreement. The current impasse in the renegotiation of the North American free trade agreement hinges on US demands to drop ISDS provisions from the revised agreement, the rationale being that their respective domestic court systems are perfectly capable of adequately settling any disputes. Indeed, if our courts are sufficient for British companies, why should they not be considered so for foreign investors, too? The United Kingdom has long been considered a safe legal system, and a significant proportion of global trade is governed by legal—

Andrew Percy: On a point of order, Madam Deputy Speaker. The shadow Secretary of State has now spoken for longer than the Secretary of State. Many Back Benchers are waiting to get in on this important debate. Is he still in order?

Madam Deputy Speaker (Dame Rosie Winterton): The hon. Member for Brent North is still in order, but I point out that a lot of speakers want to come in. I am sure that he will bring his remarks to an end very shortly.

Barry Gardiner: Thank you, Madam Deputy Speaker. Indeed—I will respect your decision and, in that regard, I hope that nobody else will seek to intervene as I conclude my remarks.

Owen Smith: Will my hon. Friend give way? [*Interruption.*]

Madam Deputy Speaker (Dame Rosie Winterton): Order. It is important that the hon. Member for Brent North is heard with politeness, because I know that he wants to bring his remarks to an end fairly quickly. I think we should give him the chance to get on and do that.

Barry Gardiner: Over the past few years, the Government have entirely failed to explain why British taxpayers should be on the hook for ordinary commercial risks faced by foreign investors. If a company has concerns about the stability of the regulatory environment, it should factor that into its investment decision. Recognising

[Barry Gardiner]

the flaws in the arbitration model, the European Commission and Canada have moved to a courts-based system, but the Secretary of State covered that, so I will not dwell on it.

A Labour Government would not seek ISDS provisions in future trade agreements, but the threat to the Government's capacity to deliver in the public interest is not confined to the use of ISDS mechanisms. Modern trade agreements such as CETA and the EU-Japan economic partnership have been negotiated using the negative list approach for the scheduling of services liberalisation commitments. Under this approach, all service sectors not explicitly exempted from liberalisation are included. The use of this method marks a significant departure from the use of the positive list in all earlier EU trade agreements, where only those service sectors listed are subject to the rules and disciplines of the agreement. It is considered a particular threat to public services, as it may prove impossible to shield them from liberalisation effectively once they have been committed to an international trade treaty.

This means that any emergent sector in the future will automatically be subject to liberalisation even where there might be a clear need for Government intervention. We cannot predict what those will be prior to their emergence, but that is the very point of using a negative list—to reduce the capacity of the Government to regulate in the future. Collectively, these measures only benefit big businesses and curtail the rights of Governments to act in the best interests of their peoples. That is why there has been so much resistance and uproar from civil society organisations and trade unions alike.

It is ironic that, just as we are told we need to leave the EU to regain control of our laws and how they are interpreted in the courts, Parliament's ability to legislate in the public interest is being curtailed by negative lists and regulatory chill and by the establishment of a supranational courts system where foreign businesses are given superior rights to our own domestic companies and can tell our Government what they can and cannot do if they are not to sue us for taking sensible public policy decisions to protect the public against new and emerging dangers.

Similar concerns extend to the labour rights provisions of CETA. One study forecast that 10,000 jobs could be lost as a direct consequence of CETA. The threat to European jobs—[*Interruption.*]

Madam Deputy Speaker: Order. I must insist that the hon. Gentleman be heard out. I am sure he will bring his remarks to a close in the next minute.

Sir Nicholas Soames (Mid Sussex) (Con): On a point of order, Madam Deputy Speaker. You may believe that the hon. Gentleman is drawing his remarks to a close, but I can see his notes. Is it not completely against convention and the good manners that are conducive to proper parliamentary debate for the hon. Gentleman to so abuse the conventions of the House?

Madam Deputy Speaker: I have to say that raising endless points of order during a short debate is not conducive to moving things along. That said, I am sure that the hon. Member for Brent North, within the next minute, will bring his remarks to a close.

Barry Gardiner: The real abuse is the way the Secretary of State has ignored all the waivers he has been given by the European Scrutiny Committee and all the assurances he gave that he would try to secure this debate on the Floor of the House before it became meaningless. The real abuse is the way he has conducted this whole saga over the past two years.

A Labour Government would have demanded better protections for jobs and workers' rights. The Government's failure to seek protections for British workers is matched by their failure to seek protections for British businesses.

Owen Smith: Will my hon. Friend give way?

Barry Gardiner: I will give way to my hon. Friend.

Owen Smith: I am extremely grateful to my hon. Friend for giving way, and I am sure that the whole House is enjoying his exhaustive speech as much as me, particularly his looking through the parliamentary entrails of this issue. For clarity, is his position and that of our party now that we believe we could strike a better deal than the EU27 as a standalone nation after Brexit?

Barry Gardiner: Indeed I do. We actually said so in our manifesto. We made that clear in the manifesto that both my hon. Friend and I stood on and with which we went to the voters of this country, and he was elected on it just as I was. I propose to stand by it; I am not sure if he does.

For all these reasons, the Opposition cannot support the Government's motion.

Dr Fox: On a point of order, Madam Deputy Speaker. I hesitate to raise this point of order, but in response—or non-response—to a series of interventions, the shadow Secretary of State promised the House that before he sat down he would make it clear whether he believed the Labour party would vote to ratify the agreement or lay a negative motion, which is procedurally very important under the CRAG procedure. Why did we not get an answer?

Madam Deputy Speaker: That is a matter of debate, not a point of order. I am sure that the shadow Secretary of State would intervene if he felt so inclined.

Several hon. Members *rose*—

Madam Deputy Speaker: Order. With so many people wanting to speak, I must impose an immediate four-minute time limit on Back-Bench speeches.

1.55 pm

Greg Hands (Chelsea and Fulham) (Con): I rise to speak very much in favour of ratifying this agreement, and I welcome the opportunity to support my right hon. Friend the Secretary of State for International Trade and President of the Board of Trade, and to record my thanks to him for doing so much good work in the last two years to establish the Department for International Trade. I also thank the superb officials at the Department, who have worked tirelessly to get our independent trade policy up and running and heading in a successful direction. I also congratulate my successor as Minister for Trade Policy, my hon. Friend the Member for Meon Valley (George Hollingbery), who I think will be leading the next debate. I welcome him to his position

and wish him every good fortune in his important role, in which he has a lot coming up in the next couple of weeks.

I want to reflect on the extraordinary contribution by the shadow Secretary of State. It was an abuse of procedure to speak for 35 minutes in a 90-minute statutory instrument debate and to leave others, who actually want to speak about the content of the agreement and its implications, with just four minutes each. I listened to his explanation of what happened, or did not happen, in 2016, and I thought it not really in his interests, as we could also go back to his position in 2016 and 2017, when I think he said that staying in the customs union, which I believe is now his party's policy, would be a disaster for the country. I should have thought he was the last person to want to draw attention to what people said two years ago.

Most importantly, we heard the shadow Secretary of State speak for 35 minutes but never got a straight answer as to what his position on the agreement actually is. I think he said he would like to renegotiate it. Now, not only would that have implications for an agreement that is already in place—the provisions have been in place since September—but is he also saying he would renegotiate all the other 40-plus EU agreements, rather than seek their transition into UK agreements? *[Interruption.]* I think he is saying from a sedentary position that he would like to renegotiate the whole lot.

Geraint Davies *rose—*

Greg Hands: I will not take any interventions because there is no time.

I want to say three things. First, CETA itself, on its own merits, is a very good deal. It could be worth as much as £1.3 billion per annum to the UK economy. It removes all tariffs on industrial products and wines and spirits, and eliminates customs duties on ciders, wines and spirits. On the investment provisions, we must remember, as the Secretary of State laid out, that the UK is the fourth-largest source of investment into Canada and the UK is the second most popular destination for Canadian investment. It is also important for the EU's trade agenda, as it will be the first EU trade agreement to be ratified since that with South Korea some six years ago. The UK is supportive of the EU's trade agenda, partly because we believe in breaking down barriers ourselves, and partly because the UK will seek to maintain the substance of these agreements as we go forward after Brexit.

Last time around on CETA the official Opposition split three ways. We look forward to seeing what the official position of the Opposition is and what the practical position is of their various MPs.

2 pm

Stewart Hosie (Dundee East) (SNP): I will be as brief as possible to allow as many others in as possible. *[Interruption.]* I may take slightly longer than four minutes, but I will be as brief as possible.

The Secretary of State said we should take this opportunity to reaffirm our commitment to the principles of free trade. I think we should take any opportunity to reaffirm principles in support of free and fair trade, but we are not engaged in a general debate on trade; we are

engaged in a debate on a specific trade agreement—one which is incredibly important to the whole of the UK, and indeed for Scotland because of our history and record of trade with Canada.

I welcome what the Secretary of State said in response to my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), the Chair of the Select Committee—that he was sympathetic to finding other ways to engage and consult with the devolved Administrations, and indeed wider society. That is very important, particularly for Scotland, because we are a trading nation. Indeed, the most recent stats—year-end, quarter 1 of 2018—showed that Scotland's international exports were growing at the fastest rate of any UK nation: a 12% increase over the year, compared with 8% for the UK—6.5% for England and as low as 5% growth for Northern Ireland. Scotland saw some phenomenal increases in trade—a 48% rise in exports with the Netherlands—and the Secretary of State laid out the trade increase between the UK and Canada.

So we would normally want to be able to support free and fair trade agreements that support and encourage trade, GDP growth, productivity growth and jobs. But trade agreements need to be properly scrutinised and debated, and to contain necessary protections to ensure that our vital public services are protected now and into the future, and there are two aspects of this CETA treaty that we must take issue with and probe. There has not been time to scrutinise it properly, and one might argue that that is now par for the course for this Government, not least in the way that they treat this Parliament. Indeed, in October 2016, the Secretary of State had to apologise to the European Scrutiny Committee after failing to make time for a debate on CETA before the decision was made in the Council by the UK Government to support it, and since then, although there have been outings in Committee, Westminster Hall and oral questions, there has been nothing substantive on the Floor of the House. It is also a disgrace that the Scottish Parliament has not been given any formal role in the negotiation process, particularly when we saw the input of the Canadian provinces and sub-state Parliaments in the EU.

Despite this lack of scrutiny, however, the UK is subject to all the rights and obligations arising from CETA while it remains in the EU, it will be bound by its obligations during the transitional period, and the UK Government's aim is to roll over the EU trade agreements into an equivalent UK third-party agreement post the Brexit transition. It is therefore all the more important that there is proper scrutiny both in this House and the devolved Parliaments and Assemblies.

We also have concerns that CETA fails to properly secure key protections for Scottish, and UK, public services. According to a note prepared for the European Parliament—the Secretary of State alluded to this today—public services are excluded from CETA, including health, education and other social services. But the counter-argument notes that negotiators have used the so-called negative list approach, which means that all services are open to market liberalisation unless a specific and accurate reservation is entered, at the outset. That can, of course, lead to the creeping liberalisation of public services, as negotiators have failed to include sufficiently watertight exclusions.

[Stewart Hosie]

I am conscious that time is short, so I will end with two quotes. I heard very clearly what the Secretary of State had to say about protections, but Friends of the Earth has said—I am grateful to the Library for this—that the CETA proposals,

“offer no significant improvement to the dangerous”

investor-state dispute resolution agreement

“and should fool no-one”,

and that the new or renamed

“Investment Court System is nothing but private arbitration under another name”.

The Corporate Europe Observatory and others summed up their objections in this regard by saying that

“it would empower thousands of companies to circumvent national legal systems and sue governments in parallel tribunals if laws and regulations undercut their ability to make money.”

The very fact that those strongly worded critiques exist and run counter to what the Secretary of State says tells me and my party that there is not sufficient clarity or certainty that the protection for our public services is fully and properly in place in this agreement.

2.5 pm

Andrew Percy (Brigg and Goole) (Con): It is a pleasure to speak in support of this excellent trade deal between the EU and Canada, and in so doing I want to pick the shadow Secretary of State up on a number of points that he made in his interesting—and somewhat bizarre at times—comments. I like him personally—he is a jolly decent chap—but I am afraid his position on this is completely and utterly incoherent. The idea that he would oppose this deal while also trying to negotiate a new UK-Canada trade deal effectively puts him in the same boat as President Trump, in that he would immediately, by rejecting this deal, presumably reimpose the tariffs that have gone as part of the initial application of CETA. My question to him is: what would he say to British producers? I am thinking of companies like Isle of Harris Gin, whose launch I attended in Toronto in October, and which very successfully got into the Liquor Control Board of Ontario, the second biggest purchaser of alcohol—

Angus Brendan MacNeil *rose*—

Andrew Percy: I am not going to give way, as time is very limited. I know that concerns the hon. Gentleman's constituency, but he has intervened a number of times.

The hon. Member for Brent North (Barry Gardiner) would impose tariffs in such areas immediately, damaging British interests now. Moreover, he fails to understand the position of the Canadian Government. Their position is that CETA will be the basis of the future UK-Canada trade deal. That is the position not only of Prime Minister Trudeau but of the Canadian Opposition leader Andrew Scheer, who was here and met the Secretary of State only a few months ago. So the hon. Gentleman would rip up a deal that the Canadian side in good faith wants to use as the basis of a trade deal. I am afraid the hon. Gentleman's position is total nonsense and would be hugely damaging to those British producers who are already benefiting from the initial application of these provisions.

I also want to say something about the current environment in Canada based on what I find when I make my visits out there and also welcome Canadians here. There is massive support for this agreement in Canada, which leads into huge support for a seamless transition into a UK-Canada trade deal, because Canada recognises that, particularly in terms of public procurement, there are specific skills that this country has that are needed to make good on some of Canada's infrastructure investment plans. In my earlier intervention I mentioned that there are £20 billion-worth of infrastructure contracts up for grabs in the greater Toronto area alone. This treaty makes it much easier for British companies to gain access to them. So the opportunities for UK companies in Canada are huge under this agreement.

On where we should go in the future, the Secretary of State rightly said that this is a good deal but we can do better, although this must of course be the basis of a future UK-Canada deal. There are two areas in particular where we should be more ambitious. First, services is a hugely important area of our economy, and we have a great deal in common with Canada in terms of services, but there are barriers at present that are not dealt with as part of the agreement, and which we would wish to see improved in a future deal. Similarly, CETA does some good things on labour mobility, but there is more that we can and should look to do with Canada in the future on the ability of companies to move people between the two economies.

Finally, I welcome the Secretary of State's commitment to working with the devolved Administrations here. That is important. We must also recognise in our future negotiations with Canada the important role that Canadian provinces will play. I met with the Quebec negotiator Pierre Marc Johnson in Montreal just a few weeks ago. There is big support in the provinces for a UK-Canada deal, but we must engage with them at an early stage to ensure that remains the case.

2.9 pm

John Spellar (Warley) (Lab): I declare an interest as the chair of the all-party parliamentary group on transatlantic trade. Also, like many of my constituents and many colleagues here, I have family in Canada. I will shorten what I was going to say about our strong links to Canada, but I want to stress our shared history, culture and institutions, both national and international. Also, we have heard about Canada's Liberal Government, whose Prime Minister, Justin Trudeau, has been trashed by Team Trump. So, what's not to like?

The question we have to ask is: if not Canada, who? We will obviously be discussing trade relations with the EU, but that will not be an easy discussion and it will take some time. Obviously, in the future we will rightly have to do a trade deal with the United States, but at the moment, given that it is pulling back from TTIP and NAFTA, and that it has shut down discussions on the TPP, and with the tariff wars extending, this is not the best environment in which to have those discussions.

Discussions with China will need to focus on addressing China's trade-distorting practices, which are a threat to the multilateral system, as was said recently in a statement from the European Trade Union Confederation and the American Federation of Labour and Congress of Industrial Organisations in the United States. We shall be discussing

Japan in a few minutes, but it too is a mature democracy and very effective trading partner. It is a big investor in the UK, and a country with which we ought to be doing a trade deal as part of the world trading order. So I say again: if not Canada, who? I suppose we could do a trade deal with Venezuela, but it might not meet the human rights hurdle any time soon.

What have the underlying problems been? I can give the House two examples. First, my hon. Friend the Member for Brent North (Barry Gardiner) drew our attention to the investor-state dispute settlement provisions, which have caused great concern, but he conceded that over several decades, and with nearly 100 agreements containing ISDS provisions, there have been four cases against the United Kingdom and we lost none of them. Such arrangements are worth looking at, between two trading blocs with mature legal systems, but we seem to be making a mountain out of a molehill.

Secondly, the underlying problem with CETA is that it was seen as the son of TTIP, the transatlantic trade deal to which opposition built up over a period of time—having initially had considerable support in, for example, the progressive areas of the trade union movement—particularly on the basis of anti-Americanism. My hon. Friend mentioned public concern from civil society, by which I think he meant non-governmental organisations. Any study will show the way in which this has been orchestrated, particularly by the Rosa Luxemburg Foundation, the foundation of the German left party, Die Linke, which grew out of the old East German Communist party.

In conclusion, this agreement is certainly to be welcomed, in order to strengthen the bonds between our two great nations and peoples.

2.13 pm

James Cleverly (Braintree) (Con): I apologise in advance if my speech is rather chopped up. Unfortunately, due to the huge discourtesy that the shadow Front-Bench spokesman displayed to the House, I shall have to heavily curtail the points that I wished to make. In a paper that I co-wrote with Tim Hewish entitled “Reconnecting with the Commonwealth: the UK’s free trade opportunities”, I made the point that because of our shared history, our common language, our basis in common law, our shared recognition of professional standards and our shared attitude towards human rights and standards in general, a trade agreement with Canada should be one of this country’s priorities, post-Brexit. I am therefore pleased to hear from both sides of the Atlantic that CETA will be the foundation stone for a UK-Canada trade agreement, post-Brexit, and it is appropriate and welcome that this House should be debating this issue today.

The hon. Member for Swansea West (Geraint Davies) suggested earlier from a sedentary position that the UK was a minnow. I think that that was the word he used. Well, I have news for him. In 2016, this particular minnow had exports combined to a value of £8.3 billion—up by £2.1 billion on the preceding decade. In 2016-17, there were 72 foreign direct investment projects from Canada to the UK, accounting for something in the region of 1,700 jobs.

Geraint Davies: Will the hon. Gentleman give way?

James Cleverly: No, I am not giving way—

Geraint Davies: But the hon. Gentleman mentioned me—

James Cleverly: I am not giving way. We have so little time.

CETA is the first major trade agreement signed by the EU since the one with South Korea in 2011. It is therefore entirely appropriate to welcome its arrival. This morning, I had breakfast with Stephen Harper, the former Prime Minister of Canada. He reinforced the point made by Canada’s current Prime Minister, who has said that a UK-Canada trade agreement would allow a larger and—this is a Canadianism rather than a British turn of phrase—“more impactful” trade relationship than the current EU agreement. Just this week, we have heard reports that Italy is now expressing concerns about the ratification of CETA.

This debate provides us with an opportunity to welcome CETA and the work that our own Department for International Trade, led by my right hon. Friend the Secretary of State for International Trade and President of the Board of Trade, has done to forge relationships between the UK and Canada, and more widely. Most importantly, it gives us the opportunity to be vocal and passionate proponents of free trade and the good work that it does. We must not be tempted by the siren song of protectionism. We remember from Greek mythology what happened to those who were seduced by the song of the sirens: they sailed on to the rocks and their ships were dashed to pieces. They floundered and drowned. We must not let that happen to us. We must embrace free trade and we must welcome the CETA agreement.

2.17 pm

Mr Chris Leslie (Nottingham East) (Lab/Co-op): We on the International Trade Committee took time to hear evidence on the Canada trade deal. In his near-40-minute speech from the Front Bench today, my hon. Friend the Member for Brent North (Barry Gardiner) covered a number of important points about parliamentary scrutiny, but I am not entirely clear what those on my Front Bench are going to do if this issue comes to a vote. I shall therefore make my own mind up, based on the debate that we are having. From what I can see, CETA is quite a decent trade deal. As my right hon. Friend the Member for Warley (John Spellar) said, Canada is a liberal, open economy with which we have a great affinity.

A number of improvements have been made to the agreement along the way as part of the negotiations. The old ISDS has gone, and there is a new, more transparent and open arrangement for settling disputes. By the way, trade deals tend to need some sort of mechanism for settling disputes. Most importantly, CETA is already provisionally in force. So, if for some reason the House were to kick it out today, and possibly prevent the European Union as a whole from ratifying the treaty, we would go from a position in which we currently enjoy zero tariffs to one in which tariffs would again be imposed on a whole basket of goods. For example, the UK currently enjoys zero tariffs on clothing and textiles, but they would have to go back up to 16%. The tariffs on vehicles and machinery would go back up to 9.5%, those on medical devices would go back up to 8% and those on chemicals would go back up to 6.5%. We have to look responsibly at the options before the House today.

[Mr Chris Leslie]

At this time in particular, when we are talking about Brexit and when our access to our largest markets across the European Union, 40% of our trade, is in a somewhat precarious situation—I do not want to open that particular debate up more widely just now—to start putting question marks over the non-EU trade deals, 30% of our trade, does not seem very sensible. As we are potentially at the brink of a worldwide trade war, with Trump and the Americans' ridiculous approach of irrational tariffs on a whole series of goods, this is not the time for us to step away from free and fair trade arrangements.

All I would say to my colleagues on the Front Bench is to be very careful about slipping into an oppositionist rut on these issues. If we want to be a Government in waiting, we sometimes have to weigh things in the balance and take a responsible view about the prosperity of our economy, because from that prosperity comes the revenues we need for our public services, our health service, our schools, and all those local council services. There is danger in flirting with anti-trade populism. Yes, we must harness globalisation, but we must not resist it entirely. There is a sensible mainstream, dare I say it centre-ground approach to being rational and sensible about trade deals. Yes, make the points about parliamentary scrutiny, but at the end of the day we have to take the long view, which is that free and fair trade benefits us all.

2.21 pm

Iain Stewart (Milton Keynes South) (Con): I shall keep my remarks very brief to allow others in.

On issues such as this, I like to ask what the opportunity cost is of not proceeding. It is very easy to find reasons not to do something; perhaps as a country, we do that too often. If we were to take the advice of the hon. Member for Brent North (Barry Gardiner), go down the contortions of his suggested route and not ratify this treaty, what opportunities will be lost? What investments will not be made, what deals would not be done and what jobs will not be created? We already have strong links between Canada and the United Kingdom. There is a huge appetite among Canadian investors to invest in the critical national infrastructure projects we want delivered in this country. They might be imperilled if we do not ratify this agreement. This is a good deal, paving the way for an even better post-Brexit bilateral deal. Let us get on with it.

2.22 pm

Emma Little Pengelly (Belfast South) (DUP): I want to speak briefly to put on record my support and that of the Democratic Unionist party for the motion and the proposed route forward. Ensuring a strong British economy necessitates a continued and growing role for the United Kingdom in international trade. Northern Ireland already plays a strong part in the overall UK trading picture, but we too want to improve and enhance what we do. We in Northern Ireland want to play a key role and a full part in global Britain—or, may I suggest, a global UK agenda? Northern Ireland already has strong links with Canada, including strong business connections. We want to protect and build on that: more investment, more jobs, and more and enhanced trading relationships. That is why I welcome CETA and today's proposals.

As been indicated, this measure has already been provisionally implemented and it is entirely logical for us to agree with it today. As this rolls on with UK-EU third-party transitional arrangements, we can address the issues and people's concerns as well as enhance the opportunities that it might present.

2.23 pm

Helen Whately (Faversham and Mid Kent) (Con): Britain should and must be a champion of free trade. Free trade, the great driver of prosperity, is in the interests of our constituents and has taken 1 billion people out of poverty around the world. Now more than ever, when protectionism is rearing its head—in fact, when it is being trumpeted in parts of the world—we should send a message to the world that we will not follow that lead but will be champions of free trade.

I am afraid that the shadow Secretary of State did not send that message. He said that he would support this—"but". The substance of that "but" was based on his airtime. I think that it was mostly to do with the process and that he did not like the fact that he had not been invited to the party—perhaps that he had not had his chance to pass the parcel around. I would say that he is better than that. He should take a step back, as I know some of his colleagues are. Some Members sitting behind him are for free trade. They are for British businesses. They are for British consumers. They are not looking to fuel scaremongering fires, as he did. They recognise that this deal will not water down labour rights; on the contrary, it protects them. It will not water down environmental protections; on the contrary, it protects them. It will not be harmful to public services, as it protects them, too. Those risks do not exist, so the order is in the interest of our constituents and we should support it.

Madam Deputy Speaker (Dame Rosie Winterton): I call Geraint Davies. You have 45 seconds.

2.25 pm

Geraint Davies (Swansea West) (Lab/Co-op): What these trade deals show is that we are stronger in team EU, negotiating big deals, than alone. What will happen is that those on both sides of the House will say that they will do their own deal afterwards in different ways. We will be in a weaker position and subject to all sorts of problems. Finally, on the court system, the EU and Canada are both mature democracies, judiciaries and economies. We do not need an investor court system; the investors are already protected. Things could be improved, but there is a lot in CETA and we need to keep trading.

2.26 pm

One and a half hours having elapsed since the commencement of proceedings on the motion, the Deputy Speaker put the Question (Standing Order No. 16(1)).

The House divided: Ayes 315, Noes 36.

Division No. 193]

[2.26 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Ali, Rushanara
Allan, Lucy
Allen, Heidi

Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi

Bailey, Mr Adrian	Ellwood, rh Mr Tobias	Jones, Andrew	Percy, Andrew
Baker, Mr Steve	Elphicke, Charlie	Jones, rh Mr David	Perry, rh Claire
Baldwin, Harriett	Eustice, George	Jones, Mr Marcus	Philip, Chris
Barclay, Stephen	Evennett, rh Sir David	Kawczynski, Daniel	Pincher, Christopher
Bebb, Guto	Fabricant, Michael	Keegan, Gillian	Poulter, Dr Dan
Bellingham, Sir Henry	Fallon, rh Sir Michael	Kennedy, Seema	Pow, Rebecca
Benyon, rh Richard	Field, rh Mark	Kerr, Stephen	Prentis, Victoria
Beresford, Sir Paul	Ford, Vicky	Kinnock, Stephen	Prisk, Mr Mark
Berger, Luciana	Foster, Kevin	Knight, rh Sir Greg	Pritchard, Mark
Berry, Jake	Fox, rh Dr Liam	Knight, Julian	Pursglove, Tom
Blackman, Bob	Francois, rh Mr Mark	Kwarteng, Kwasi	Quin, Jeremy
Blunt, Crispin	Frazer, Lucy	Lamont, John	Quince, Will
Boles, Nick	Freer, Mike	Lancaster, rh Mark	Raab, Dominic
Bone, Mr Peter	Fysh, Mr Marcus	Leadsom, rh Andrea	Redwood, rh John
Bottomley, Sir Peter	Gapes, Mike	Lee, Dr Phillip	Reynolds, Emma
Bowie, Andrew	Garnier, Mark	Lefroy, Jeremy	Robertson, Mr Laurence
Bradley, Ben	Gauke, rh Mr David	Leslie, Mr Chris	Robinson, Gavin
Bradley, rh Karen	Ghani, Ms Nusrat	Letwin, rh Sir Oliver	Robinson, Mary
Bradshaw, rh Mr Ben	Gibb, rh Nick	Lewer, Andrew	Rosindell, Andrew
Brady, Sir Graham	Girvan, Paul	Lewis, rh Brandon	Ross, Douglas
Brake, rh Tom	Glen, John	Lewis, rh Dr Julian	Rowley, Lee
Braverman, Suella	Goldsmith, Zac	Lidington, rh Mr David	Rudd, rh Amber
Brereton, Jack	Gove, rh Michael	Little Pengelly, Emma	Rutley, David
Bridgen, Andrew	Graham, Luke	Lloyd, Stephen	Seely, Mr Bob
Brine, Steve	Graham, Richard	Lopez, Julia	Selous, Andrew
Brokenshire, rh James	Grant, Bill	Lopresti, Jack	Shannon, Jim
Bruce, Fiona	Grant, Mrs Helen	Lord, Mr Jonathan	Shapps, rh Grant
Buckland, Robert	Gray, James	Loughton, Tim	Shelbrooke, Alec
Burghart, Alex	Green, Chris	Mackinlay, Craig	Shuker, Mr Gavin
Burns, Conor	Green, rh Damian	Maclean, Rachel	Simpson, David
Burt, rh Alistair	Greening, rh Justine	Main, Mrs Anne	Simpson, rh Mr Keith
Cairns, rh Alun	Grieve, rh Mr Dominic	Mak, Alan	Skidmore, Chris
Campbell, Mr Gregory	Griffiths, Andrew	Malthouse, Kit	Smith, Chloe
Carmichael, rh Mr Alistair	Gyimah, Mr Sam	Mann, Scott	Smith, rh Julian
Cartledge, James	Hair, Kirstene	Masterton, Paul	Smith, Owen
Cash, Sir William	Halfon, rh Robert	Maynard, Paul	Smith, Royston
Caulfield, Maria	Hall, Luke	McFadden, rh Mr Pat	Soames, rh Sir Nicholas
Chalk, Alex	Hammond, Stephen	McKinnell, Catherine	Soubry, rh Anna
Churchill, Jo	Hands, rh Greg	McLoughlin, rh Sir Patrick	Spelman, rh Dame Caroline
Clark, Colin	Harper, rh Mr Mark	McPartland, Stephen	Spencer, Mark
Clark, rh Greg	Harrington, Richard	McVey, rh Ms Esther	Stephenson, Andrew
Clarke, Mr Simon	Harris, Rebecca	Mercer, Johnny	Stevenson, John
Cleverly, James	Harrison, Trudy	Metcalfe, Stephen	Stewart, Bob
Clifton-Brown, Sir Geoffrey	Hart, Simon	Miller, rh Mrs Maria	Stewart, Iain
Coffey, Dr Thérèse	Hayes, rh Mr John	Milling, Amanda	Stewart, Rory
Collins, Damian	Heald, rh Sir Oliver	Mills, Nigel	Stone, Jamie
Costa, Alberto	Heappey, James	Milton, rh Anne	Streeter, Mr Gary
Courts, Robert	Heaton-Harris, Chris	Moore, Damien	Stuart, Graham
Cox, Mr Geoffrey	Heaton-Jones, Peter	Moran, Layla	Sturdy, Julian
Crabb, rh Stephen	Henderson, Gordon	Mordaunt, rh Penny	Sunak, Rishi
Crouch, Tracey	Herbert, rh Nick	Morgan, rh Nicky	Swayne, rh Sir Desmond
Davey, rh Sir Edward	Hermon, Lady	Morris, Anne Marie	Swire, rh Sir Hugo
Davies, Chris	Hinds, rh Damian	Morris, David	Syms, Sir Robert
Davies, David T. C.	Hoare, Simon	Morris, James	Thomas, Derek
Davies, Glyn	Hobhouse, Wera	Morton, Wendy	Thomson, Ross
Davies, Philip	Hollingbery, George	Mundell, rh David	Throup, Maggie
Davis, rh Mr David	Hollinrake, Kevin	Murray, Mrs Sheryll	Tomlinson, Justin
Dinenage, Caroline	Hollobone, Mr Philip	Murrison, Dr Andrew	Tomlinson, Michael
Djanogly, Mr Jonathan	Holloway, Adam	Neill, Robert	Tracey, Craig
Docherty, Leo	Huddleston, Nigel	Newton, Sarah	Tredinnick, David
Dodds, rh Nigel	Hughes, Eddie	Nokes, rh Caroline	Trevelyan, Mrs Anne-Marie
Donelan, Michelle	Hurd, rh Mr Nick	Norman, Jesse	Truss, rh Elizabeth
Double, Steve	Jack, Mr Alister	O'Brien, Neil	Tugendhat, Tom
Dowden, Oliver	James, Margot	Offord, Dr Matthew	Umunna, Chuka
Doyle-Price, Jackie	Jardine, Christine	Opperman, Guy	Vaizey, rh Mr Edward
Drax, Richard	Jayawardena, Mr Ranil	Paisley, Ian	Vara, Mr Shailesh
Duddridge, James	Jenkin, Sir Bernard	Parish, Neil	Vickers, Martin
Duguid, David	Jenkyns, Andrea	Patel, rh Priti	Villiers, rh Theresa
Duncan, rh Sir Alan	Jenrick, Robert	Paterson, rh Mr Owen	Walker, Mr Charles
Duncan Smith, rh Mr Iain	Johnson, Dr Caroline	Pawsey, Mark	Walker, Mr Robin
Dunne, Mr Philip	Johnson, Gareth	Penning, rh Sir Mike	Wallace, rh Mr Ben
Ellis, Michael	Johnson, Joseph	Penrose, John	Warburton, David

Warman, Matt
Watling, Giles
Whately, Helen
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wollaston, Dr Sarah

Wood, Mike
Woodcock, John
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Kelly Tolhurst and
Mims Davies

NOES

Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Brock, Deidre
Brown, Alan
Cameron, Dr Lisa
Chapman, Douglas
Cherry, Joanna
Cowan, Ronnie
Crawley, Angela
Day, Martyn
Docherty-Hughes, Martin
Edwards, Jonathan
Gethins, Stephen
Gibson, Patricia
Grady, Patrick
Grant, Peter
Gray, Neil
Hosie, Stewart
Lake, Ben

Lucas, Caroline
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
Monaghan, Carol
Morris, Grahame
Newlands, Gavin
O'Hara, Brendan
Saville Roberts, Liz
Skinner, Mr Dennis
Smith, Laura
Stephens, Chris
Whitford, Dr Philippa
Williams, Hywel
Wishart, Pete
Zeichner, Daniel

Tellers for the Noes:
David Linden and
Drew Hendry

Question accordingly agreed to.

Resolved,

That the draft European Union (Definition of Treaties) (Canada Trade Agreement) Order 2018, which was laid before this House on 21 May, be approved.

The Minister for Europe and the Americas (Sir Alan Duncan): On a point of order, Madam Deputy Speaker. I just wanted to come to the House at the earliest opportunity to correct something I stated in oral questions that was factually inaccurate. In response to a question on Turkey, I said that in her call with President Erdoğan yesterday my right hon. Friend the Prime Minister had specifically raised the issue of the Organisation for Security and Co-operation in Europe monitoring mission. I have since learned that this was not mentioned in the way I described, and I wish to correct the record and apologise for inadvertently misinforming the House.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Minister for giving me notice of his point of order and for correcting the record. I am sure the House will appreciate that he has done so at the earliest opportunity.

EU-Japan Economic Partnership Agreement

[Relevant documents: The Twenty-ninth Report of the European Scrutiny Committee, EU Trade Agreements: EU-Japan Economic Partnership Agreement, HC 301-xxviii, the First Report of the International Trade Committee, Continuing application of EU trade agreements after Brexit, HC 520, and the Government response, HC 1042.]

2.40 pm

The Minister for Trade Policy (George Hollingbery): I beg to move,

That this House takes note of European Union Document No. 7959/18 and Addenda 1 to 11, Proposal for a Council Decision on the signing, on behalf of the European Union, of the Economic Partnership Agreement between the European Union and Japan; and European Union Document No. 7960/18 and Addenda 1 to 11, Proposal for a Council Decision on the conclusion of the Economic Partnership Agreement between the European Union and Japan; and welcomes the proposed signature and conclusion of the agreement.

I am delighted to be here today to debate the EU-Japan economic partnership agreement, although I confess it feels slightly peculiar to be standing here and speaking to the House after three years of silence. The agreement is broad and ambitious, offering excellent opportunities to the UK. The Government have long supported the EPA, and I welcome the opportunity today to set this out in my new role. However, let me first take a moment to thank my predecessor, my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), for all his works as the Minister for Trade Policy and indeed for his kind words in the previous debate. He did an excellent job in promoting UK businesses around the world and shaping our future independent trade policy—I very much recognise that I have large shoes to fill.

John Spellar (Warley) (Lab): Will the Minister just give us a list of his achievements?

George Hollingbery: I am not entirely sure whether the right hon. Gentleman is talking about my achievements or those of my right hon. Friend. *[Interruption.]* The establishment, in conjunction with the Secretary of State, of a brand new Department for International Trade and preparing ourselves for Brexit is evidence in itself—I could list a great many things.

The Government have an overarching commitment to free trade—

Geraint Davies (Swansea West) (Lab/Co-op): With all due respect to his predecessor, does the Minister accept that there has been no firming up of deals with third countries that we are assured will continue? Furthermore, South Korea, Chile and Australia have already said that they want to renegotiate their deals, so we have been left in a state of uncertainty and without any deals.

George Hollingbery: The fact is that the previous Minister was engaged, as was I, in a great many lines of negotiation with countries that have agreement with the EU. Progress is being made and will continue to be made under this Administration.

The Government have an overarching commitment to free trade, which is a fantastic and progressive means of stimulating economic growth, creating jobs and providing

greater consumer choice. The UK has been, and will continue to be, a leading voice in support of free trade globally. We will continue to support the EU's ambitious trade agenda while we remain an EU member state. As I have just illustrated, this includes some 40 trade agreements, including the EPA with Japan, which we are talking about today. Ongoing UK support for these agreements, including in respect of signature and conclusion of the Japan agreement in July, will send a positive message about our commitment to global free trade, now and as we prepare to leave the EU.

Sir Desmond Swayne (New Forest West) (Con): Japan has thrived on globalisation and remains one of the most dominant economies in the world. Notwithstanding an ageing population, it has done so without a reliance on large-scale immigration. There is a lesson there, is there not?

George Hollingbery: I think it would be unwise of me to stray into the areas governed by the Home Office, but I will say that in some of the items agreed in this deal, among which is the transferability of labour across borders, Britain's right to regulate its immigration processes is clearly protected. I should leave that there.

We will continue to support the EU's ambitious trade agenda while we remain an EU member state. This includes some 40 trade agreements, including the EPA with Japan. Ongoing UK support for these agreements—I recognise that I am repeating myself and I apologise to the House—will send a positive message about our commitment to global free trade, now and as we prepare to leave the EU.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): Will the Minister give way?

George Hollingbery: I will, but I might even start that bit again.

Catherine McKinnell: The north-east is home to 50 Japanese firms, including Nissan and Hitachi, and has a long history of doing business with Japan, with many thousands of good jobs in my region relying on Japanese investment. Does the Minister share serious concerns about the future of that relationship, given warnings by the Japanese ambassador that firms could seek to move that investment and thousands of jobs elsewhere as a result of the UK leaving the single market and the customs union?

George Hollingbery: I thank the hon. Lady for her intervention, but I should point out that there have been a number of large-scale investments by Japanese companies in the UK. Toyota, Nissan and Honda have all recently made large-scale investments. Furthermore, the trade deal that has been negotiated includes increasing access for supply chain elements to the automotive market into Japan in a way in which it has not hitherto been accessible. We should always remember that there are small businesses that will have access to the market that did not realistically have that access before.

Hon. Members will have seen from the Government's detailed and comprehensive impact assessment that the EPA is estimated to be worth up to £3 billion to UK GDP annually in the long run. UK imports are due to

grow by up to £8.4 billion per year in the long run, which reflects reduced input costs for British businesses, which in turn are expected to lower prices for consumers. UK exports will increase by up to £5.4 billion, with the largest gains in the chemicals and automotive sectors.

Geraint Davies: Does the Minister accept that when we technically exit in March there will be no legal obligation for Japan to keep us in this trade agreement, and that after the transition period we certainly will not be in it? There is every risk we will be out in the cold. That just shows we are better negotiating as part of team EU.

George Hollingbery: Clearly, all sorts of scenarios are possible, but the hon. Gentleman will also know that a piece of legislation is coming to this House shortly that lays the framework to ensure that we can continue those arrangements. As I have already said, efforts are ongoing across the piece to go around those 40 organisations and 70 countries with which we already have agreements such that we can continue them after exit.

Wera Hobhouse (Bath) (LD): Has the Minister tried to find out whether those countries we want to continue to have trade agreements with will want to continue them in the way we want them to do? It seems that there is a good opportunity for these countries to come back wanting much better terms for themselves.

George Hollingbery: The hon. Lady will know that I have had a relatively short time in this post and I have not visited any of those countries she mentions, but a great many efforts have been made. The Secretary of State will attest to the fact that we have visited all of them and they have all demonstrated a willingness to continue the arrangements that we currently have.

Sir Oliver Heald (North East Hertfordshire) (Con): I welcome my hon. Friend to his new duties. Does he agree that given the scale of Japanese investment in this country, and the fact that Japan likes doing trade with us and we like doing trade with it, it is unthinkable that it would not want to reach a trade agreement with us?

George Hollingbery: Evidently, that is the case, because we are here today discussing exactly that, and there can be no reason to think that that position would not continue beyond Brexit.

Sir William Cash (Stone) (Con): As Chairman of the European Scrutiny Committee, which recommended that this issue be debated on the Floor of the House, I thank the Government very much on the Committee's behalf for agreeing to that. It demonstrates that this House of Commons does debate and, if necessary, vote on matters not behind closed doors and with full transcripts. We operate not in the way that the European Union functions but in the proper, traditional Westminster manner, with full transparency. For that reason, I congratulate the Government on holding this debate.

George Hollingbery: My hon. Friend is plainly right: we have debated this matter and are giving it further scrutiny today.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)
rose—

George Hollingbery: I have already taken up nine minutes of the House's time, so if the hon. Gentleman will allow me, I shall make a little progress.

The treatment of UK services suppliers will be fairer as a result of the EPA and comparable to that of Japanese suppliers. That is good news for UK priority sectors such as finance, postal, telecommunications and maritime.

The national health service, which was discussed considerably as part of the heated debate—as were, indeed, public services generally—is a national treasure. I know all too well the importance that fellow Members and, indeed, the population of the United Kingdom place on the need to safeguard the NHS for generations to come. I share that view and wish to be clear with the House that the delivery of public health services is safeguarded in the trade-in-services aspects of all EU free trade agreements, including the EU-Japan EPA. For the avoidance of doubt, for the UK that incontrovertibly includes the NHS in this agreement.

Although investment protection is not featured in the agreement, investment liberalisation provisions will help to improve market access for British companies. Right hon. and hon. Members should note that the EU and Japan will continue to engage to negotiate a stand-alone investment protection agreement.

For the first time in an EU trade agreement, there is a dedicated chapter on corporate governance, which sees the EU and Japan reaffirm their commitment to the OECD principles on corporate governance. The UK played a key role in agreeing those principles at the 2015 G20 summit. The House should be clear that the inclusion of corporate governance provisions in the EPA does not unduly limit the UK's ability to act further in this area at national or international level.

The agreement explicitly refers to our commitment to labour rights and environmental standards, and neither party will seek to reduce such thresholds to boost trade.

Angus Brendan MacNeil: I welcome the Minister to his new position and wish the right hon. Member for Chelsea and Fulham (Greg Hands) well for the future.

This is the second time today that we have heard the UK Brexiteer Government welcome the European Union's trade agreements; it seems that when ideology is put to one side and practicality comes in, the EU does not seem to be at all as bad. Currently, what really concerns the Japanese is the relationship that the UK will have with the European Union, because 40% of Japan's investments in the EU are currently in the United Kingdom. That has led to considerable nervousness in Japan. As well as this agreement, will the Minister be cognisant of that fact?

George Hollingbery: I take the hon. Gentleman's point, but I must say that I do not think it is widely relevant to the matter before us. Suffice it to say that the UK Government clearly share concerns that we should have a good and friction-free relationship with the European Union after we have left.

Owen Smith (Pontypridd) (Lab) *rose*—

George Hollingbery: Not for now.

The EU's principled long-term ban on the import of whale products will not be lifted by the agreement, and the UK and the EU remain strongly committed to the international convention on trade in endangered species and the work of the International Whaling Commission.

The UK has a wealth of experience in producing the finest foods and drinks across all corners of the country. The agreement secures the protection of Scotch whisky, Scottish farmed salmon, Irish whiskey, Irish cream, west country farmhouse cheddar and both white and blue Stilton. I am proud that those products are safeguarded by the EPA.

Vicky Ford (Chelmsford) (Con): I congratulate the Minister on his new role. He is making a strong case for this excellent EU-Japan deal, and we should embrace it. Does he agree that the UK-EU partnership that we will be looking for should be even deeper and better, especially in areas such as digital, services and common standards to facilitate our trade?

George Hollingbery: My hon. Friend is absolutely right: we should seek to do the widest, deepest and most ambitious trade deal that we possibly can.

In the light of the European Court of Justice opinion on competence in the EU-Singapore FTA of May 2017, which helped to clarify the scope of the common commercial policy, the Japan EPA is to be concluded as an EU-only agreement. That means that it will fully enter into force once Japan has ratified it, should the European Council and the European Parliament support its conclusion. I am aware of the implications of this approach on the role of Parliament in the scrutiny and conclusion of the EPA, and of EU-only trade agreements going forward, because it means that ratification by Parliament is not required for an agreement to enter fully into force. I am also acutely aware of Parliament's interest in the Government's approach to the scrutiny of future UK trade deals and trade policy. That is one reason why I welcome the opportunity to debate the EU-Japan EPA today, as it rightly ensures that Parliament has the fullest opportunity to scrutinise the agreement, under the current EU scrutiny structure. I am pleased to be able to go beyond what is simply required ahead of signature, in line with the Government's commitment to transparency.

Owen Smith: I, too, warmly congratulate the Minister on his new appointment. He is making an excellent speech in which he is making a powerful case for the EU-Japan trade deal. I completely concur with the remarks of my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) about Japanese trade's importance to our economy. Will the Minister concede that he can offer no guarantee that post Brexit we will have as good a trade deal with Japan, once we are a stand-alone trading nation?

George Hollingbery: All I can say is that the Government are extremely ambitious in what we want to achieve. We are seeking to achieve that trade deal post Brexit and hope very much that we will. Furthermore, we are pursuing that same opportunity with all the other current signatories to deals across the European Union.

Darren Jones (Bristol North West) (Lab): I declare my interest on the register and wish the Minister well in his new role. I note that the agreement between Japan

and the European Union on the free flow of data has been separated from the free trade agreement. Will the Minister give the House a commitment that we will have the opportunity both to debate the data trade agreement that the EU and Japan wish to negotiate and to explore the opportunities and risks for the UK as part of the Brexit process?

George Hollingbery: It was not possible in putting together this agreement to reach the agreement that we wished for on data. The discussion between the two countries on that is still ongoing, and I have no doubt that the matter will come back to the House in due course.

My Department will continue to work with the European scrutiny Committees to identify appropriate ways to ensure the thorough scrutiny of similar EU-only free trade agreements while the UK remains a member state. The Government are considering the legislative framework for future trade agreements, but they are committed to ensuring that Parliament will have a crucial role to play in the scrutiny and ratification of the UK's future trade deals when we bring forward proposals in due course.

The EU and UK agreed at the European Council in March that international agreements to which the UK is party by virtue of its EU membership—including, at the time of exit, the EU-Japan EPA—should continue to apply to the UK during the implementation period. Text to that effect was agreed in the draft withdrawal agreement. We continue to advance our dialogue with the Japanese Government on the shape of our future bilateral trade and investment relationship, which will come into effect after the implementation period, and I look forward to making progress as we continue to foster our post-Brexit relationship with the Japanese.

Mr Philip Hollobone (Kettering) (Con): I congratulate the Minister on his speech and his appointment. On his point about the trade arrangements rolling over to the post-Brexit period, will he remind the House that we were told by the Opposition that that would never be possible—that we would never be able to agree that with the European Union and it absolutely would not happen? But of course the Prime Minister has delivered that.

George Hollingbery: Indeed, my hon. Friend is plainly right.

As Members will know, in August 2017, the Prime Minister and the Japanese Prime Minister, Shinzo Abe, agreed to

“work quickly to establish a new economic partnership between Japan and the UK based on the final terms of the EPA”

as the UK leaves the EU. The UK-Japan trade and investment working group, established last year by the Japan-UK joint declaration on prosperity co-operation, is tasked to deliver on that commitment, and it met for the first time in May.

Laura Smith (Crewe and Nantwich) (Lab): Does the Minister accept that the investor-state dispute settlement has been excluded from the deal because of the widespread public outcry against it? Will he assure the House that his Government will not seek to include ISDS in any future deal with Japan?

George Hollingbery: As the hon. Lady will know, this is not part of the current agreement because, at this stage, there was not agreement between the two parties on how it should work—it is not because it could and would not work because neither party would agree to it. Therefore, I cannot give her the assurance that she is seeking.

To conclude, the EU-Japan EPA is an excellent agreement for the UK that will benefit UK exporters, importers and consumers. During the implementation period, the United Kingdom will seek to retain access to EU free trade agreements while gaining the right to negotiate, sign and ratify new trade agreements. Japan's commitment to establish a new bilateral economic partnership with the UK based on the final terms of the EPA is clear.

Colleagues can rest assured that the UK will continue to be a strong advocate of free trade globally, and a defender of the multilateral rules-based system. The Government are committed to a truly global Britain as we leave the EU, where we seize the opportunity to engage with partners around the world in the shared pursuit of prosperity and security. As to future scrutiny arrangements, the Government are clear that Parliament will have a crucial role to play in the scrutiny and ratification of the UK's future trade deals, and proposals on this will come forward in due course.

The EU-Japan EPA has a positive role to play for the UK, the wider EU and global free trade in general. I look forward to the UK demonstrating our support for the agreement when Council adopts decisions on conclusion and signature, and I urge hon. Members to support the Government's motion to that effect today.

3.1 pm

Barry Gardiner (Brent North) (Lab): I welcome the Minister for Trade Policy to his new post. I am delighted to have him opposite us at the Dispatch Box. I also pay tribute to the right hon. Member for Chelsea and Fulham (Greg Hands) for the work that he did in this Department. We had many voluble exchanges in Committee and on the Floor of the House and he always dealt with them with exceptional good humour. I am sure that he will return to the Front Bench at a later stage and I look forward to that.

I am grateful for the opportunity to speak in this debate to set out our position on the EU-Japan economic partnership agreement. The relationship with Japan is, as many have said, of enormous importance, and we on the Labour Benches want to ensure that our future co-operation boosts trade and jobs in both our economies.

Exports make up 30% of our national economic output, and we celebrate the jobs and the myriad other benefits that come from international trade. No country exemplifies the importance of foreign investment to our economy more than Japan. It is Japanese companies that have chosen to invest billions in the manufacturing capital of this country over many decades, and with that investment has come jobs—good jobs, skilled jobs. Some 3,800 are directly employed by Toyota, with 7,000 directly employed by Nissan, and 3,400 directly employed by Honda. We could double those figures when we factor in the indirect employment in the UK that comes from these companies—the manufacturers of parts that go into their supply chain and the logistics companies that ensure their just-in-time delivery systems.

[Barry Gardiner]

I was at Honda a week ago last Friday speaking both with the unions and the management in Swindon. A new car rolls off its production line every 69 seconds, and its just-in-time supply chain is critical to that performance. That is why workers at that plant were telling me of their strong support for Labour's position on a new customs union that would stop disruption to that supply chain and why they cannot understand the Government's red line that there should be no such customs union after we leave the EU.

The Government have put our trading relationship with Japan under enormous strain because of their disorganised approach to Brexit. Companies such as Honda will speak for themselves, but many working there cannot understand why the Government are taking such a risk with their livelihoods. Japan is one of our key export partners. It accounted for £12.5 billion of our exports in 2016.

John Spellar: Before my hon. Friend moves on from his comments about Japanese companies in the UK, will he join me in commending the very long-term view that those Japanese companies take? They invest significantly not only in capital equipment, but in their staff and their continuous training programmes, all of which have been an example that, I am pleased to say, has now been followed by many British companies.

Barry Gardiner: Indeed. I absolutely agree with my right hon. Friend. The Japanese investment into our country over many, many years has been hugely beneficial not simply in creating those jobs, but in sustaining them into the future. We absolutely cannot afford the Government's red line, which puts that in jeopardy.

As I was saying, Japan accounted for £12.5 billion of our exports in 2016—it was our fifth largest export market. A Labour Government would certainly want to do a trade deal that builds on the commercial and diplomatic ties that bind our two countries together. The Government have been forced into calling this debate by the European Scrutiny Committee, chaired by the hon. Member for Stone (Sir William Cash). The Committee rightly said that the agreement raised “complex legal and policy issues for the UK”, which remain unanswered.

Kevin Hollinrake (Thirsk and Malton) (Con): On a point of clarification, I think that it is the official position of the hon. Gentleman's party—I am not sure whether he is fully signed up to it—that it would remain part of the customs union after leaving the European Union, which would inhibit his chances of striking a free trade deal anywhere, as the EU would be required to negotiate that deal on his behalf. Bearing in mind his reservations about the EU-Canada comprehensive economic and trade agreement discussed in the previous debate, and his potential reservations in this debate, is he confident that the EU will negotiate those trade deals to his satisfaction?

Barry Gardiner: Clearly, while we remain a member of the EU, we have a seat at the negotiating table of any deals. If we are outside the EU, we will not have that, but, equally, we will not have the benefit of being part

of a 500 million-strong consumer market that would enable us to negotiate better deals. I am sure that the hon. Gentleman appreciates that being in a new customs union with the EU, as the leader of my party set out in a speech he gave in Coventry a little while ago, would mean that we would be co-decision makers with the EU in that relationship—a customs union not such as the one we currently have with the EU, but one much more like Mercosur, where each of the countries has equal sway.

Sir William Cash *rose*—

Barry Gardiner: I will make a little progress and then, of course, I will very happily give way to the hon. Gentleman, because his Committee has raised a number of questions on the EU-Japan deal that we need to explore further. The Committee insisted, in fact, that the Government bring the deal to a debate on the Floor of the House before the EU Council. Interestingly, in the light of the absurdly tight timeframe that the Government imposed on themselves, the Committee also instructed them to publish their impact assessment on the EU-Japan EPA no later than 4 June.

The first question that the Minister must answer then is why the Government failed to meet that deadline. The impact assessment was published a week late, on 11 June, on the same day that this debate was announced. It is an extraordinary document. Its own authors openly acknowledge that the assessment cannot be taken as an accurate guide to the future impacts of the agreement. It failed to calculate the specific effects on individual EU member states. The assessment admits that it cannot know what proportion of any aggregate gains from the EU-Japan EPA might come to the UK or to any other EU member state. There has been no proper independent assessment of the impacts on the UK, and the authors—these are the authors of the assessment—say that they have just had to assume proportionate outcomes in line with the UK's projected share of EU trade with Japan.

Sir William Cash: I thought I might try to lift this enormous pile of documents to show the House what we are actually considering today; it is really quite formidable. I want to make one point regarding the single market. Does the hon. Gentleman deny that, in relation to our trade with the other 27 member states, we run a deficit of £82 billion a year—these are figures from the Office for National Statistics—whereas our external growth, our external surplus, is growing exponentially and, of course, 90% of all future trading will be outside the EU?

Barry Gardiner: I am grateful to the hon. Gentleman on two counts—first for showing us precisely what we are talking about. I know that he will have read the full EPA assessment, as I have done. I am equally grateful to him for raising the issue of the balance of trade surplus and deficit that we currently run. I am just about to come to that point, so I hope that he can hold off with his remarks.

It is perhaps most damning to quote from the impact assessment document itself, which states:

“Figures presented here reflect the long run impacts per annum and should be treated as a magnitude of change and not a forecast...It is important to note the results below are not based on the final EU-Japan EPA text and are therefore subject to a

degree of uncertainty... Estimates are produced against a baseline of 2008 and reflect a world in which the Doha trade round and EU-Korea FTA are un-concluded."

So there we have it. The baseline is 10 years out of date and fails to take account not only of the EU-South Korea FTA, which has been applied ever since July 2011—seven years ago—but of the terms of the final agreement text that it is supposed to be assessing.

The European Scrutiny Committee was absolutely right to demand in its report

"a clear breakdown of how different UK sectors and stakeholders are expected to win or lose from the agreement."

All the independent projections made of the EU-Japan deal calculated that the gains accruing to Japanese firms would be far higher than those seen by European businesses. All the forecasts spoke of major increases in Japanese exports, and the potential loss of jobs and businesses in Europe as a result. The Government assessment has at least picked up on these forecasts, recognising that the UK's balance of trade with Japan will take a serious hit when this agreement comes into force. Voting to approve this motion will allow the Government to rush ahead and sign a deal that the Government's own figures show will result in a decline in our trade balance with Japan of between £2.2 billion and £2.9 billion, so the hon. Member for Stone, who chairs the European Scrutiny Committee and asked for the impact assessment to be published, will now see that the effect of this deal is, in fact, to increase our problems in terms of our balance of payments with Japan.

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I will try again. Am I now to assume that the official position of the Labour party is not to ratify the Japan EPA?

Barry Gardiner: Note how keen the Secretary of State is to deflect the House from the fact that his own impact assessment says that, in signing the deal, this country will be between £2.2 billion and £2.8 billion worse off.

Dr Fox: Surely the House has a right to know the position of the official Opposition. Do they or do they not agree with this House ratifying the agreement that we are discussing and scrutinising today?

Barry Gardiner: Yes; and, ultimately, if the Secretary of State is patient and listens, it will become clear—

Dr Fox: This is rubbish.

Barry Gardiner: Goodness me! The Secretary of State is getting really exercised from a sedentary position; he is starting to be abusive. Let us be clear what has aggravated him so much. It is that I have read his impact assessment, and his own assessment of this deal says that this country will be £2.2 billion to £2.8 billion worse off.

Several hon. Members *rose*—

Barry Gardiner: I will make a little progress, Madam Deputy Speaker, because I know that you want to encourage other Members to speak.

The automotive industry offers the clearest indication of the issues posed by the EU's deal with Japan. The EU-Japan EPA will, for example, remove the 10% tariff that currently applies to all car imports into the UK from Japan, which will—again, according to the Government's figures—result in a £2.8 billion surge in Japanese car imports into the UK. That will have significant implications for the future viability of our domestic automotive sector and the thousands of jobs attached to it. But this is precisely where the Government's assessment is so hopelessly unsatisfactory. It fails to ask the real questions as to what the long-term impacts on the UK car industry might be when we remove the existing 10% tariffs on Japanese car imports. This question is clearly of the utmost importance when it comes to safeguarding jobs in the UK auto industry, as there will no longer be a trade incentive to maintain Japanese investment in precisely the way in which my hon. Friends the Members for Newcastle upon Tyne North (Catherine McKinnell) and for Crewe and Nantwich (Laura Smith) mentioned earlier.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): I wonder whether my hon. Friend could help me out, because the Opposition are very keen to get to the denouement of this particular question. It feels to me as though he is raising some issues of concern. But, by and large, this is quite a positive deal for the UK, the EU and Japan. Is he saying that we should oppose the motion before the House?

Barry Gardiner: I am astonished. I should have thought that each week my hon. Friend reads—just as I do—the Whip that comes out from our Whips Office, so he will know perfectly well which way we will be voting. [*Interruption.*] No, and Government Members will get to find out in due course.

Mr Leslie: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker (Dame Rosie Winterton): I hope that this is a point of order.

Mr Leslie: My point is that I do not have a copy of the paper Whip in front of me at the moment, Madam Deputy Speaker. Would you encourage my hon. Friend the Member for Brent North (Barry Gardiner) to share with Labour Members what our position is on this important issue?

Madam Deputy Speaker: That is a point of debate. I want the debate to move on because a lot of Members wish to speak.

Barry Gardiner: The Government have not published any serious analysis as to the potential outcomes of the EU-Japan EPA on the car industry beyond the basic econometric analysis in their impact assessment. It cannot be right to allow the Government to proceed with fast-tracking approval of this trade deal when we have not had answers to the critical questions posed by the hon. Member for Stone and his Committee, based on a proper analysis of what the likely impacts might be.

Craig Mackinlay (South Thanet) (Con): Will the hon. Gentleman give way?

Barry Gardiner: I will not, because Madam Deputy Speaker wants me to press on to allow hon. Members to make their own contributions.

The car industry is far from the only sector involved in what is a comprehensive trade deal. Food and drink producers are also implicated, not least as regards the protection provided in the agreement for products with specific geographical indications. Once again, the Government have failed to defend the interests of British producers on overseas markets. France, Spain and Italy have each listed dozens of their national products for special protection in annex 14-B of the deal and Japan has listed 48 of its products for protection, yet the UK Government could only be bothered to list four products under the geographical indications provisions of the deal—Scottish farmed salmon, west country farmhouse cheddar, Stilton and Scotch whisky.

Geraint Davies: What about Welsh lamb?

Barry Gardiner: Indeed. As my hon. Friend says, what about Welsh lamb? What about Scotch beef, Dorset blue, Yorkshire Wensleydale, Cumberland sausage and Melton Mowbray pork pies? Can the Minister explain why we failed to register geographical indications to protect more of our UK food produce?

The European Scrutiny Committee raised many further crucial issues relating to the deal that remain unanswered. Under the negative list approach, all service sectors that are not explicitly exempted from liberalisation are included. It is considered to be a particular threat to public services, as it may prove impossible to shield them from liberalisation effectively once they have been committed to an international trade treaty. It means that any emergent sector in the future will be automatically subject to trade liberalisation even where there may be a clear need for Government regulation or intervention. We cannot possibly predict what those will be prior to their emergence, but what is the point of using such “negative lists” to reduce the capacity of the Government to regulate in the future?

Annex 1 allows countries to list existing non-conforming measures that enjoy some protection. Annex 2 is a stronger protection, in that it permits countries to protect service sectors into the future by allowing for the introduction of reforms that would otherwise contravene the EPA rules. As the Minister said, the UK has entered annex 2 reservations for cross-border auditing services, manpower planning for doctors in the NHS, privately funded ambulance services, and residential health facilities services other than hospital services. I repeat: other than hospital services. In other words, they are, and will forever remain in future, subject to liberalisation and competition under this agreement, in contradistinction to the implication that we heard earlier. I therefore repeat the Committee’s question: will the Minister confirm whether he is content with the proposed provisions enabling Governments to regulate in the public sector?

Do the Government intend to negotiate the UK’s future trade partnership and its future investment relationship with Japan at the same time, as one agreement—another question posed by the hon. Member for Stone and by my hon. Friend the Member for Crewe and Nantwich—or will the separate EU-only trade agreement constrain the UK’s ability to negotiate and conclude an integrated trade and investment agreement?

The House will be rightly concerned that the Government have simultaneously inserted into the Trade Bill sweeping Henry VIII powers to implement such a future trade agreement without any proper scrutiny or oversight. Will the Minister confirm that no such investment chapters will be included in any future trade agreement with Japan?

Let me be clear: Labour would like to see a trade agreement with Japan. We have an incredibly strong trade and investment relationship between our two countries, and we believe that we can continue to build on that. We want a positive, dynamic relationship that elevates standards, boosts opportunities to benefit from advances in technology and research and development, and continues to support growth and investment in our high-tech manufacturing sectors and world-class services sector. But we cannot be expected to rely on this Government’s quiet promises alone, and it is imperative that Parliament has the proper opportunity to scrutinise and debate these trade agreements well in advance of their being signed.

It is worth noting that this deal has yet even to go through the full scrutiny process in the EU, with INTA—the Committee on International Trade—not scheduled to hold a public inquiry until 9 and 10 July and the European Parliament scheduled to vote on whether to give consent to the agreement in December. If the motion before us is voted through, it will allow Ministers to endorse the agreement without proper scrutiny by the House, and even before the full scrutiny process of the European Union has been properly applied. That sets a dangerous precedent for future trade agreements and makes a mockery of the idea that any future trade agreements to which the Trade Bill applies will have received proper scrutiny by this House.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. A large number of colleagues want to speak. I will have to put an immediate six-minute limit on Back-Bench speeches.

3.23 pm

Greg Hands (Chelsea and Fulham) (Con): For the second time today, I have the rather dubious honour of following the shadow Secretary of State after he made what was, yet again, a most extraordinary speech. Earlier, he spoke for 40 minutes without actually telling us what the Labour Front-Bench view was on CETA. Then we discovered not long afterwards that he was abstaining in the Division, even though last year he had been against CETA. More Labour MPs have voted in favour of the provisional adoption of CETA than have voted against it. The confusion continues. In that 21-minute effort by the hon. Gentleman, I do not think we got any closer to finding whether Labour agrees with the EU-Japan EPA or not.

The hon. Gentleman came out with some extraordinary statements. I think he said that the EU or the UK would be some billions of pounds worse off as a result of the agreement. That is not what the impact assessment says, as I know because I signed off on it. The impact assessment actually says that Japanese exports to the EU will rise more quickly than Japanese imports from the EU. That is not the same as saying that anybody is going to be worse off. Trade is not a zero-sum game. He

has bizarrely moved from the position of being anti-trade agreements to having some kind of Trumpist, mercantilist view of the world. From what I could interpret from his 60 minutes of oration today, he is the living embodiment of the Trump view on trade here in the House of Commons.

The EU-Japan EPA is a very good agreement. I will speak about three aspects. First, it is a good agreement in its own right. Secondly, it is very important for current trade policy and also for our future UK trade policy. Thirdly, there is what it means for free trade generally at a time when free trade is being challenged in different parts of the world. On its entry into force, the agreement will see 91% of Japanese tariffs eliminated overnight and 97% eliminated over the long term. There will be benefits for all of the UK in this agreement, whether in chemicals, motor vehicles, agricultural products, food and drink, processed foods, beer, wine, whisky and more. All will enjoy lower tariffs.

The agreement is also very good for UK services. With trade agreements, we must always remember the importance of services to our economy. Services provide 80% of the employment in our economy and 79% of GDP. One of the best and most exciting aspects of the future UK independent trade policy is being able to do more for UK services. We are the world's second-largest services exporter. It is estimated that the agreement could be worth up to £3 billion to the UK economy each year. We are in a good position with Japan on trade. Last year, UK exports to Japan were up by 13.3% to a total of £14.3 billion.

This agreement is important, as is the CETA agreement, for the EU's own trade agenda and for our future UK trade agenda. After five or six years of no EU trade agreement seeing fruition, we now have CETA, the EU-Japan agreement coming on track, important agreements with Singapore and Vietnam, modernised versions with Mexico and Chile, and the possibility of agreements with Indonesia and Mercosur. These are all really important agreements and steps for the EU.

I have been to the last four of five EU Trade Council meetings. Some people might say, "Why is the UK so enthusiastic about these EU trade agreements?" The answer is briefly this: trade agreements generally are good for trade, and the UK is a passionate supporter of free trade. This also gives us the potential to take the substance of the agreements that are being negotiated at the moment to put into a future UK agreement. In my time in the role, I have found myself being the most enthusiastic for the EU's trade agenda of all the EU 28 member states sat around that table—ironically, at a time when we are leaving. It is important to recognise that, as my hon. Friend the Minister pointed out, the two Prime Ministers recognised that the substance of this agreement will establish a new economic partnership between Japan and the UK based on the final terms of the EPA.

This agreement and other agreements like it are very important for free trade generally. We need to be breaking down barriers. Most of the new barriers to trade that have arisen in the past 10 years have come in G20 countries. This is a big agreement between the EU and the world's third-largest economy. It is breaking down quite a few non-tariff barriers, particularly in services. This is a step in the right direction.

We look increasingly to our friends—countries such as Canada and Japan—when it comes to the debate about the importance of free trade and of the rules-based trading system. There are worrying developments in trade at the moment, such as the section 232 steel tariffs and what is going on with automobiles. Earlier today in my constituency, I bumped into John Warr of Warr's Harley-Davidson in Fulham, and he is concerned about the potential for that trade dispute to escalate. We must never forget that trade is about real jobs, real businesses and the real livelihoods of our constituents.

3.29 pm

Stewart Hosie (Dundee East) (SNP): I welcome the new Minister to his place. I want to start by making an observation about trade deficits and surpluses, which seemed to get the hon. Member for Brent North (Barry Gardiner) into a bit of a pickle. They will not be solved by trade agreements alone, and they will not be exacerbated by trade agreements alone. They will not be resolved by general protectionism. They will be resolved, if they are deemed a problem, by Scottish companies, UK companies and EU companies making better products, marketing them better, designing them better and manufacturing them more cheaply. All trade agreements do is facilitate trade, and that is why this Japan agreement, which is mercifully free of an unacceptable investor-state dispute resolution mechanism, is very much to be welcomed.

I say that because Japan is a massively important market for Scotland. Indeed, the value of Scottish food and drink exports has surged to almost £100 million a year. Japan is Scotland's 13th largest food and drink export market. Scotch whisky sales alone are up to some £76 million, making Japan the 14th largest global market for Scotch whisky. There are 85 businesses in Scotland with parent companies registered in Japan, with 210 local sites employing more than 6,000 people, with a turnover of £1.5 billion. That represents an increase of some 520 local employees on the 2015 figures and an additional £187 million of Scottish turnover. The more we can encourage investment from Japan into Scotland, and the more we can sell directly from Scotland, the UK and the EU to Japan, the better.

Bob Stewart (Beckenham) (Con): I assume that the hon. Gentleman is saying that his party is fully supportive of and enthusiastic about this deal.

Stewart Hosie: I am saying that we see absolutely nothing in the Japan deal that would cause us to vote against it, which, on balance, is a good thing.

We very much welcome this. There was a bit of a bun fight in the previous debate on CETA, but this is a much calmer affair, and it allows me to speak for far less time, which makes me very happy indeed. I agreed with much of what the previous Minister, the right hon. Member for Chelsea and Fulham (Greg Hands), said about global free trade. I was also very taken by the example he gave of Harley-Davidson, which is important in terms of the Japan deal and other trade deals. We have seen the US tariffs on imported steel and aluminium increase Harley-Davidson's costs in the States by around \$30 million. We have seen the reaction to President Trump's tariffs lead to an increase in the cost of an exported Harley-Davidson to Europe of around \$2,500. These tariffs in and out are bad, and they are counterproductive. I hope that people get calm quickly

[Stewart Hosie]

and that these things are wound back, because tariffs do not protect jobs. Tariffs destroy trade and ultimately weaken jobs. [Interruption.] I am glad that the Conservatives are saying that this is an excellent speech.

I am going to say that again in a different way, in the context of the Japan agreement, by quoting the Front Benchers' favourite European, Jean-Claude Juncker. [Interruption.] I thank the Minister for that marvellous introduction. Jean-Claude Juncker said:

"The step we are taking today paves the way for our companies and citizens to start benefitting from the full potential of the Economic Partnership Agreement with Japan already in the coming year."

He went on to say—this is the philosophical bit where there is pretty much broad agreement, apart from the proto-Trumpian economists on the Labour Front Bench—that the agreement

"sends a clear and unambiguous message that we stand together against protectionism and in defence of multilateralism. This is more important than ever."

Several hon. Members *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. May I suggest a speaking time limit of four minutes? I call Marcus Fysh.

3.34 pm

Mr Marcus Fysh (Yeovil) (Con): It is a pleasure to follow the hon. Member for Dundee East (Stewart Hosie) and to have heard a free trade speech from the Opposition Benches. I welcome my hon. Friend the Minister. Let me also praise my right hon. Friend the Member for Chelsea and Fulham (Greg Hands) for his sterling work on these issues in the Department, and for his engagement with the various Committees of which I am a member.

This agreement is very important to the UK, and I support it. The total trade between Japan and the UK is worth £127 billion, and Leonardo, in my constituency, has a relationship with Kawasaki, producing helicopters, which it would like to expand. As my hon. Friend the Minister said, the Government's impact assessment forecasts gains amounting to no less than £3 billion from the new agreement, partly as a result of increases in both imports and exports. Cheaper imports help our economy, which is one of the main reasons why we voted to leave the EU and its customs union.

After we leave the EU there will be great opportunities to improve on the Japan agreement, especially in respect of services, in which our economy has a strong interest. The Japan EPA states that world standards should be followed, and demonstrates how we can use methods of regulatory co-operation in the agreement that we make with the EU to guide, smooth and facilitate the handling of goods at our borders with it.

Angus Brendan MacNeil: Given the high praise that the hon. Gentleman is heaping on the European Union, might it not be important to have some bits of paper from both the European Union and Japan saying that this relationship could continue—as he has suggested that he would like it to—following the UK's departure from the European Union? We would not want to find ourselves in a less advantageous position.

Mr Fysh: The hon. Gentleman has made a good point. I shall come on to those matters—by which, as he knows, I am exercised—a little later. I will say, however, that we want a good relationship with the European Union. The fact that we are leaving it does not mean that we should not have that relationship and nurture it.

The Minister rightly pointed out that the Japan deal is an "EU competence only" agreement because of the exclusion of investor-related matters. I noted his statement that the UK would seek a stand-alone investor agreement, and I should like to know a bit more about that. One of the things that concern me slightly is the legal basis that will apply as we leave the EU and, potentially, enter a transition period. In particular, I should like to know what access third parties would have to our markets under EU free trade agreements, potentially without reciprocation.

I understand that the Department has been undertaking bilateral discussions with the third parties on these matters. It is positive to hear about the bilateral agreement that we are negotiating with Japan for after we leave the EU, but I think that during the transition we shall need more clarity. Article 124 of the withdrawal agreement relies on a notification to be given by the EU that the third parties would somehow abide by the arrangement, but it is unclear to me whether that means that we will seek formal third-party confirmation, and, if that is the case, I should like to know what legal basis will apply to enforce it.

We need to caution against the uncertainty that could be extended during this process. We have article 50 running now, we have a potential transition period, and there is talk of potential backstop extensions. During all this, it is proposed that we should be effectively in the customs union and large parts of the single market, but it is unclear what the underlying legal basis would be. Clarity would be much appreciated by business. It is clear to me that no countries will want to conclude deals with us, or even start to negotiate seriously, while they think there is any chance that we will stay in a customs union with the EU, and the Government need to stand firm against any such suggestion. In my view, Labour has cynically undermined business certainty in this regard. Both importers and exporters need clarity on how this process will work.

In a customs union, not only would it no longer be possible for us to improve JEEPA, but we would have no say on our trade policy and no say on our trade defences, and the EU would be able to sell third parties access to our markets.

3.39 pm

Geraint Davies (Swansea West) (Lab/Co-op): It is a pleasure to follow the hon. Member for Yeovil (Mr Fysh), who made a number of interesting points about the uncertainties we face. In particular, we have Brexit day in March and then a transition period, and our status within this very welcome EU-Japan deal is very uncertain.

The first key point I want to make is that we should relish the fact, as the right hon. Member for Chelsea and Fulham (Greg Hands) essentially did, that we have been part of the EU and have had the strength of the EU to enable us to negotiate a good deal. The real fear is that, after Brexit, we will be a stand-alone country facing big opportunities but also big challenges—whether with Japan, China or Trump's United States. That is something I very much regret.

It is good to see that we do not have an investor court system in the Japan deal. That underlines the point that such a system is simply unnecessary for trading between two mature economies in democracies with established judiciaries, because there is already protection for investors. That is the case for Canada, and also for trade with the United States, in which investors are protected. The problem with investor court systems is that they put the investor first, above the environment or the public interest. There is an endless list of examples, but—*[Interruption.]* The Under-Secretary of State is chuntering from the Front Bench. By way of example, let us take George Osborne's sugar tax. When such a tax was introduced in Mexico, such a system was used to sue Mexico for the profits lost by protecting people from diabetes, so these things do happen.

Kevin Hollinrake: The hon. Gentleman is citing the Cargill case, in which Mexico was actually fined by the World Trade Organisation for inappropriately applying tariffs that were contrary to a free trade agreement. In that case, it was ruled against not just under the investor-state dispute settlement process, but in the WTO itself.

Geraint Davies: The WTO did get involved, but the essential point—*[Interruption.]* No, let us get this clear. The essential point of these arbitration courts is that investors invest, and if Governments change the rules and doing so changes their future profits, investors can sue for compensation, as was the case with the sugar tax. That would be the case if there was a plastics tax, for example, or if there was a diesel tax, and so on. That is why people are very worried, and the Government must not trade off the environment, the public interest and wider considerations of public law. Thankfully, there has been concern about this in Europe, which is why such an unnecessary system has not been applied in the Japan deal.

On Japan, 40% of its inward investment into Europe is to Britain. Why? Is it because the Japanese love British people? We do speak English, which is their second language, but it is basically because we are a platform, through the customs union and the single market, into the biggest market in the world. These are the facts. If we are not in the single market and the customs union, which we will not be after the transition period—if we go ahead with the barmy negotiation that is being suggested—that foreign direct investment will go to mainland Europe, and we may just be left on our own.

This is the situation we face. In particular, as has been said, President Trump basically has an America first policy. He does not recognise anything except a zero-sum game. We have had a conversation about imports and exports.

Jeremy Quin (Horsham) (Con): Will the hon. Gentleman give way?

Geraint Davies: I will take the hon. Gentleman's intervention in a moment.

The hon. Member for Stone (Sir William Cash), who is sadly no longer with us—I mean he is not in the Chamber—has always argued that we have to get out of the EU because we have more imports than exports, yet that is the case in Japan, as has been pointed out. There

is a bigger picture here, because cheaper imports are often inputs that make our products less expensive relative to elsewhere, and there is a balance in relation to foreign direct investment as well. These are complicated issues, and I do welcome the deal. I will take the intervention of the hon. Member for Horsham (Jeremy Quin).

Jeremy Quin: I will allow the hon. Gentleman to continue.

Angus Brendan MacNeil *rose*—

Geraint Davies: Go on.

Angus Brendan MacNeil: The hon. Gentleman is making an absolutely fantastic speech on inputs and imports. *[Interruption.]* He actually is, if Members would listen to what he is saying.

The important point, which the hon. Gentleman will be aware of, is what I heard when I was in Detroit with the International Trade Committee in February. It is that the Americans are more concerned about the relationship that the UK has with the EU—and, I suspect, that we have with Japan as well—because if the companies in which they have invested find there are obstacles and their supply lines are disrupted by tariffs, border checks or whatever, that will have serious economic effects.

Geraint Davies: It is in the interest of the Americans for us to be separated, isolated and small so that we can be picked off. They obviously intend to impose their standards. They are selling more asbestos, they have lower chemical standards and lower standards of food safety—I am thinking of chlorinated chicken and so on. They will impose those standards because we will be desperate to have a deal and we face problems. We are better as part of team EU.

There are worries if we find ourselves excluded from the Japan-EU deal as we Brexit. That will include services—80% of our exports are services—and financial services. The axis of yen plus euro would be a danger to the City of London.

Captain Fox is boldly going to try to establish trade relations that no one has had before, but might find that we currently have a trade relationship that is even better. In the round, when people realise that and lose their enthusiasm for Brexit, they will realise that such trade agreements underpin the need for a public vote on the deal. When we have that, Britain will decide that it wants to stay at home in Europe.

3.45 pm

Craig Mackinlay (South Thanet) (Con): I support any measures that reduce tariffs, accept others' standards and reduce non-tariff barriers. Sadly, the EU, in its usual way, has agreed to accept only international standards and has refused to accept good-quality domestic standards in Japan and elsewhere.

The economic partnership agreement is an EU-only agreement. We are discussing it today with the help of my hon. Friend the Member for Stone (Sir William Cash), but it does not really matter to us. I tried to assist the hon. Member for Brent North (Barry Gardiner) in making that point. He may have problems with the deal, but in the world in which he might like to live in future, we would not be discussing the deal at all because we would be held up on the tails of a future customs union or the customs union.

[Craig Mackinlay]

It is sad that it has taken seven years to get to where we are—the agreement will not come into force for another year. That timeline shows the sclerotic nature of EU negotiations. I very much look forward to the time when our Government can negotiate such deals with Japan and others as an independent sovereign nation.

Whatever grumbles I have about how we got here, the benefits of the agreement are clear. Japan is the third-largest global economy. Given the size of our economies—Britain is the fifth or sixth-largest, depending on what measure we prefer—trade between us is very much under-weighted. We export more to Sweden, which is an economy of just 10 million people. We export more to Qatar, which is an economy of just 2.5 million people. We import more from Norway, which has just 5 million people, than we import from Japan, which has 127 million people.

The economic partnership agreement will increase that trade, which is currently virtually in balance at about £14 billion either way. Estimates show that the agreement will increase bilateral trade—UK trade to Japan—by up to £5 billion. I believe that to be an underestimation of what can be achieved.

I welcome the deal as a step forward in liberalising global trade, but the deals I want our Secretary of State to do over the coming years are with developing nations. I want our consumer pound to be spent helping developing countries to trade towards prosperity, and I want our consumers to benefit from low global prices, free of protectionist EU tariffs.

I support the agreement and look forward to more as we take control of our tariff schedules and become a global force for free trade. The world is sadly in danger of descending back into protectionism, whether directly through tariffs or through non-tariff barriers. I tried to intervene on the hon. Member for Brent North. I need to impress upon him and others that this deal and others like it, and any rollover deals or future beneficial deals around the world, will not be achievable if we stay in a customs union or the customs union. We need to be free of that and to behave like a normal independent country again. I look forward to the Secretary of State making future excellent deals for the benefit of our nation.

3.49 pm

James Cleverly (Braintree) (Con): I intend to speak only briefly. I welcome the Minister for Trade Policy, my hon. Friend the Member for Meon Valley (George Hollingbery) to his place. I think we all agree that his first performance was outstanding. I am sorry he is not in his place, but the hon. Member for Dundee East (Stewart Hosie) gave a very concise and well-defined explanation of how international competition works. That was surprising and welcome from the Scottish National party Benches, because we so very rarely hear such sensible discourse from that side of the House.

I had the privilege of visiting Japan, with my right hon. Friend the Member for Cities of London and Westminster (Mark Field) and my hon. Friend the Member for Chippenham (Michelle Donelan), in September 2016. It was shortly after the Brexit vote and it is fair to say that our decision to leave the European Union

generated quite a bit of disquiet and concern among Japanese society and Japanese businesses. Indeed, Prime Minister Abe wrote a fair and balanced letter to our own Prime Minister outlining their concerns.

A huge degree of work on a bilateral basis by our Department for International Trade and Foreign and Commonwealth Office, right up to bilateral meetings from Prime Minister to Prime Minister, has gone a long way to calming those concerns and we have seen significant increases in investment by Japan in the UK. Japan already invests heavily in this country, with over 1,000 businesses employing over 100,000 people. Despite Brexit, SoftBank committed to a very significant investment in Arm, a fantastic innovative British company.

I am very glad to say that in the conversations I have had with Japanese businesses and politicians, the enthusiasm for Great Britain and British products seems to be completely unabated. We talk about how welcome Japanese manufacturing is here in the UK, but when I went to Japan it was very clear that they have a huge appetite for British-branded goods. I understand fully why colleagues from the Scottish National party are so keen on a UK-Japanese business arrangement, because the Japanese, without a shadow of a doubt, have a real taste for Scotch whisky. Indeed, they produce very good whiskies of their own, which are well worth a taste.

After 29 March 2019, we will no longer be just a star on someone else's flag. We will be an independent free-trading nation and we will be reaching out to partners across the world. One of the strongest and best partnerships ahead of us is with the good people of Japan. I welcome that and I welcome this motion.

3.53 pm

Emma Little Pengelly (Belfast South) (DUP): I welcome the motion before the House. As with the previous debate, I believe this is a logical and sensible approach as we move through Brexit into the transition and into renegotiating these matters. The Democratic Unionist party will therefore be supporting the motion.

In Northern Ireland, we have a number of Japanese-owned businesses. This has happened more through an organic approach, whereby companies have been taken over by Japanese companies. However, I had the opportunity to go to Japan with a trade mission a few years ago and I could certainly see huge opportunities, which will only help and which I think will be good. I believe this is a good deal.

I think some will be surprised by the comments and criticisms that have been made today, particularly on process, but there is a very easy answer to them. It is only through the United Kingdom leaving the customs union and leaving a customs union that we can put in place our own meaningful processes on international trade. European Union processes, in relation both to this motion and to the previous motion on CETA, have flushed out a number of key issues relating to investors, arbitration and services. I welcome the Secretary of State's statement about looking at services and their potential as we move forward and renegotiate the deals that are in place. The experience of the European Union in such deals provides valuable learning opportunities that can inform our way forward as the United Kingdom takes responsibility for this policy area.

We have heard many different contributions from across the House about free trade, which we proudly support. The Secretary of State has also said, however, that free trade does not mean trade without rules. Brexit provides the opportunity for a meaningful discussion and debate, for the first time in a long time, on what the rules should be for the United Kingdom.

Fundamentally, international trade deals must be good for all parties. They must be positive for business, consumers and our economy, and for building international relationships. To listen to many, including in this place, there seems to be much confusion about that. I have no doubt that our UK negotiators and the UK Government must—and will—go and fight for the best deal, and a good deal, for the United Kingdom with the European Union and in trade deals globally. However, that must take into consideration our UK regional interests. It must also take account of Northern Ireland interests.

The freedom to make our own trade deals undoubtedly brings opportunities, but sadly they have been drowned out by so much negativity. I believe that not having a proper and meaningful debate thus far about the potential for trade deals, free of the European Union, is sad for business and bad for business. We need to move on and embrace the opportunities that Brexit will bring. The Secretary of State will be aware of the very strong desire to do so of many in business and the strong advice on economic impacts relating to the importance of EU-third party trade deals to the UK economy. I support the Government's policy on rolling forward the EU third-party trade deals with some 40 countries. Some will be surprised that there has been opposition from the Labour Front Bench team today to the Canadian and the Japanese deals, and, since it is the Government's policy to roll forward the existing deals with all 40 countries, there needs to be an indication now of which of those deals Labour Front Benchers no longer support and feel should be renegotiated.

Angus Brendan MacNeil: Would it not be useful if the UK Government could give bits of paper to those 40 countries to show that the warm words actually mean something?

Emma Little Pengelly: Absolutely. As I indicated, I fully support the desire of the Secretary of State and the UK Government to secure those agreements and roll them forward. It is absolutely clear that the best approach—the logical, sensible approach—is to secure the current situation. We should agree this motion, as we agreed the previous motion, and use that as the foundation to build on and renegotiate in due course. It is absolutely clear that business wants as much certainty as possible about this. I welcome the fact that there have been discussions with many of the third parties who have the EU-third party trade deals, but I, along with many others across this Chamber and with business right across the United Kingdom, want certainty as quickly as possible. I support the Government in getting on with that job, getting the clarity that we need and getting the best deal for the United Kingdom as we Brexit.

3.58 pm

Iain Stewart (Milton Keynes South) (Con): I add my warm congratulations to my hon. Friend the Minister for Trade Policy, on his new position. Next week, as chairman of the all-party group on smart cities, I will

make a keynote speech at a smart technology event, hosted jointly by the Department for International Trade, the embassy of Japan, the Japan Bank for International Co-operation and the Japan External Trade Organisation. This conference will explore the new investment and trade opportunities in the field of smart cities and smart technology—a field in which the United Kingdom is one of the world leaders.

I mention that because, in addition to the existing strong trade and investment links between the UK and Japan that many Members have referenced, this new technology, which will generate much of the wealth that we will need in the future, offers an enormous new level of co-operation between our two countries. The EPA that we are debating will provide a very strong platform from which to develop these new trading and investment links. As I said in the CETA debate, I wonder what is the opportunity cost to this country of not ratifying the agreement—what investment will be lost, what jobs will not be created and what deals will not be done? We must ratify the agreement to make it clear that the UK is an outward-facing, liberal, free trade-supporting country. I support the motion.

4 pm

Jack Brereton (Stoke-on-Trent South) (Con): I am pleased to speak in this debate.

I hope that we can continue to build on the strong relations between the United Kingdom and Japan. Both countries are advanced developed economies, and our liberal democracies share many cherished values, none more important than trade. I welcome this debate, therefore, because as we leave the EU we must maximise our opportunities for trade and continue to grow our share of prosperity. OECD figures put our countries on a similar growth trajectory, yet we lag behind on export projections, with 3.3% growth, compared with 4.5% for Japan. We need to see this improve. It is essential that because, and not despite of, Brexit we develop an independent trade policy to facilitate and maximise our exports and support growing industries.

That is why I am determined that everything possible be done to ensure that our Government adopt a transitional trade agreement with Japan. We must adopt and build on this trade agreement to ensure continuing and blossoming relations with Japan. I warmly welcome the Prime Minister's work on her recent trade delegation visit to Japan, where she met the Japanese Prime Minister, Shinzo Abe, and at which a commitment was given to working quickly to establish a new economic partnership between the UK and Japan to match as closely as possible the final terms reached in the EU agreement.

Why is this so important for the UK and places such as my constituency? Improving our trading relations with Japan means reducing the cost for British businesses wanting to trade with Japan and opening our businesses up to new and exciting opportunities. For places such as Stoke-on-Trent, this is not something new. We have a long and proud history of economic links with Japan. Many British ceramicists have imitated and developed the styles of the fine Japanese porcelain dating from the early 19th century. By the 1850s, with the opening up of trade between Japan and Britain, the flow of goods and influences on design and creativity only grew. Today, this exchange of ideas and creativity between our two countries goes from strength to strength.

[Jack Brereton]

Reiko Kaneko, a ceramicist with a studio in my constituency, grew up in Japan and has chosen to develop her business in Longton in Stoke-on-Trent South, designing and making fine modern ceramic products. Her hard work to build on and encourage greater collaboration between ceramic makers in the UK and Japan is to be celebrated, and I would encourage all hon. Members to buy some of her wonderful ceramics. I also had the honour of meeting the Japanese ambassador in Parliament towards the end of last year, and I was delighted to learn that he had recently visited World of Wedgwood in my constituency.

The Japanese continue to take an increasing interest in the UK and what we have to offer. Local manufacturers have told me that they see a real opportunity to boost sales of local products to the Japanese market. The continually growing demand for British products in Japan is a mark of the high quality of British products, especially ceramics.

4.3 pm

Richard Graham (Gloucester) (Con): Today we celebrate an important agreement with a long-standing and close ally and, more widely, a further landmark for free trade and a commitment to closer relations with Asia. I congratulate the new Minister, my hon. Friend the Member for Meon Valley (George Hollingbery), on both his elevation and the case he made in favour of the agreement, while also thanking my right hon. Friend the Member for Chelsea and Fulham (Greg Hands) for all he did for the new Department for International Trade.

The contrast with the other side of the House is striking: acres of unoccupied Benches, considerable misgivings about free trade, Divisions on what should be uncontested issues and appeals to colleagues by sensible free traders such as the hon. Member for Nottingham East (Mr Leslie), who is not in his place now, for his party not to be the party of narrow protectionism. It is a disappointing sight, with the shadow Secretary of State the closest thing we have in this country at the moment to a Trump-style mercantilist, unable, sadly, to see the benefits to consumers from lower tariffs and lower costs of imported goods bringing down our cost of living and inflation, as well as opening markets for our goods and services, especially to Japan, where the power of the “made in Britain” brand is strong and above all based on the quality of product and service.

There are issues ahead, of course, and I would welcome comments from the Minister on some of them in the time remaining. We will need confirmation that this agreement will be rolled over during the transition and thereafter extended until it can be widened and deepened. When does the Minister expect progress on this? There may be opportunities to bring down the cost of Japanese electrical vehicles which would speed up the reduction of both diesel vehicles and emissions in the UK. What assessment has the Department for Business, Energy and Industrial Strategy made of the potential for this? And what opportunities has the trade and working group identified for us to take forward? What would be the impact on the terms of this and any other relevant bilateral agreements were the UK to be part of a future trans-Pacific partnership that includes Japan?

Our value to Japanese foreign direct investment depends not least on the ease with which manufactured goods here can access EU markets. Are Ministers clear about the implications of that? In terms of future transparency and parliamentary oversight, does the Minister agree that pre-consultation is the key? What is unsatisfactory about the EU withdrawal agreement arrangements is the idea that after a negotiation Parliament can send the Government back to the negotiating table; that is not a very practical approach. Now that we have EU-negotiated agreements with Korea, Vietnam, Singapore and Japan—not all implemented yet—this encouraging progress in the continent where growth is most likely to be the greatest gives us further opportunities to expand, for example through a services agreement with Hong Kong, Australasia, China and the nations of south-east Asia as well as India.

In all of this, the opportunities for our international trade to go further and deeper are considerable. Nothing, of course, will be easy, but I hope the Minister will make a statement that will be strongly supportive of much closer UK trading relationships with Asia, where we need to open many doors in lands where trust is so important.

4.6 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I welcome my hon. Friend the Minister for Trade Policy to his place and thank his predecessor for all the fine work he did in this area and his great knowledge.

I am very much in favour of this agreement, which is a clearer position than that of the shadow Secretary of State, who has refused all opportunities to say whether he would or would not execute the agreement. He also apparently wants to leave future negotiations in such deals with the EU and seems to think that we will be co-decision makers on that basis. Has he had conversations with the EU about that? Would it agree to such a thing? It seems very unlikely.

The Secretary of State has clearly pointed out the benefits of free trade agreements, as Ricardo did 200 years ago. He has talked about the increase in overall consumption and the bilateral agreements between the two trading nations. He is right. One hundred years ago, 90% of the population of this planet was in extreme poverty. Today it is only 10%. One hundred years ago, only 20% of people got a basic education. Today it is 80%. That demonstrates clearly that free trade is not a zero-sum game. So we should welcome this agreement, which will enable us to set aside these tariffs. That will have a significant impact on trade—an increase in trade of £10 billion to £15 billion per annum.

One thing Ricardo probably could not have foreseen is the way nations have regulated their own economies and the differences between those regulations. Part of the difficulty with these agreements is the harmonisation of regulations—the non-tariff barriers. This is not just about free trade: it has to be fair trade so we operate on a fair and level playing field. That is particularly necessary for our small and medium-sized businesses.

In this place, we rightly bring forward new legislation—whether workplace regulation, environmental regulations, product standards or animal welfare legislation—because we want to see high standards in products and in terms of how we operate business in this country. Clearly, multinationals have different opportunities from small

businesses. They can game the system in many ways—not all of them do—and put their manufacturing facilities in areas with the lowest common denominator. That is certainly a feature of President Trump's renegotiation of NAFTA. He is trying to ensure that Mexico has a minimum wage, in order to disincentivise car manufacturers from placing their manufacturing facilities in the areas of lowest cost.

In conclusion: free trade, yes, but it absolutely has to be fair trade. In all these agreements, we have to consider small businesses—

4.10 pm

One and a half hours having elapsed since the commencement of proceedings on the motion, the Deputy Speaker put the Question (Standing Order No. 16(1)).

The House divided: Ayes 317, Noes 1.

Division No. 194]

[4.10 pm

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Ali, Rushanara
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Bailey, Mr Adrian
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berger, Luciana
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Bradshaw, rh Mr Ben
Brady, Sir Graham
Brake, rh Tom
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
Carmichael, rh Mr Alistair
Cartlidge, James
Cash, Sir William
Caulfield, Maria

Chalk, Alex
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Costa, Alberto
Cox, Mr Geoffrey
Crabb, rh Stephen
Creagh, Mary
Crouch, Tracey
Davey, rh Sir Edward
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Philip
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donelan, Michelle
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Farron, Tim
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Fysh, Mr Marcus

Gapes, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Girvan, Paul
Glen, John
Godsiff, Mr Roger
Goldsmith, Zac
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
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, Stephen
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
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Huddleston, Nigel
Hughes, Eddie
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Jardine, Christine
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Kinnock, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamb, rh Norman
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Lidington, rh Mr David
Little Pengelly, Emma
Lloyd, Stephen
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
MacNeil, Angus Brendan
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McFadden, rh Mr Pat
McKinnell, Catherine
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Mercer, Johnny
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Moran, Layla
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
Pateron, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Powell, Lucy
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom

Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Reynolds, Emma
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shuker, Mr Gavin
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Owen
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
Stone, Jamie
Streeter, Mr Gary
Stride, rh Mel
Stuart, Graham

Sturdy, Julian
Sunak, Rishi
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Umunna, Chuka
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
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wollaston, Dr Sarah
Wood, Mike
Woodcock, John
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Mims Davies and
Kelly Tolhurst

NOES

Zeichner, Daniel

Tellers for the Noes:
Sir Desmond Swayne and
Mr Peter Bone

Question accordingly agreed to.

Resolved,

That this House takes note of European Union Document No. 7959/18 and Addenda 1 to 11, Proposal for a Council Decision on the signing, on behalf of the European Union, of the Economic Partnership Agreement between the European Union and Japan; and European Union Document No. 7960/18 and Addenda 1 to 11, Proposal for a Council Decision on the conclusion of the Economic Partnership Agreement between the European Union and Japan; and welcomes the proposed signature and conclusion of the agreement.

AUTOMATED AND ELECTRIC VEHICLES BILL (PROGRAMME) (NO. 3)

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

That the following provisions shall apply to the Automated and Electric Vehicles Bill for the purpose of supplementing the Orders of 23 October 2017 (Automated and Electric Vehicles Bill (Programme)) and 29 January 2018 (Automated and Electric Vehicles Bill (Programme) (No. 2)):

Consideration of Lords Amendments

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

Subsequent stages

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

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

The House divided: Ayes 288, Noes 182.

Division No. 195]

[4.24 pm

AYES

Adams, Nigel	Cox, Mr Geoffrey
Afriyie, Adam	Crabb, rh Stephen
Aldous, Peter	Crouch, Tracey
Allan, Lucy	Davies, Chris
Allen, Heidi	Davies, David T. C.
Amess, Sir David	Davies, Glyn
Andrew, Stuart	Davis, rh Mr David
Argar, Edward	Dinenage, Caroline
Atkins, Victoria	Djanogly, Mr Jonathan
Bacon, Mr Richard	Docherty, Leo
Badenoch, Mrs Kemi	Dodds, rh Nigel
Baker, Mr Steve	Donelan, Michelle
Baldwin, Harriett	Double, Steve
Barclay, Stephen	Dowden, Oliver
Bebb, Guto	Doyle-Price, Jackie
Bellingham, Sir Henry	Drax, Richard
Benyon, rh Richard	Duddridge, James
Beresford, Sir Paul	Duguid, David
Berry, Jake	Duncan, rh Sir Alan
Blackman, Bob	Duncan Smith, rh Mr Iain
Blunt, Crispin	Dunne, Mr Philip
Boles, Nick	Ellis, Michael
Bone, Mr Peter	Ellwood, rh Mr Tobias
Bottomley, Sir Peter	Elphicke, Charlie
Bowie, Andrew	Eustice, George
Bradley, Ben	Evennett, rh Sir David
Bradley, rh Karen	Fabricant, Michael
Brady, Sir Graham	Fallon, rh Sir Michael
Braverman, Suella	Field, rh Mark
Brereton, Jack	Ford, Vicky
Bridgen, Andrew	Foster, Kevin
Brine, Steve	Fox, rh Dr Liam
Brokenshire, rh James	Francois, rh Mr Mark
Bruce, Fiona	Frazer, Lucy
Buckland, Robert	Freer, Mike
Burghart, Alex	Fysh, Mr Marcus
Burns, Conor	Garnier, Mark
Burt, rh Alistair	Gauke, rh Mr David
Cairns, rh Alun	Ghani, Ms Nusrat
Campbell, Mr Gregory	Girvan, Paul
Cartledge, James	Glen, John
Cash, Sir William	Goldsmith, Zac
Caulfield, Maria	Gove, rh Michael
Chalk, Alex	Graham, Luke
Churchill, Jo	Graham, Richard
Clark, Colin	Grant, Bill
Clark, rh Greg	Grant, Mrs Helen
Clarke, rh Mr Kenneth	Gray, James
Clarke, Mr Simon	Green, Chris
Cleverly, James	Green, rh Damian
Clifton-Brown, Sir Geoffrey	Greening, rh Justine
Coffey, Dr Thérèse	Grieve, rh Mr Dominic
Costa, Alberto	Griffiths, Andrew
Courts, Robert	Gyimah, Mr Sam

Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
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
Huddleston, Nigel
Hughes, Eddie
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Lidington, rh Mr David
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Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Mercer, Johnny

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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
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Skidmore, Chris
Smith, Chloe
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory

Streeter, Mr Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Butler, Dawn
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Cowan, Ronnie
Coyle, Neil
Creagh, Mary
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam

Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Mims Davies and
Kelly Tolhurst

NOES

Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Dowd, Peter
Drew, Dr David
Duffield, Rosie
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Evans, Chris
Farron, Tim
Fitzpatrick, Jim
Foccroft, Vicky
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Haigh, Louise
Hanson, rh David
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Hendry, Drew
Hermon, Lady
Hill, Mike
Hobhouse, Wera
Hodgson, Mrs Sharon
Hosie, Stewart
Howarth, rh Mr George
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Gerald
Jones, Graham P.

Jones, rh Mr Kevan
 Keeley, Barbara
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 McDonald, Andy
 McDonald, Stuart C.
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onasanya, Fiona
 Onwurah, Chi
 Pennycook, Matthew
 Perkins, Toby
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Qureshi, Yasmin
 Rayner, Angela

Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reynolds, Emma
 Reynolds, Jonathan
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Ryan, rh Joan
 Saville Roberts, Liz
 Shuker, Mr Gavin
 Skinner, Mr Dennis
 Smeeth, Ruth
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Timms, rh Stephen
 Turner, Karl
 Twist, Liz
 Vaz, Valerie
 Walker, Thelma
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Stephanie Peacock and
Jeff Smith

Question accordingly agreed to.

Automated and Electric Vehicles Bill

Consideration of Lords amendments

Clause 1

LISTING OF AUTOMATED VEHICLES BY THE SECRETARY OF STATE

4.36 pm

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): I beg to move, That this House agrees with Lords amendment 1.

Mr Deputy Speaker (Sir Lindsay Hoyle): With this we may take Lords amendments 2 to 32.

Jesse Norman: I am very pleased to be able to bring back this piece of legislation to the House. The Bill is an important aspect of our industrial strategy, which was published last year. It brings forward legislation, where it is appropriate, to assist the development and deployment of both automated and electric vehicles in this country. It does so by amending the existing compulsory third party insurance framework for vehicles, extending it to cover the use of automated vehicles. It also gives powers to improve the electric vehicle charging infrastructure framework to ensure that it is easy to use, available in strategic locations and “smart” to alleviate pressures on the grid.

Members will recall that, in addition to the support from both the insurance and the motor industries, this Bill had broad support from across the House when it was considered, and this broad support continued, I am delighted to say, throughout the Bill’s passage in the Lords. The Lords have made several amendments, which have helped to strengthen the Bill still further.

Mr John Hayes (South Holland and The Deepings) (Con): My hon. Friend has done a great job in taking this legislation further forward, notwithstanding the fact that most of the heavy lifting was done when I was the Minister. I wonder whether he might specifically deal with the issue of the design of the charging points. Members will remember that I pledged to the House in Committee that there would be a design competition, and that we would have charging points that would last forever as wonderful aesthetic symbols as well as practical ones. What progress has he made with that competition?

Jesse Norman: I am grateful to my right hon. Friend for drawing the House’s attention to his own role in the creation of this Bill, and for doing so in such a typically modest and retiring way, for which I am grateful. After some consideration, we have decided to look favourably on the idea of continuing the competition that he initiated, possibly in a somewhat amended form. He can take great credit for having initiated the idea, if not for its specific implementation.

Mr Jim Cunningham (Coventry South) (Lab): The hon. Gentleman knows that, in my constituency, Jaguar Land Rover carries out research and development. Has he had any discussion with the company as to where the batteries might be manufactured?

Jesse Norman: The hon. Gentleman will be aware that the question of battery manufacturers is a very important one not just for the country, but for the Government in their industrial strategy. The Faraday challenge that we have launched is designed specifically to support new technologies with a view, ultimately, to some form of development and, potentially, manufacture in this country.

Tom Brake (Carshalton and Wallington) (LD): I apologise if this has been covered in earlier debates, but will the Minister tell us whether there has been any engagement from the Government with local authorities? For many people, electric charging is likely to take place on the forecourt of their property, and there are clearly issues around dropped kerbs and easy access to people's forecourts to enable them to charge at home.

Jesse Norman: I can give the right hon. Gentleman comfort on that point. Through officials, we have consulted extensively with local authorities. Indeed, I will discuss some aspects of those consultations later in my remarks.

Sir Greg Knight (East Yorkshire) (Con): Lords amendment 14 deals with the regulation-making power in clause 9 and says that these regulations may, for example, deal with technical specifications. Can the Minister confirm to the House that the regulation-making power is wider than that and could, for example, require the operator to display the price per unit that is to be charged? It is important that motorists know what they will be asked to pay before they commit themselves to paying for it.

Jesse Norman: My right hon. Friend is absolutely correct that motorists should know what they will be paying. The Bill does what it says and Lords amendment 14 is technical in nature, but he has made his point, which we will be happy to look at more generally as we consider further aspects of the issue.

After clarifications were sought on which vehicles were covered by the definition in the Bill, the Lords made changes to clauses 1 and 2. Amendments 1 to 4 clarify that the measures in the Bill apply only to vehicles that are designed or adapted to be capable—in at least some circumstances or situations—of safely driving themselves, and are able lawfully to be used in that way on roads or other public places in Great Britain. For example, these amendments clarify that the insurance measures in the Bill will not apply to an agricultural vehicle on public roads which, although perfectly capable of autonomously running up and down a private field, could only be driven on the road manually by a human driver. Such a vehicle will fall under the current insurance regime under the Road Traffic Act 1988.

Lords amendment 5—the new clause after clause 6—places a requirement on the Government to report on “the impact and effectiveness of section 1; the extent to which the provisions...ensure that appropriate insurance or other arrangements are made in respect of vehicles that are capable of safely driving themselves.”

We want the report to be as relevant and useful as possible, so we have urged that the timing of the report should be after the measures have been in operation for a reasonable period. Our judgment is that a report prepared two years after the list is first published will

cover a time when secondary legislation can be introduced, automated vehicles can be added to the list and insurance policies can be offered to drivers of automated vehicles. Subsection (1)(a) of this new clause will require the Secretary of State to report on the impact on consumers and industry, and on the effectiveness of clause 1—that is, whether the definitions and list work as intended.

By specifically referencing the Road Traffic Act 1988 in clause 7, Lords amendment 6 provides a definition of the term “road” to ensure consistency with existing legislation, and to provide clarity to the public and industry.

The Lords also made a number of changes relating to electric vehicles. They expressed concern that the draft text did not make it sufficiently clear that hydrogen fuel cell electric vehicles were covered by the measures, alongside battery electric vehicles. Therefore amendments were made to add “refuelling” wherever “charging points” are mentioned. As the House well knows, the Government are taking a technology-neutral approach to the development and deployment of electric vehicles, and these changes serve to make that clearer on the face of the Bill.

The peers made two substantive changes to policy. The first was to add a power in clause 9 to enable the Secretary of State to bring forward regulations to set availability, maintenance and performance standards for public charging infrastructure. It is inevitable that public charging points will fall into disrepair from time to time, particularly in the early stages as new technologies are developing. Having a significant number of public charging points out of action risks adversely affecting the experience of users, and could inconvenience and frustrate drivers of electric vehicles. Amendments 11, 14 and 30 therefore provide the Government with the necessary power to introduce regulations that would specify performance standards for publicly available EV charge points, and will ensure that operators take measures to ensure that faulty charging points are repaired. I believe that these amendments will improve the Bill, as the provision of this power will help to ensure that we have a widely available and reliable public charging network.

4.45 pm

The second substantive change to policy was the introduction of a new clause after clause 10 through amendment 20. This new clause provides a duty for the Secretary of State to consider requests from elected Mayors to make regulations under clause 10. Cities, regions and counties can play a hugely important role in dealing with air quality challenges, and the provision of charging infrastructure will need to be a part of addressing that challenge. The new clause will give elected Mayors a lever to help them deliver that locally. It enables elected Mayors—the Mayor of London and Mayors of combined authorities—to designate locations, limited to large fuel retailers within their areas, at which they would wish charging infrastructure to be installed. Mayors would be required to consult on their proposals and notify the Secretary of State of the intent for regulations to be made. It is then for the Secretary of State to decide whether to make such regulations.

As with part 1, the Lords has, through amendment 32, added a new clause to report on the effectiveness of regulations made under part 2 of the Bill. This is a broad reporting clause that would, for example, allow

the Government to assess the effects of the regulations made under the Act on electric vehicle uptake, to assess the effects of regulations on industry and consumers, to assess how regulations are benefiting the energy system and consumer electricity bills, and to assess the impact on the Government's carbon and air quality targets. As well as assessing the impact of the regulations made, the amendment introduces a requirement for an assessment of the need for other regulations to be made under this part during subsequent reporting periods. That will help to ensure that further regulations are made in a timely and appropriate manner. A number of smaller, technical changes were also made to the Bill that have improved the drafting and clarified the regulation-making procedures.

Further to the point raised by my right hon. Friend the Member for East Yorkshire (Sir Greg Knight), we have committed to taking forward legislation to ensure that pricing is standardised and transparent for consumers. We have existing powers to enable us to do so, and we will act on those.

I urge the House to agree to these Lords amendments.

Karl Turner (Kingston upon Hull East) (Lab): I do not intend to speak for long because we support the aims of this Bill. However, we want to ensure that the UK remains at the forefront of research and development in this important and fast-moving industry. We supported the Bill first time round and welcome these amendments today. That is largely because of the good work of our colleagues in the other place, and I pay tribute to them.

The Bill aims to provide the framework necessary to encourage the take-up of electric vehicles as well as updating the regulatory environment for motor insurance for them. We particularly welcome the amendments to include hydrogen filling stations as well as electric charging points. Currently, there are about 12,000 electric vehicle charge points in the UK but only seven hydrogen refuelling points.

The Government must work harder if they are serious about tackling poor air quality and climate change. They are nowhere near meeting their legally binding 2020 target of 10% of transport fuel being renewable. They are presiding over an air quality crisis, and they could and should be more ambitious in dealing with vehicle pollution. Electric vehicles are an important way, but not the only way, of confronting these serious problems.

The Bill gives the Secretary of State a series of secondary legislative powers for the design and standardisation of charging points. Universal standardisation and distribution of charging points across the UK is crucial if the Government really are serious about increasing uptake. I have mentioned this before, but there are more charging points available on the Orkney Islands than in Blackpool, Grimsby and my own city of Hull combined. The Government must do much better.

There is also a new amendment to review the legal framework for automated and electric vehicles that should ensure the effectiveness of the regulations in this Bill as this fast-changing technology develops. Industry, I think I am right to say, has generally welcomed these amendments. The Association of British Insurers said that Lords amendment 5

“provides a realistic timeframe for reporting as the insurance industry does not expect fully automated driving technology to be commercially available until 2021 at the earliest”.

The Opposition will continue to hold the Government to account in that regard.

I thank the Government Front-Bench team for the spirit of co-operation in which the Bill has been handled. I reiterate my thanks to colleagues in the other place, as the Bill has returned here in a much better condition. We thank the Government for listening and acting on our concerns.

Mr John Hayes: I only wish to speak briefly. The Minister and the shadow Minister are right that the Bill has improved during its passage. That is in part due to the spirit in which we have conducted ourselves and scrutinised this legislation.

I think there is general agreement across the House that this is the right legislation at the right time, but it is difficult to try to envisage what a future might look like of which we cannot be certain. The technology will move on apace. It is not clear what people will be driving in one, two or three decades' time, so making these decisions about infrastructure is challenging.

None the less, it seems to me that three things are clear, and these amendments give us a chance to rehearse them once again, albeit briefly. The first is that the charging infrastructure is a critical element in getting people to accept electric vehicles. If people are confident about the ability to charge conveniently, reasonably quickly and, I hope, inexpensively, they are more likely to embark upon the journey that is the acquisition of an electric vehicle. When people are surveyed about why they do not buy electric vehicles, charging infrastructure and the fear that they will run out of charge is often cited as one reason.

Having accepted that axiomatic argument, the second point is that there is a perfectly proper case to be made for what the infrastructure needs to look like. The right hon. Member for Carshalton and Wallington (Tom Brake) is right—I rarely agree with him, but on this occasion I cannot help but do so—that on-street charging is critical. Many people live in flats, particularly in cities, and they do not have easy and convenient points at which they can charge their vehicle. The work of local authorities will therefore be critical, in terms both of new housing developments and of existing settlements.

Bob Stewart (Beckenham) (Con): There are two charging points close to my house, and the thing that causes problems is that the same cars are there permanently. In terms of infrastructure, we will need more charging points, because people will not use electric cars unless they can charge them quickly if they run out. At the moment, I see those two charging points permanently occupied by two cars.

Mr Hayes: With characteristic insight mixed with perspicacity, my hon. Friend has anticipated my next point, which is that once one has made the decision about the need to put into place charging infrastructure, it needs to be sufficiently plentiful and recognisable. Moreover, there has to be universality about it: the method of payment has to be common and the way in which one engages with the charging point needs to be common too. The last thing we want is for electric users to arrive at a charging point to find that they do not have the means to pay—it might be a pre-paid device, for example—or cannot plug their vehicle in at all because it is a proprietary charging point. Universality, recognisability and affordability are fundamental.

Tom Brake: Perhaps I could add one extra thing to the right hon. Gentleman's list, which is enforcement. It is not only electric vehicles hogging particular charging points. Often, in my experience, vehicles that are not electric are also hogging the electric bays, simply because they have not noticed that those bays are not for them.

Mr Hayes: I do not want to agree with the right hon. Gentleman too often, otherwise this fleeting romance might become a marriage—heaven forbid, as we know how that worked out for the Liberal Democrats last time round—but he is right again. Rapid charging will, to some degree, help with that, but we also need a sufficient number of charge points, conveniently located.

It is possible that, knowing me as he does, the Minister assumed, not unreasonably, that in making my point about the look and feel of the charging points I was merely advancing a case for aesthetics. It is true that, like Keats, I believe that truth is beauty and beauty is truth, but getting the appearance of the charging points right will be vital to the gaining of public acceptance. People know what a pillar box looks like, they know what a telephone box looks like, and they need to know with equal certainty what an electric charging point looks like. It should be beautiful, but it should also be immediately identifiable for what it is.

Having made those few points, I endorse all that the Minister said about the character of the amendments and the nature of the consideration so far. Once again, I congratulate him on the role that he has played—together, by the way, with my old friends on the Opposition Front Bench, who have themselves played a dutiful and entirely responsible role in trying to make this legislation better.

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to follow the right hon. Member for South Holland and The Deepings (Mr Hayes).

Mr Hayes: I should have mentioned the hon. Gentleman as well.

Alan Brown: Cheers! We had better watch out that this does not become the road to a marriage.

The right hon. Gentleman—the former Minister—talked about the standardisation of charge points, and I agreed with what he said. I thought that he was going to end with a reference to the “Hayes hook-up”.

I will be brief, although last night I got a slight kick out of speaking for longer than others thought I was entitled to. I support the Bill, as do the Labour Opposition, and I support the Lords amendments, most of which are tidying-up measures. I also welcome the clarification on hydrogen fuel cells because there is no doubt that hydrogen will play a big part in the decarbonisation of transport.

In particular, I support Lords amendment 32, which requires the Secretary of State to report on the impact of part 2 of the Bill. I have previously pointed out to the Minister that when I have tabled amendments suggesting that the Government should report, I have always been rebuffed. I looked back and found the new clauses about reporting that I tabled in the Public Bill Committee, and, in the context of the reporting to which the Government are committed, I hope that they will take on board some of my previous suggestions.

One of my new clauses, entitled “Review of impact of Part 2”, required the Secretary of State to report on “the number and location of charge points in the United Kingdom...the resulting uptake of electric vehicles...the manufacturing of electric vehicles”.

Another, entitled “Report on electric charging points”, referred to the development of

“a strategy for establishing charging points for...domestic properties...urban and rural settlements, and...the road network.”

Sir Greg Knight: Does the hon. Gentleman agree that it is important for the motorist to know where the charging points are? Most satellite navigation systems have a feature that will display the locations of filling stations. Is it not essential for them also to display the locations of electric charging points?

Alan Brown: I agree wholeheartedly. There are already online maps that can do that, but it is important for people to be aware that the information exists, so that they can take comfort in the knowledge that they can undertake longer journeys because they know exactly where the charging points are.

I also tabled a new clause requiring the Secretary of State to report on the impact of charging points on “energy consumption...grid management, and...grid storage capacity.”

Regular reporting would obviously keep Members informed, but it would also help Governments to develop future strategies.

I welcome the Bill and look forward to its implementation, but I have another request. I hope that there will be some trials of autonomous vehicles in Scotland, because that has not happened yet.

Tom Brake: I first want to say that I do not think marriage is an option so long as I do not wear a tie, because I know that the right hon. Member for South Holland and The Deepings (Mr Hayes) has strong views on that subject, so I may be tieless for a long time to come.

I want to reinforce the point about talking to local authorities about flatted developments, but also—I have already had such inquiries, as I suspect other Members have—about residents who want to be able to charge their electric car where they park it at the front of the house, but cannot do so because of the issues of dropped kerbs and so on. That will become a growing problem in future years.

We must ensure that we can respond to the way in which technology changes. I want to put in a plug—pardon the pun—for the Dearman engine, with which the right hon. Gentleman may or may not be familiar, which works on liquid nitrogen. It has some very exciting applications in relation to the auxiliary power units used at the front of refrigerated trucks, which at present often use some of the dirtiest engines available, without any sort of environmental controls. Such technology has the ability to address some very significant air quality issues in our town centres, but it would also require an infrastructure for liquid nitrogen, which is clearly not readily available at present.

This is a very welcome set of amendments. The Bill is also welcome, but it must be flexible enough to pick up and move with other technologies as they develop.

5 pm

Jesse Norman: With the leave of the House, I will briefly address some of the many interesting points raised by colleagues. Let me start by thanking the Opposition for the constructive and thoughtful way in which they have engaged with the Bill. I am very grateful for all the points that have been raised.

Let me start with the points made by the hon. Member for Kingston upon Hull East (Karl Turner). On the importance of hydrogen, that point is absolutely understood. We have so far committed something like £23 million to refuelling and the development of hydrogen-based technologies, so I take that point. On renewable fuels, he will be aware that we took the renewable transport fuel obligation through the House a few months ago, and I expect to return to the House to consider E10 and other renewable fuels more widely over the next few months.

The hon. Gentleman is absolutely right to flag up the issue of charge points. We recently had a roundtable to talk to those in the industry. At the moment, they are quite comfortable about the way in which charge points are being rolled out by the private sector. However, as electric vehicles start to get into an S curve of take-up, it will be very important to have adequate charge points to meet users' needs.

My right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) is of course absolutely right that we have no capacity to predict the future—uncertainty is an ever-present factor of human life—so all we can have is flexibility and resilience, and that is what we are trying to build in through the flexible structure of this enabling legislation. He rightly points again to the importance of the charging infrastructure. The issue of range anxiety is being overcome with the next generation of electric vehicles, as he will be aware. That itself will go some way to removing anxiety about charging, but I absolutely take the point.

My right hon. Friend quoted Keats. I very much look forward to his composing an “Ode on a well designed charge point” in the style of Keats. Perhaps he can present it to the Speaker in due course—and to you, Mr Deputy Speaker. Indeed, my right hon. Friend could recite it in the House.

I also thank the hon. Member for Kilmarnock and Loudoun (Alan Brown) for his constructive support for the Bill. Let me make a couple of points in response. He is absolutely right to refer to the points he raised during the passage of the Bill and in the debates we have had so far, and I am grateful to him for that. He is right to focus on public communication and trust. With all new technologies, the issue of consent is essential, and we want the roll-out of autonomous vehicles and electric vehicles to be warmly received and carried through by the public.

Finally, I absolutely agree with the right hon. Member for Carshalton and Wallington (Tom Brake) on his point about local authorities, as I have said, and I am very glad that he has placed the Dearman engine and similar technologies on the public record.

That said, let me say that our ambition is to lead the world in electric vehicles. The powers in this Bill will help us to do that, and I commend it to the House.

Lords amendment 1 agreed to.

Lords amendments 2 to 32 agreed to.

HAULAGE PERMITS AND TRAILER REGISTRATION BILL [LORDS] (PROGRAMME) (NO. 2)

Motion made, and Question put,

That the Order of 14 May 2018 (Haulage Permits and Trailer Registration Bill [Lords]: Programme) be varied as follows:

(1) Paragraphs (4) and (5) of the Order shall be omitted.

(2) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours after the commencement of proceedings on the Motion for this Order.

(3) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of proceedings on the Motion for this Order.—(*Jesse Norman.*)

The House divided: Ayes 273, Noes 168.

Division No. 196]

[5.3 pm

AYES

Adams, Nigel	Coffey, Dr Thérèse
Afolami, Bim	Costa, Alberto
Afriyie, Adam	Courts, Robert
Aldous, Peter	Cox, Mr Geoffrey
Allan, Lucy	Crabb, rh Stephen
Allen, Heidi	Crouch, Tracey
Amess, Sir David	Davies, Chris
Andrew, Stuart	Davies, David T. C.
Argar, Edward	Davies, Glyn
Atkins, Victoria	Davis, rh Mr David
Bacon, Mr Richard	Dinenage, Caroline
Badenoch, Mrs Kemi	Djanogly, Mr Jonathan
Baker, Mr Steve	Docherty, Leo
Baldwin, Harriett	Dodds, rh Nigel
Barclay, Stephen	Donelan, Michelle
Bebb, Guto	Double, Steve
Bellingham, Sir Henry	Dowden, Oliver
Benyon, rh Richard	Doyle-Price, Jackie
Beresford, Sir Paul	Duddridge, James
Berry, Jake	Duguid, David
Blackman, Bob	Duncan, rh Sir Alan
Blunt, Crispin	Dunne, Mr Philip
Boles, Nick	Ellis, Michael
Bottomley, Sir Peter	Ellwood, rh Mr Tobias
Bowie, Andrew	Eustice, George
Bradley, Ben	Evennett, rh Sir David
Bradley, rh Karen	Fabricant, Michael
Brady, Sir Graham	Fallon, rh Sir Michael
Braverman, Suella	Field, rh Mark
Brereton, Jack	Foster, Kevin
Bridgen, Andrew	Fox, rh Dr Liam
Brine, Steve	Francois, rh Mr Mark
Brokenshire, rh James	Frazer, Lucy
Bruce, Fiona	Freer, Mike
Buckland, Robert	Fysh, Mr Marcus
Burghart, Alex	Garnier, Mark
Burns, Conor	Gauke, rh Mr David
Burt, rh Alistair	Ghani, Ms Nusrat
Cairns, rh Alun	Girvan, Paul
Campbell, Mr Gregory	Glen, John
Cartlidge, James	Goldsmith, Zac
Cash, Sir William	Gove, rh Michael
Caulfield, Maria	Graham, Luke
Chalk, Alex	Graham, Richard
Churchill, Jo	Grant, Bill
Clark, Colin	Grant, Mrs Helen
Clark, rh Greg	Gray, James
Clarke, Mr Simon	Green, Chris
Cleverly, James	Green, rh Damian
Clifton-Brown, Sir Geoffrey	Greening, rh Justine

Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 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
 Huddleston, Nigel
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Mercer, Johnny

Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 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
 Redwood, rh John
 Robinson, Gavin
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Skidmore, Chris
 Smith, Chloe
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian

Sunak, Rishi
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 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
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Mims Davies and
Kelly Tolhurst

NOES

Abbott, rh Ms Diane
 Ali, Rushanara
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Beckett, rh Margaret
 Berger, Luciana
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chapman, Douglas
 Charalambous, Bambos
 Cooper, Rosie
 Rudd, rh Neil
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debonnaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Dowd, Peter
 Drew, Dr David
 Duffield, Rosie
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Evans, Chris
 Farron, Tim
 Fitzpatrick, Jim
 Foxcroft, Vicky
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Haigh, Louise
 Hanson, rh David
 Hardy, Emma
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Hermon, Lady
 Hill, Mike
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham P.
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lewell-Buck, Mrs Emma
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Mahmood, Mr Khalid
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian

McDonald, Andy
 McDonald, Stuart C.
 McFadden, rh Mr Pat
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 McMorrin, Anna
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Newlands, Gavin
 Norris, Alex
 Onasanya, Fiona
 Onwurah, Chi
 Osamor, Kate
 Pennycook, Matthew
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Rees, Christina
 Reeves, Ellie
 Reynolds, Emma
 Reynolds, Jonathan
 Rodda, Matt
 Ruane, Chris
 Saville Roberts, Liz
 Sherriff, Paula

Shuker, Mr Gavin
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Eleanor
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Timms, rh Stephen
 Turner, Karl
 Vaz, Valerie
 Walker, Thelma
 Western, Matt
 Whitehead, Dr Alan
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Stephanie Peacock

Question accordingly agreed to.

Haulage Permits and Trailer Registration Bill [*Lords*]

*Consideration of Bill, as amended in the Public Bill
 Committee*

New Clause 1

EU COMMUNITY LICENCE ARRANGEMENTS

‘(1) It is an objective of the Government, in negotiating a withdrawal agreement from the EU, to seek continued UK participation in the EU’s Community Licence arrangements.

(2) The Secretary of State must lay before Parliament a report on progress made on any negotiations to secure the objective in subsection (1).

(3) The report must be laid before Parliament before 31 December 2018.’—(*Tom Brake.*)

Brought up, and read the First time.

5.17 pm

Tom Brake (Carshalton and Wallington) (LD): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Eleanor Laing): With this it will be convenient to discuss the following:

New clause 2—Report on the impact of leaving the European Union on the international transport of goods—

‘(1) Within six months of Royal Assent of this Act, the Secretary of State must publish and lay before both Houses of Parliament an assessment of—

- (a) the impact of leaving the European Union; and
- (b) any relevant international agreement with the European Union or European Union member States,

on the international transport of goods by road.

(2) An assessment under subsection (1) must consider in particular—

- (a) waiting times at ports for goods vehicles transporting goods internationally;
- (b) the likelihood of procedures to park goods vehicles transporting goods internationally on the M20 motorway in Kent (“Operation Stack”) needing to be activated in the future;
- (c) the likelihood of requiring additional parking around ports for goods vehicles transporting goods internationally; and
- (d) the likelihood of the United Kingdom remaining a party to the 1987 Convention on a Common Transit Procedure, as amended.

(3) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes which would result from the policies of Her Majesty’s Government at the time of the assessment and continued participation in the European Union Single Market and Customs Union.’

New clause 3—Report on the effect of ratifying the 1968 Vienna Convention on Road Traffic—

‘(1) The Secretary of State must lay before both Houses of Parliament an assessment of the effect of ratifying the 1968 Vienna Convention on Road Traffic (“the 1968 Convention”) on the international transport of goods by road.

(2) The assessment must consider—

- (a) the likelihood of drivers of goods vehicles with United Kingdom driving licenses needing to purchase an International Driving Permit to travel to European Union member States after the United Kingdom leaves the European Union; and
- (b) the likelihood of reservations to the 1968 Convention issued by the United Kingdom, insofar as they relate to the international transport of goods, being subject to a legal challenge.

(3) The report must be laid before both Houses of Parliament on or before 28 March 2019.

(4) In this section, “International Driving Permit” has the same meaning as in the 1968 Convention.’

Amendment 4, in clause 2, page 2, line 40, leave out from “or” to the end of line 42.

This amendment would remove reference to first come first serve or an element of random selection as methods for granting an application for a permit.

Amendment 2, in clause 5, page 3, line 39, at end insert—

‘(1A) The regulations must ensure that the cost of applying for a permit under this Act to travel to an European Union member State is not disproportionate to the cost an applicant would have incurred in previously applying for a Community Licence.’

Amendment 5, in clause 9, page 5, line 36, after “Kingdom” insert

“, and setting out the number of permits requested, granted and refused”.

This amendment would require the Secretary of State to report on the number of permits requested, granted and refused.

Government amendments 1 and 3.

Tom Brake: It is certainly not my intention to detain the House for long, so if people need to make moves to secure the presence of the person who has secured the Adjournment debate, I give them that warning now. A discipline of the House that is imposed on small Opposition parties is that we have to speak briefly, and I would, in fact, recommend this to all in the House. I am not going to single out anyone in particular, apart from perhaps the hon. Member for Brent North (Barry Gardiner), who I think could benefit from a bit of discipline in his speeches in this place. That would free up time for others to speak in debates such as the Canada debate earlier today, which I was hoping to speak in.

Although I will not detain the House for long, I want to spend a bit of time focusing on my new clauses 1 to 3 and amendment 2. New clause 1 would require the UK to negotiate to remain in the EU’s community licences scheme post Brexit. That would enable UK hauliers who have international operator’s licences to deliver goods to and from the UK to continue to do exactly that, including through cabotage rights that would enable them to carry out journeys within another EU country. This is a very sensible proposal and one that Labour and the Liberal Democrats tabled a joint amendment on in the Lords, with slightly different wording from the one that we have here today. There was cross-party, or at least two-party, agreement that this was a sensible proposal.

I am hoping that when the Minister responds, he will say that the Government will negotiate on that basis, or at least negotiate to achieve exactly the same thing, and will particularly have regard to the financial and administrative impact that an alternative scheme might have on hauliers. Apparently, the purpose of our leaving the EU was to get rid of red tape and make it much easier for hauliers and others to conduct business. There is a risk, however, that replacing EU community licences, which cost nothing and are easy to secure and on which there is no limit on the number that can be issued, with a scheme for which hauliers have to pay and which might require them to renew on a regular basis, far from getting rid of red tape, will actually add to it. However, we know that some of the proposals from different

factions within the Cabinet, particularly for things such as maximum facilitation, could impose huge additional costs on business and not get rid of red tape at all.

I hope that the Minister can say precisely what the Government intend to do about replacing community licences if they are not to replace them with an equivalent scheme. The purpose of amendment 2 is to ensure that, if the Government do not secure a successor scheme that is identical or similar to it, the cost that hauliers will have to pay is restricted. While some of the big haulage companies might be able to pay whatever the new permit might cost, the change could place a significant cost burden on smaller hauliers—those operating perhaps one or two vehicles. I hope he can say what plan B or the backstop would be in the event of a failure to deliver a community licence equivalent.

The purpose of new clause 2 is to ensure that the Government publish a report on the impact of Brexit on the transport of goods. When I tabled it last week, I was not aware how timely it would be. In the last 24 hours—I am sure there will be others in the next few days—a series of blue chip companies, including Airbus, BMW, Honda and Siemens, have highlighted the projected or potential cost to their businesses of problems at the border. I am sure that the Government would want to report back on the impact, particularly of having to bring back Operation Stack. Many people will remember what happened a couple of years ago when a huge tailback occurred at Dover. Apparently, it was triggered by two French police officers based in Dover not turning up for their shift, and that led to a 15-mile tailback.

What will the impact be if that happens as a result of the need for additional vehicles to be checked? When I visited the port of Dover, I assumed that Ministers from the Department for Exiting the European Union would already have visited. There has been some interesting coverage on BBC South East recently. It rang round the Opposition spokespeople to ask if they had been to the port of Dover to talk to the authorities about the impact of Brexit. I had been. I had been in the control tower to see the operation. However, when BBC South East asked if a DExEU Minister had been to talk to the port—the largest port, certainly in terms of freight vehicles, with 10,000 passing through it—it was told that apparently not a single one had. I thought that a little remiss. I presume they have been now, given that it got lots of coverage on TV, and so will understand the potential impact on the transport of goods if there are problems on the border.

Mr John Hayes (South Holland and The Deepings) (Con): Needless to say, I have been to the port of Dover, as the maritime Minister, when I served in that capacity, and for other purposes. Just so the right hon. Gentleman does not inadvertently mislead the House, I must point out that in the very week of that coverage, the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Fareham (Suella Braverman), visited the port. It is important to point out that those Ministers have taken interest in the affairs at Dover.

Tom Brake: I thank the right hon. Gentleman for his intervention. He has confirmed that the harmony and potential marriage that existed between us in the earlier debate have perhaps reached a state of acrimony and we no longer agree on the subject. But his intervention was

[Tom Brake]

interesting. I do wonder whether the visit of the DExEU Minister post-dated or pre-dated the BBC South East news item. If it post-dated it, I would be a little suspicious as to why the Minister suddenly chose to reorganise her diary with a view to going to the port of Dover, perhaps rather in the way the Foreign Secretary had to reorganise his diary to be in Afghanistan during the Heathrow vote. I know, however, that I should not dwell for too long on trips to Afghanistan as that is not the subject of our debate.

Alan Brown (Kilmarnock and Loudoun) (SNP): On the ports issue and on the visits, does the right hon. Gentleman agree that it is very strange that the Secretary of State for Transport said that, post Brexit, there will be no further checks and it will be just like the US-Canada border? In fact there are checks at that border and also we learned from a written question from me to the Secretary of State that he has not even visited the US-Canada border, so goodness knows how he thought he knew how it operates. Does the right hon. Gentleman agree that that is symbolic of the shambles?

Tom Brake: I thank the hon. Gentleman for that intervention. As it is on the subject of borders, which is what we are debating, it is an entirely appropriate intervention. It gives me the opportunity to point out that the same Secretary of State often refers to the advantages of the border between Norway and Sweden. Again I am not sure whether he has visited that border. Maybe he has. If he has, he will have found on his visit that some of the border points are inconveniently shut at certain times of the day and night. He will also have discovered that one of the factors that Swedish business often cites as being a major constraint on doing trade with Norway is the fact that the border is not in fact frictionless. So there is a bit of a problem in terms of the Secretary of State, but I am sure he has now been on many fact-finding missions and has increased his knowledge of the subject on which he speaks.

Andrew Jones (Harrogate and Knaresborough) (Con): The right hon. Gentleman talked about the causes of Operation Stack in 2015. There were two causes, neither of which was the one he identified, so I would not want him to be inadvertently misleading the House. The causes were the migrant crisis affecting the operation of Eurotunnel and the French ferries going on strike. It was very clear at the time that those were the causes. Ministers were all over it. It was not as he is suggesting. I am sure it is appropriate, and he will be grateful, that we have been able to put the record straight.

Tom Brake: I am very happy to put the record straight as far as I am concerned and the record as far as I am concerned is that, when I visited the port authorities and talked to them about the 15-mile tailback, they were very clear in telling me that that occurred as a result of two French police officers not turning up for their shift.

Andrew Jones *indicated dissent.*

Tom Brake: The hon. Gentleman can shake his head, but he should perhaps talk to the port authorities and find out from them what the cause of that particular

delay was. That is the information I have had. They are the ones in charge of the port and, frankly, I would have thought that they knew what they were talking about. I am happy to give way if he disagrees with me.

Andrew Jones: The causes were very clear. I was the Minister at the time who had responsibility for Operation Stack. I went down and met with people who were operating it and dealing with the problems. What the causes were was extremely clear. The right hon. Gentleman is just plain wrong.

Tom Brake: I am afraid that we will have to disagree on this matter. If the hon. Gentleman wants to raise the issue with the port authorities, from whom I got this information, I recommend he does so. That is what they told me. However, we can have an argument about whether that particular incident—there has been more than one Operation Stack—was or was not caused by migrants through the tunnel, which is some distance from the port of Dover, or alternatively by two French police officers not turning up, but what is indisputable is the point that Airbus, BMW, Honda and Siemens have been making in the past few days: the Government are at risk of creating major problems for them in terms of their just-in-time operations because of whatever the Government are planning—if only we knew what they were planning on future customs arrangements. Added to that, the Government are causing those businesses huge uncertainty, which probably explains why investment in the car industry has dropped by half in the last 12 months.

5.30 pm

My final point relates to new clause 3. I do not know whether the Minister was a supporter of leave or remain. When I tried to check, I found lots of references to him sitting on the fence. Perhaps he would like to clarify whether he came off the fence or whether he sat uncomfortably on it on referendum day. I see that he is not tempted to respond. One thing that I certainly cannot recall being written on the side of a bus—or indeed a bulldozer—was what we have here in relation to new clause 3, which requires the Government to assess the ratification of the 1968 Vienna convention on road traffic. Unless one is a bit of a geek, this is rather a specialist area, and I am going to have to refer to a briefing. It tells us why we now need to ratify that convention. It states:

“Under EU Directive 2006/126/EC, driving licences issued by the UK are recognised by other EU states and vice versa. Once the UK has left the EU, this directive will no longer apply and a separate agreement is negotiated. Without such a deal, the UK’s relationship with most EU member states would be governed by the 1949 Geneva Convention on Road Traffic. These countries would recognise each other’s licences although they could require that the driver carries an International Driving Permit. However, five EU member states...are not parties to the 1949 Convention. They are instead party to the 1968 Vienna Convention on Road Traffic.”

So the Government are now having to ratify the 1968 convention because of an issue to do with driving licences possibly not being recognised once we have left the European Union, and we have to do it now because there is a 12-month waiting period before the provisions come into effect.

Of course, there are other consequences, as Members who follow this issue closely will know. The UK Government’s ratification of this convention will bring

in other matters relating to unregistered trailers. So we now have a chain effect, which started with there being nothing on the side of a bus about a requirement to implement the 1968 convention and which has ended up with our having to introduce a law relating to unregistered trailers, because we have to make all this hang together. It is a very messy business.

I am sure the Minister will be aware of the representations that have been made by the people who are responsible for caravans. They are pressing the Government on a particular point, and I am sure that he will be able to respond to it at the end of the debate—that is assuming that he is actually listening to it, which at the moment is not obvious. Presumably someone is taking notes for him in the Box. The question is whether a Government agency will be required to oversee the registration of caravans if they cannot be exempt. An exemption is being sought for caravans, horseboxes and the like, but if that cannot be achieved, will the organisation that has been set up—an outside agency called CRiS, the Caravan Registration & Identification Scheme—be able to operate the registration scheme itself? It believes that it could do so at a greatly reduced cost. I hope, just as an aside, that I will be able to get some clarity on that point.

Mr John Hayes: Our trial separation is rapidly ending in divorce. Can I be absolutely clear about this? Most people have argued that the consideration of trailers, which will be a matter of some debate, is a useful and helpful thing. It is understood that it is actually quite a good thing for us to look at these matters. Is the right hon. Gentleman arguing on behalf of the Liberal Democrats that we should have nothing to do with that—in other words, that we should not look at trailers at all? If he is indeed making that case, he will be at odds with the vast majority of people who are considering this legislation.

Tom Brake: Yes, the divorce is proceeding well. Maybe we need to engage Relate to pacify matters. I would point out to the right hon. Gentleman that I was unaware of any call, prior to 23 June 2016, for a trailer registration scheme. It therefore appears to have been Brexit that has triggered the registration of trailers, as opposed to a desire on the part of the Government to address the issue.

Karin Smyth (Bristol South) (Lab): The fact that we were not able to ratify the convention for some 50 years says more about the procedures between this place and the European Union. It would be useful for the right hon. Gentleman to accept that the registration of trailers has been brought up on a number of occasions over the years because of the weight limit of trailers that are not registered. In a case that I have brought before the House, which I will speak to later, that resulted in the death of a young child. This legislation has provided a great opportunity to talk about safety, which I think the right hon. Gentleman would agree is the pre-eminent issue.

Tom Brake: I thank the hon. Lady for her intervention. I think she is about to put on the record the reasons why, for her, this is an important issue. I do not want to dismiss that and I can confirm that I and, I suspect, other Members have had issues with trailers that have been left by the roadside that it is very difficult to do anything about because they are not registered. I agree,

but the trigger in this case was not a desire on the Government's part to address the issue but the fact that Brexit has required them to do a certain thing, which led to a chain of events that has resulted in the requirement to register trailers.

As Members may know, the convention might—although I accept that it is very unlikely—also lead to appeals to the United Nations if the UK does not criminalise jaywalking, require all cars to park on the left-hand side of the road, require drivers to turn on their lights when driving through certain tunnels—something that, on the whole, is probably a good thing—require motorcyclists to turn on their front and back lights at all times, and require parked cars to have parking lights switched on at night or in other periods of low visibility. There has been an interesting chain of events as a problem triggered by Brexit has produced a domino effect and required the Government to legislate for something that might or might not happen, having other unforeseen consequences that, as I said, were not clearly set out on the side of that famous bus. It would have had to have been a very long bus for all the consequences to have been set out on it.

I like to be true to my word. I said that I would be brief, so I shall draw my remarks to a conclusion. I have made the point about community licences and it seems to me that it would be sensible to try to replicate that scheme, as far as possible, to minimise the burden placed on hauliers, minimise any additional cost on them and reduce the risk of UK hauliers simply being excluded from the EU because of the limited number of licences that might be available. I hope that I will hear some positive and engaging words from the Minister on that subject. If that happens, I would not have to put the House through the pain of a vote this evening, getting in the way of Members who might have other things to do, such as watching Nigeria versus—I am not sure who they are playing, but one of the World Cup matches taking place this evening.

Peter Aldous (Waveney) (Con): On Second Reading, I raised concerns on behalf of Transam Trucking, a specialist haulage company based in my constituency that is a market leader in the music and entertainment transport business, taking bands and acts on tours all around the UK and Europe. In the busy summer months, the company will have up to 250 lorries on the road or in Europe—150 of its own trucks and a further 100 subcontracted vehicles. Transam had expressed concerns to me that the Bill as originally drafted could cause difficulties in securing contracts for the summer of 2019, for which negotiations are now well under way. I am grateful to the Minister for listening to those concerns and introducing an amendment to the Bill in Committee to address the worries of Transam and other hauliers. I thank him for writing to me in response to the letter in which I set out Transam's worries in detail.

The amendment that the Government have introduced is clause 2(1)(d). Transam has studied the provision closely and, to a large extent, the Minister has addressed its worries. Prior to the introduction of the current EU road transport regulations, Transam used to work under a non-quota international haulage permit system. Those permits were freely available and the system worked well. There was a worry that that might not be the case in future, and the Government's amendment implies that

[*Peter Aldous*]

the number of permits will be limited, at the discretion of the Secretary of State, and that permits will be made available only in an emergency or for a special need.

There was a concern that Transam's customers, if they believed it could not obtain permits, might look to place their business elsewhere with its European competitors, which would not have been constrained by the regulations. However, Transam and its advisers have received assurances that permits will be issued on an unlimited basis for industries such as Transam's, and I welcome the Government's clarification of that position.

Hopefully it will not be necessary for the measures contained in the Bill to come into effect and the Government will be able to reach an agreement with the EU so that the existing liberalised access for UK commercial haulage can continue and be developed still further.

It is important to monitor the situation as we move forward, and I will pass on any feedback I get from Transam to the Minister for his information and consideration. Transam's iconic black trucks have been on the road and on tour all around Europe for over 40 years and, in its own words, Transam has been

"ensuring the magic always happens on stage, on time and on budget."

Transam's is a very important business, which is largely geared towards the export market. Post Brexit, it is vital that such business not only continues but grows, and I am grateful to the Minister for addressing its concerns and for providing the opportunity for that to happen.

Karin Smyth: Notwithstanding the comments of the right hon. Member for Carshalton and Wallington (Tom Brake) on the Bill's origins, I am grateful that the Bill has given me the opportunity to highlight the gaping hole in some of our country's legislation on the safety of light trailers.

My focus in seeking to amend the Bill, working with noble Lords and the Opposition Front Bench, has always been public safety, following representations made to me by my constituents Donna and Scott Hussey on the tragic loss of Freddie, their then three-year-old son, who was killed by a 2-tonne trailer.

Since the Bill was introduced in the House of Lords in February, peers and Members from all parties have made thoughtful, informed contributions on the complex issues associated with it. We have heard a lot of arguments on proportionality, on bureaucratic burdens, on cost, on scope and on timeframes, but we have also heard about a number of deaths caused by unsafe trailers.

I am particularly grateful to Lord Bassam, who tabled the initial probing amendment on safety in the context of Freddie's death, and who pressed the Government to do what their impact assessment said they would do and seize the opportunity of this Bill to improve safety through better regulation. I also pay tribute to Lord Tunnicliffe for tabling the amendment on Report requiring the Government to collate comprehensive data on trailer safety and to publish it in a report, for which the noble Lords voted.

There has been significant discussion and consensus on the gaps and problems in existing information on light trailers and on the degree of threat they might pose. I am pleased that the Government agreed in Committee

to produce a report that includes a recommendation on whether compulsory registration or periodic testing of trailers weighing more than 750 kg should be introduced—that is now part of clauses 20 and 21. It was also reassuring to hear the Minister confirm that the report will include an assessment of existing provisions relating to the installation of tow bars, following the compelling arguments made by my hon. Friend the Member for Rotherham (Sarah Champion).

I pressed the Minister on what information the report would contain over and above what we already know, and I was pleased to receive his assurance that, in collating the information, his Department will consider what other types of data, beyond the STATS19 form, it may be able to obtain to inform the recommendations; will pay due attention to the challenge of the under-reporting of accidents, as highlighted in our debates; will use the report as a starting point from which to consider whether significant changes are necessary to how it reports on trailer safety; and will include data on all trailer categories in the report.

I was also pleased to hear the Minister agree that there might be a case for extending the Department's road safety communications more widely on the issue of driver behaviour and driver education as the Bill comes into effect. As I highlighted a couple of years ago in my Westminster Hall debate to the then Minister, the hon. Member for Harrogate and Knaresborough (Andrew Jones), we should make it as unacceptable to drive with an unsafe trailer as it is to drive while using a mobile phone or while over the drink-drive limit. Such a culture change requires a commitment from the Department. I thank the Minister for these assurances, and have written to him to ask that he keeps me updated on the progress of the report over the coming months—I am sure he will do so.

5.45 pm

I am also grateful to the Minister for attending the trailer safety summit that I held in my constituency in April, and to all who have supported the campaign and helped to move us one step forward on improving trailer safety. During recess, I will be joining the Driver and Vehicle Standards Agency in Avon and Somerset for an enforcement check to see the work its staff carry out at the roadside, and to learn more about some of the issues on the ground. I want to thank the police and those involved in making that happen.

I remind the House, however, that we must not become complacent over the next 18 months. Although Freddie's case was tragic, it was not isolated. A couple of months ago, I was contacted by a solicitor representing a family whose child had been the victim of a runaway trailer. Last week, I was contacted by a police officer investigating yet another fatality involving a trailer, and I am sure many Members present will have heard of the tragic death of a cyclist here in London last week. I do not know the specifics of these cases, and no doubt they are complex, but that is precisely why the Bill has represented an important opportunity—an opportunity to ensure that the Government are sufficiently ambitious and rigorous in the execution of the contents of the report on trailer safety and their analysis. We owe it to the victims and their families—we owe it to Donna and Scott Hussey, and we owe it to young Freddie—to ensure that this remains a matter of public safety and, as such, is a priority.

Alan Brown: I will be brief. I have supported the Bill's passage and would give it a cautious welcome in terms of the haulage permits and trailer registration aspects. Being realistic, the UK Government do have to put in place procedures that might have to be enacted in case of a no deal, but as this is the only legislation coming through the House just now that actually can be relevant to a no deal, it shows how unrealistic it is for hardline Brexiteers to think they can get this Government to a place where they can seriously say to the EU, "We're in a position to have a no deal and walk away in March 2019." That is absolutely impossible and they are kidding themselves on.

I pay tribute once again to the hon. Member for Bristol South (Karin Smyth) for the work she has done, and for the clauses on trailer safety and on reporting and analysis that she has succeeded in getting inserted into the Bill. I hope they will help us to improve trailer safety on the roads and the general safety of people on and around our road networks. With these remarks, I am happy to see the Bill go forward.

Rachael Maskell (York Central) (Lab/Co-op): I rise to move amendments 4 and 5, and to speak to the new clauses and amendment 2. Without doubt, much progress has been made during the course of this Bill since its inception in the Lords. We have had robust debate, both in Committee and on Second Reading. I am glad that that debate has been extended today, not least by the right hon. Member for Carshalton and Wallington (Tom Brake), who seems to have had a 11th-hour epiphany in turning up to speak on the Bill today. Had he been either at the Second Reading debate or in Committee, he would have heard the extensive line-by-line debate we had about so many of the clauses. I thank the Minister for the way he listened carefully during that debate, and he has certainly moved the Bill forward.

Through his amendments, the right hon. Member for Carshalton and Wallington expressed concern about the disastrous way in which this Government are approaching Brexit and the devastating impact it is having on business. There are many reasons why we are hearing weekly announcements from industry about resettling their business abroad, because delay in their supply chain hits their bottom line. The UK investment loss as the EU is preferred is devastating for jobs and our economy. That would be accelerated by the complex chaos that could ensue at our borders without proper arrangements.

Labour has always stated that we believe the UK should remain within the EU's community licence arrangements—after all, why leave them? I doubt that a single constituent has raised this issue on the doorstep, yet to leave would not only create a whole new licensing scheme but result in more uncertainty. Not having orderly licensing will result in lorries stacking up at the borders, where, as Imperial College found, a two-minute delay will create a 10-mile hold-up at Dover alone. If further self-harm can be avoided, I urge the Minister to act to ensure that businesses can gain some confidence.

We have learned that the haulage trade will be issued with licences under clause 2(1)(c) in a possibly arbitrary way, although that is subject to the passing of amendment 4, which I tabled, and which would deal with such heightened uncertainty. Confidence is needed at our borders and new clause 1 certainly seeks to build confidence,

as did the amendments Labour tabled that were lost in Committee. By not providing confidence, the Government show that they do not have business stability at the heart of their plans and are preparing for such a hard Brexit that businesses will be forced out anyway.

The EU community licence scheme simply works. There is recognition of licences within the EU area and, rather than uncertainty, we should simply adopt this scheme. I am sure that the right hon. Member for Carshalton and Wallington would have been shocked to hear in earlier debates that the licence will be a paper document. It will not even be electronic or a tag that can hold licence data; no, it will be on good old-fashioned paper, and an individual will come up to a cab, knock on the door and ask to see the papers. Instead of today's secure electronic systems, the Minister prefers higher-risk paper documentation.

Tom Brake: I am sure the hon. Lady appreciates the difficulty for a party with 12 Members of ensuring that someone can be present at all debates, but I am indeed surprised to hear that the Government's approach would be paper-based, because we have of course heard a huge amount from them about how all these things are going to be electronic, seamless, frictionless and based on new technology. Here is an opportunity for the Government to deploy technology, but they are actually deploying a piece of paper.

Rachael Maskell: I am sure that had the right hon. Gentleman been in Committee, he would have had much opportunity to join in the previous debates on this issue—

Tom Brake: We do not get appointed to Committees.

Rachael Maskell: All Members are entitled to attend Committees, even if they are not Committee members, but I do not need to tell the right hon. Gentleman about those facts.

It will be catastrophic if we get the licence-distribution process wrong, but the Government have yet even to say that their prime objective will be to remain in the EU community licence arrangements.

New clauses 1 to 3 also call on the Government to report to Parliament on the range of impacts that leaving the EU community licence scheme will create. Again, we have sought to do this previously, but to no avail, as the Government are not interested in the facts. They have their fingers crossed and the belief that all will be well as they drive us over the cliff. The Opposition value evidence-based decision making, and my biggest shock about this place is how low a priority analysis still is. Let me give an example: the Minister could not tell me in Committee how many permits will be needed. The high possibility of the need to evoke Operation Stack were we to end up outside the EU community licence arrangements is evident, yet due to the Government's lack of care and attention, the proposed lorry park did not go ahead because of an error in the planning process.

I could give a lot more examples about the reality of borders, not least in Northern Ireland, and how the scheme will operate, but the Minister was unable to address such issues in Committee. Clearly, borders will be created between the EU and the UK. The Minister denied that that will be the case between the north and

[*Rachael Maskell*]

south of Ireland, despite their being different jurisdictions, but even should special arrangements be made to address that issue, there would most certainly be borders between the east and the rest of Great Britain in the west. Both scenarios are completely unacceptable, but the reality of being outside a central customs arrangement will create such a border. Understanding the environment means not only understanding the risks, but having high-quality data to back this up. That is why Labour supports new clauses 1 to 3.

This brings me to my amendments 4 and 5 which, along with amendment 2, relate to permit provision. Clause 2 is very concerning. As with all Bills, it calls for regulations to be made, but is rudderless with regard to why and how. Amendment 4 seeks to amend clause 2(1)(c), which states that the regulations will determine how the Secretary of State will decide who receives a permit, including the criteria for doing so. If there is a method of selection, and it is vague, one could argue that that is all well and good, as that is what regulations are there for. However, we believe that, in paragraph (c), it is more damaging to keep the two examples that are in brackets than to say nothing at all.

I am asking for this Bill to be tidied up this afternoon. It speaks of the utterly chaotic way that the Government are approaching international transactions over trade, and the way that they are handling vital business needs at home. First, paragraph (c) talks about a “first come, first served” basis. That means that a business has to be at the front of the queue each time it needs a permit. There is no identification of strategic industries, no understanding of business need or the need to be able to plan, and no concern over how new entrants further down the line will even get hold of a permit. That is a poor example. Moreover, to include such an example in a Bill as important as this one speaks of serious Government incompetence over logistical planning. May I gently advise the Government once again that it would be in their interests to leave out that example? It does not add any substantial detail, but sets a tone to desensitise business as to how logistics will be approached.

Let me come now to my second suggestion. Paragraph (c) mentions

“an element of random selection.”

I do not think that I need to say much more other than that those words have to go. A “random” approach to economic and logistical planning is the exact reason why businesses are seeking stability elsewhere. We on the Labour Benches get that. I suggest that the section is simply removed to give Government time to consider how they will approach the issuing of permits, before bringing forward secondary legislation. Why make things worse for themselves if they really do not have to? I am sure that the Government will see the common sense in what I suggest, and I trust that they will accept my amendment today.

Amendment 5 seeks to amend clause 9(1). If we are going to introduce a new permit scheme, we must properly review the process. Our amendment seeks to ensure that there is a greater understanding of how the permit system works. In wanting to know the number of permits requested, this simply highlights the scheme demand—something that is important for the Government to understand. Following on from that, the amendment

will then require data to be provided on the number of permits granted and refused. In particular, it is important to understand how many were refused and why. For instance, was it owing to an error in the way that the application process was made or was working, or to there not being enough permits available to haulage companies in the first place? If either of those scenarios were the case, the Government would have firm data on which to evidence the change needed in the system. Labour also supports amendment 2, which protects the haulage trade—

Mr John Hayes: The hon. Lady is making a very compelling case for both her amendments. In the case of amendment 5 with the issue about review, I am not sure whether it would be wise to make that part of the legislation. It is perfectly possible for the Government to commit to a review in respect of the legislation. On her first very strong point about the criteria, the Bill as it currently stands uses the words “may include” and then it lists the two things that she describes. It is an inclusive, rather than exclusive, provision. I wonder whether that might be a way through this in a more collaborative vein.

Rachael Maskell: As ever, I thank the right hon. Gentleman for his points. Regarding my amendment 4, clearly having the words on random selection in the Bill is really unhelpful to the Government because it sets the tone on trade. At this time, we must all acknowledge that business needs a confidence-building approach. It is unhelpful to know that a chaotic approach to the provision of permits is even being considered as a possibility. I trust that the Minister has heard that call. I am trying to assist in the passage of the Bill and what happens afterwards.

6 pm

The right hon. Member for South Holland and The Deepings (Mr Hayes) also made a point about my amendment 5. Clause 9(1) actually states that “the Secretary of State must lay before Parliament a report”.

It has already been agreed that that is how we should proceed, so I believe that this point has already been covered.

Labour would support amendment 2, which would protect the haulage trade, and ultimately the public, from the potential of additional expenditure because the UK has had to devise its own permit scheme, as opposed to belonging to the EU community licence arrangements. We are also happy to support Government amendments 1 and 3. Therefore, I do not need to raise any further issues today.

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): I am grateful to all colleagues who have spoken to these amendments and new clauses for the genuinely constructive and warm way in which this debate and the previous stages of the Bill have been conducted, for which I am also very grateful to the Opposition.

Let me start by addressing the amendments tabled by the right hon. Member for Carshalton and Wallington (Tom Brake). We have been consistently clear throughout the passage of the Bill that we want to maintain the existing liberalised access for UK hauliers. We absolutely

believe that a mutually beneficial road freight agreement with the EU will support the objective of frictionless trade, and that the future relationship that we are forging with the EU on road freight as part of a wider continuing relationship on trade will be in the interests of both sides.

The right hon. Gentleman's amendment 2 would enshrine on the face of the Bill a negotiation objective of seeking continued participation in the EU's community licence arrangements. I must be clear that we do not believe that an attempt to mandate a particular stance in negotiations, as this amendment seeks to do, is appropriate in this Bill. What we will need—here, as elsewhere—is flexibility and the capacity to adapt. It is clear, however, that the right hon. Gentleman is pressing for reassurances and I want to give him those reassurances.

I am acutely aware, as are other members of the Government, of the benefits of the community licence arrangements as they presently exist. We are also aware that many hauliers would like those arrangements to continue. Although our continued participation in the community licence arrangements may be one outcome of the negotiations, we cannot predict that at this stage. There are, of course, other means to replicate the access that the community licence provides that the amendment would rule out. Let me explain how.

The Government have set out that we are seeking a very close partnership, based on reciprocal binding commitments. That could be based on a comprehensive system of mutual recognition. Our current liberalised, non-permit-based agreements with some non-EU countries provide for mutual recognition of operator licences in lieu of the requirement to have a permit. The UK-Turkey agreement is one such example. The EU has a similar arrangement in the EU-Swiss land transport agreement. It could be that our future agreement with the EU is based on a similar scheme without the need for community licences or permits. Including in the Bill the objective to seek continued participation in the community licence arrangement would make it harder to agree such a beneficial deal for our hauliers. In fact, it may prove to be an obstacle.

The right hon. Gentleman's new clause 2 is highly comprehensive and would provide for a report not just on the impacts of the measures contemplated, but on the broad range of impacts on international road haulage of our leaving the European Union, including lorry queuing, parking, the need for Operation Stack, transit procedures and membership of the single market. I am not going to respond in detail to the specific provisions in this new clause because they are not relevant to the Bill's aims. Overall, the new clause would not provide a useful analysis that might assist our negotiations or the wider business of Government. Therefore, I am afraid that I do not think it appropriate.

Let me turn to the right hon. Gentleman's amendment on the Vienna convention. As I have said, we are confident that we can secure a mutually beneficial future partnership, but we are putting in place measures that ensure that drivers can continue to travel freely across the EU post exit, whatever the outcome. That is what ratification of the 1968 convention enables us to do. The '68 convention builds on the '49 convention. The vast majority of the requirements within the '68 convention are already covered by The Highway Code and existing legislation. The remaining area of divergence lies in

provisions that allow enforcement against unregistered trailer registration, which we addressed through the provisions in part 2.

The right hon. Gentleman is seeking an assessment to be made of the impact of ratification on international transports of goods. Of course, the convention is not focused on trade arrangements but on vehicle standards. We do not believe that ratification will have an impact specifically on rights of access for hauliers after exit. That will be a matter for negotiation. It is also important to say that our intention is to reach a deal that negates the need for additional documents and systematic document checks for all road users. That agreement is in the interests of both sides' driving licence holders. However, the convention does not prevent individual member states from recognising our UK photo-card licences should they deem that appropriate.

The right hon. Gentleman queried whether there would be legal challenges to reservations that we have issued. We do not believe that there is any great scope for that. The potential exists to enter objections to reservations, but the nature of the reservations is highly consistent with the approach taken by many other countries that have ratified the convention. The likelihood of objections is therefore low, and the likelihood of objections by new contracting parties is even lower. The UK is already well aligned with the overwhelming majority of the provisions of the convention. As such, only limited action has been taken to progress with the process of ratification. Through existing legislation, the UK meets the necessary standards of the convention. There will be further changes to The Highway Code, but these will be only minor policy tweaks. Accordingly, the reservations that the UK has put forward relate primarily to matters of domestic law, and this further lowers the risk associated with any reservations.

On the cost of applying for a permit, the Bill allows us to charge fees for permits, as the right hon. Gentleman recognises, and we propose to do so on the basis of recovering the costs of providing those permits and minimising the cost to hauliers, in accordance with Treasury guidelines on managing public money. We will also set fees such that hauliers should not pay any more than they need to in order to meet the cost of the service. This includes a commitment by Government to cover the scheme set-up costs, which have been funded as part of the £75.8 million funding from the Treasury to the Department of Transport. I hope that he and other hon. Members will be reassured by this.

The right hon. Gentleman referred to CRiS and the National Caravan Council's reservation scheme. He is absolutely right that that is a fine scheme in many ways, and it does offer features that this registration scheme does not. Of course, this scheme is not intended to replace it. The vast majority of caravans will not be included in our registration scheme. We have spoken at some length to the National Caravan Council on this, and it has advised us that the number of caravans weighing over 3.5 tonnes may be as few as 150 new units per year. Unfortunately, we are unable—under law on which we have taken advice—to use this scheme, even were it appropriate, because as a private entity it cannot meet the registration requirements of the convention.

I turn to the points made by my hon. Friend the Member for Waveney (Peter Aldous). I am very grateful that he was able to make the point about Transam and

[*Jesse Norman*]

that this provision has met its requirements. That is very good, and I am pleased that we have been able to support him on that.

The hon. Member for Bristol South (Karin Smyth) raised, as she has throughout the Bill's passage, the status of trailer registration and the tragic case of Donna and Scott Hussey's son, Freddie. I hope she agrees that we have done everything we can to engage with her on the case of poor Freddie Hussey. She has made a material improvement to the Bill and has been a tireless campaigner. I am pleased to recognise her work, as I have before.

Let me turn to the points raised by the hon. Member for York Central (Rachael Maskell). I am grateful for the constructive way in which she has engaged throughout the Bill's passage. She raised a concern about methods of selection. It is important to be clear that random selection and first come, first served are included in the Bill not because they are the exclusive methods that will be chosen for selection, but because they are methods that could be seen in law as the Secretary of State not using his or her discretion, which is a general principle of law and would be expected of him or her. We have therefore included those approaches on the face of the Bill to remove any ambiguity as to whether they can be used and to be as transparent as possible. We have been perfectly clear that they will not be used except in the context of a wider application of criteria, as I described in previous stages of the Bill's passage.

Finally, clause 9 requires the Secretary of State to report on the effect on the UK haulage industry of any EU-related permit scheme, should there be one, throughout a year in which there is a limit on the number of permits available for hauliers travelling to EU member states. Amendment 5, which is identical to one that the hon. Member for York Central tabled in Committee, would make the requirement more precise by requiring any report to include the number of permits requested, granted and refused. I reassured her in Committee that if reports were required, the Government would plan for that to include the number of permits requested, granted or refused. I am happy to confirm that once again. I do not believe that the amendment requires the Secretary of State to do anything that he would not expect to do. I hope that the right hon. Member for Carshalton and Wallington will withdraw his new clause.

Tom Brake: First, on new clause 2, I am surprised that the Government do not believe that an understanding of the impact of Brexit on the haulage industry would be helpful to them. I would have thought that it would be.

A number of issues have been raised this evening by the hon. Members for York Central (Rachael Maskell) and for Bristol South (Karin Smyth), whose campaigning on this issue has come across. I am sure that the Minister can and will want to address that. He does not necessarily have to do that through a Bill, as there are many other ways of doing so.

On new clause 1, I heard some reassurance from the Minister that community licences might be an outcome of one of the options he is looking at. He is also looking at other options that might do away with the need for them in the first place, which clearly would be of assistance

to hauliers, particularly if the cost of the permits they will have to pay for is limited. Replacing a paper-based system with something else might assist that process.

I would not want to embarrass the Minister so early on in his ministerial career by pressing my new clause to a vote and causing him to lose, so I do not intend to do so. He has given some reassurances. I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

Schedule

CONSEQUENTIAL AMENDMENTS

Amendments made: 1, page 16, line 34, at end insert—

'4A In section 90A(2) of the Road Traffic Offenders Act 1988 (offences in relation to which a financial penalty deposit requirement may be imposed), in paragraph (a)(i), after "vehicle" insert "or trailer".'

This amendment will ensure that financial penalty deposit requirements may be imposed in respect of offences relating to trailers.

Amendment 3, page 17, line 1, at end insert—

'5A In Article 91B(2) of the Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/1320 (N.I. 10)) (offences in relation to which a financial penalty deposit requirement may be imposed), in sub-paragraph (a), after "vehicle" insert "or trailer".'—(*Jesse Norman.*)

The amendment makes provision for Northern Ireland corresponding to Amendment 1.

Madam Deputy Speaker (Dame Eleanor Laing): Consideration is now completed.

Rachael Maskell: On a point of order, Madam Deputy Speaker. During the exchange we just had, I was not asked whether I wanted to press my amendments to a vote or to withdraw them. Is that within order?

Madam Deputy Speaker: Yes. I listened to what the hon. Lady said during her speech, and she did not move her amendments. It would be normal that, if the hon. Lady—if I had read the debate in such a way as to think that the hon. Lady wished to call a separate Division on one of her amendments, I would have made sure that that could happen. I took advice on whether the hon. Lady intended to ask for a separate Division on one of her amendments, and the advice was that Opposition Front Benchers did not intend to put any amendments to a vote. It is now too late to change that. The hon. Lady looks askance, but perhaps the message from her Front Bench, through other Front Benchers, to the Chair was not clear.

Rachael Maskell *rose*—

Madam Deputy Speaker: If the hon. Lady would like to make a further point of order, I will allow her to do so, but we cannot change what has happened.

Rachael Maskell: Further to that point of order, Madam Deputy Speaker. I can see the hesitancy with which you are providing this ruling. I just want to clarify that, at the beginning of my speech in this debate, I did move amendments 4 and 5 formally. I want to put that on the record so there can be no doubt about it.

Madam Deputy Speaker: There is not any doubt about it. The fact that the hon. Lady used the word “move” is not actually sufficient. I ascertained, as the occupant of the Chair always does, whether there was an intention on the part of Opposition Front Benchers to ask for a separate Division on any particular amendment, and the advice—or information; it is not really advice—was very clearly that there was no intention to do so. If the hon. Lady or her colleagues sitting beside her had wished to send a different message, they should have done so through other Front Benchers. There is no misunderstanding. In any case, it is too late to change matters now, because we have come to Third Reading.

Third Reading

6.17 pm

The Secretary of State for Transport (Chris Grayling): I beg to move, That the Bill be now read the Third time.

I want to say a few words at the concluding stage of the consideration of this Bill. First, I thank all those involved on both sides of the House—the Under-Secretary of State for Transport, my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman), the Opposition team who have taken part in the debates, the two Committee Chairs and, indeed, all hon. Members who served on the Public Bill Committee.

This is an important Bill. As the Brexit negotiations continue, it is critical that we prepare carefully for our future relationship with the European Union, take all the steps we need to take for all eventualities in negotiations that lie ahead, and make sure we have all the tools that are needed for that future relationship, so that haulage, which is a really important part of our economy, has the tools it needs to be able to carry on crossing borders and delivering the trade that is so essential to this country and to the European Union as a whole. After all, this industry directly employs 300,000 people.

The first part of this Bill will allow us to introduce a road haulage permit scheme covering existing agreements outside the European Union, while also making sure that we have the tools available for any permit-based deal with the European Union, if that is required. As you know, Madam Deputy Speaker, the Bill puts in place a legal framework for the Government to establish a system for issuing permits, without placing undue regulation or financial requirements on the industry.

The UK already has several of these in place with non-EU countries. It is important that we have all the tools we may need at the conclusion of the negotiating process and I am very grateful to both Houses of Parliament for expediting this measure. I believe that we have made another step forward in our preparedness process by passing this legislation.

The other part of the legislation gives the Government powers to establish a trailer registration scheme to meet the standards in the 1968 Vienna convention on road traffic. That ensures that UK operators can register trailers before entering countries that require such registration—I am referring to HGV trailers, which are an important part of the haulage sector, and not to smaller camping trailers that holidaymakers use. Commercial trailers over 750 kg and all trailers over 3.5 tonnes need to be registered. As with the first part of the Bill, we intend only to recover the costs of running the scheme and not to make a profit.

On the trailer safety measures added in the other place, the Lords made its recommendations and the Government acted on them. We will publish a report on trailer safety within one year of the Bill coming into force.

This is a good Bill and a valuable contribution to the preparations for Brexit. It also puts in place sensible safety measures and a sensible framework for the future of our haulage sector when it comes to the permits and registration required for it to continue to operate in the way we want. I again thank all those involved in the Bill on both sides of the House.

6.20 pm

Andy McDonald (Middlesbrough) (Lab): I am grateful to you, Madam Deputy Speaker, for enhancing our parliamentary education by explaining the words, “I move”. We are wiser because of your guidance.

The Opposition recognise the Bill as necessary for Brexit preparations and it is right that the Government prepare for contingencies on leaving the European Union. A failure to retain an essentially unchanged operating environment would damage the UK haulage industry and the wider economy, which is why we believe the Government should continue to use the community licence post Brexit. We hope the measures in the Bill will never be used, but it is imperative that the Government press ahead with their trailer safety review and report to the House next year.

I thank the Government for co-operating with Labour to improve the legislation. I also place on record my thanks to colleagues, particularly my hon. Friend the Member for York Central (Rachael Maskell), and staff both in this House and in the other place whose hard work helped to secure improvements relating to trailer safety and to increase Ministers’ accountability to Parliament in relation to the powers given to the Secretary of State in the Bill.

I heard what the Minister said regarding the allocation of permits. I cannot let the moment pass without adding my note of caution on including such careless words in legislation as

“may include first come, first served or an element of random selection”.

Using that sort of language in statute brings us to a poor place.

I pay tribute to my hon. Friend the Member for Bristol South (Karin Smyth) for her superb campaign on trailer safety following the tragic death of three-year-old Freddie Hussey from her constituency. She has also summoned a safety summit in her constituency, which has been so effective. She will be warmly congratulated by all hon. Members.

Road haulage is vital for the UK economy. Any post-Brexit arrangement that impedes the ease of transit of goods, or that places additional costs or administrative burdens on hauliers, will damage the sector and the wider economy and must be avoided. The haulage industry has been clear about the threat of additional administrative and financial burdens and the risks presented to UK supply chains.

Throughout the Bill’s previous stages, Labour has done all it can to reduce the disruption that would be caused if the measures become necessary, but the

[*Andy McDonald*]

negotiations will determine how much damage and disruption Brexit will cause to such industries in respect of the retention of the community licensing scheme. Broader issues such as whether we will be part of a customs union and avoid the introduction of customs checks at the border, and the consequential gridlock of our ports and roads, are also a matter for the negotiations. I have visited a number of ports during my time as shadow Secretary of State for Transport and the consequences of failing to retain an unchanged operating environment are stark.

It is concerning that the Government's calamitous attempts at negotiating Brexit make it increasingly likely that the measures in the Bill will not be a contingency but will be put into effect. Unfortunately, the negotiations are not something we are able to address as a part of the Bill. I do, however, believe we have improved this necessary but hopefully never-to-be-used legislation. Labour will be voting in support.

6.26 pm

Mr John Hayes: I will be very brief. This is an important Bill. As the shadow Secretary of State said, it is a contingency measure. It is a belt and braces exercise to ensure we can guarantee the seamless transport of goods across the continent. There are many hauliers in my constituency and they will be looking at this matter with some concern. It is right to say that Brexit represents a significant change. I take the view that it represents a significant opportunity. None the less, seamless transport and travel are vital, particularly in respect of fresh goods. We live in a just-in-time age, where the movement of goods in very quick order is necessary to meet the expectations that have been created as a result of that culture.

The measure, which we do not expect to come into force, is none the less important to achieve those objectives. It is the right thing for the Government to do. Had the Government failed to bring something of this kind forward, Opposition Members and others would have perfectly reasonably said that we were not being sufficiently diligent. The diligence associated with a proper approach to the defence of the interests of hauliers and others obliges the Bill we are considering tonight. It is in that spirit that it has been considered through time.

I want to pay particular attention to the points made earlier by the hon. Member for York Central (Rachael Maskell), and, if I may do so on her behalf, reiterate them. It seems to me important that the Government recognise that it will be necessary to review the provisions should they come into force and it would be perfectly reasonable for Government Ministers to confirm that that might happen. I do not think it necessarily needs to be on the face of the Bill, but it is perfectly reasonable for Ministers to give her an assurance, as a result of the compelling argument she made earlier, that that kind of process will occur. It is what good Governments do: they consider measures carefully, check how they are working in practice and commit to looking at them again if and when necessary.

Similarly, to re-emphasise a point I made earlier—many of the points I make in this House are worth amplification, as you know, Madam Deputy Speaker—it is important that the methodology for the allocation of permits is

what it needs to be. It should not be merely what is suggested here, as the shadow Secretary of State and others said, and the hon. Member for York Central emphasised. It may well take a very different shape from that which is identified here. It is therefore very important that the Government are very flexible about what needs to be done to allocate permits in a way that is efficient and effective.

Andy McDonald: Does the right hon. Gentleman not agree that, while it may well be right to retain flexibility on the allocation of permits, to put in the Bill that they could be allocated on a first come, first served basis could mean people in sleeping bags waiting for permits to be handed out or some random selection? This is serious stuff. Should we really be using such vague and indeterminate language in the Bill?

Mr Hayes: In an ideal world, where I was still sitting on the Government Front Bench—I know that is most people's ideal—I would have to respond to that point formally on behalf of the Government. As I no longer have those responsibilities, I will leave it to those who are now missioned to deal with these matters formally to respond.

The Secretary of State has done the right thing in bringing the Bill forward. As I said earlier, had he not done so, he would have been criticised. I do not expect it to be used, but it will provide considerable reassurance to hauliers and others. We are constantly told by the critics of Brexit that the biggest problem of all is uncertainty. Well, this Bill is not uncertain, but it is about doing what is necessary to alleviate uncertainty by dealing with the matter with appropriate diligence and salience. To that end, the Bill has my full support.

There is one final thing: I say to the right hon. Member for Carshalton and Wallington (Tom Brake) that to come to the party late, improperly dressed, and to not understand what a trailer registration scheme really means is not clever or wise, and he would be better not to come to the party at all if he is going to make such a mess of it. With that cutting aside, I conclude my remarks.

6.30 pm

Alan Brown: As we have heard, road haulage is important for businesses in the UK and for keeping the supply of goods and food to our shores, so, like others, I am happy to support the legislation. It is sensible to have back-up arrangements in place.

However, now that I have heard some of the contributions on Third Reading, suddenly this legislation seems way more important and detailed than I realised. I thought it was quite simple—particularly on haulage permits to allow lorry drivers to register and possibly travel—but now I am hearing that it is giving great certainty about Brexit, and that it is the start of all the Brexit preparations. In terms of haulage and movement of goods, the customs union, the single market and the arrangements around them and borders are far more important. This legislation does not provide the certainty that we are hearing about and the Government are still a long, long way short of any proper preparations for Brexit, especially this fabled “no deal” that they will be able to walk away with in March 2019. I suggest that some Government Members need to stop kidding themselves on. Apart from that, I support the Bill's Third Reading.

6.31 pm

Andrew Jones: I want to say a few quick words in support of the Bill and the sector. The road haulage industry is hugely important to the United Kingdom. It does the heavy lifting of goods around our country and because it works so well and so smoothly, it is frequently taken for granted.

There are 320,000 HGV drivers employed in the UK, and in terms of the workforce, that goes up to around 2.5 million when we include the broader haulage and logistics industry. Road haulage is the main means of moving goods around the UK and it plays a huge role in our exports. Over 3.5 million road goods vehicles left the UK for Europe last year. We have been talking about the implications for exporting. The goods that we rely on, our food and drink, and the stock for our nation's high streets—much of what we export—are moved by trucks and the workforce that drives them. Those goods are stored in warehouses and managed by the logistics teams who ensure that they are where we need them when we need them.

The Bill deals with a critical part of the UK economy and is about making sure that whatever happens in our Brexit negotiations, the Government will be able to deliver a smooth Brexit. This Bill is about preparations that may never be needed—indeed, I hope they are not. We do not know what the deal will be, so while the negotiations are progressing, it is right for the Government to plan for different eventualities. It is about creating the capacity to develop background systems, and about doing so in collaboration and consultation with the industry. We saw that with the addition in the House of Lords of a consultation clause, which was very positive. We have liberalised access for haulage and the Government are working to maintain that, but it is right to have the contingency, which is what the Bill is about.

I have experienced the sector both as a Minister and prior to that, in my working career, and I know just how important is to have smooth operation and a successful future for this critical part of the UK economy. The Government are to be commended for planning ahead and taking the necessary precautions for whatever Brexit may bring. That is why I will support the Bill; I urge everyone to do so.

6.34 pm

Sarah Champion (Rotherham) (Lab): I rise to get more clarity and commitments from the Minister, specifically on road safety and reducing loss of life. It will come as no surprise to the Minister that I will focus on towbar failure and substandard trailers.

On the compulsory registration of trailers, I remain concerned that a non-commercial trailer weighing between 750 kg and 3.5 tonnes can be on the road without being subject to routine safety checks. Given that vehicles over 3.5 tonnes are regularly tested, it seems logical for trailers that are, say, 3.4 tonnes, or even 1 tonne, to be subject to regular checks. Accidents with trailers of such a size could easily cause serious injury or death, as we have heard throughout the Bill's passage. Provision for regular testing would help to shape the behaviour of road users, giving them greater responsibility for the maintenance of their vehicles.

Some very heavy trailers, perhaps even weighing 3.4 tonnes, sit off-road without maintenance, potentially for months or years, before being taken on a road or

motorway without any formal scrutiny. That presents a potentially deadly risk to road users and pedestrians. The Minister has spoken about the opportunity the Bill presents for raising public awareness of safety issues. Can he provide any detail of his thoughts on what an education and public awareness campaign might look like? I welcome the commitment he has given to extend testing for all trailers over 750 kg if recommended by the report provided for under clause 20, but that does not go far enough.

We have an opportunity with the Bill to ensure that all trailers over 750 kg are registered on a compulsory basis. Such an intervention would help to prevent serious accidents and deaths on our roads. Regular checks would increase the likelihood of a culture change, leading to owners of heavy trailers taking more responsibility for the safety and roadworthiness of their vehicles. The Minister has said that the report will make recommendations on whether regulations should be extended for compulsory registration for trailers weighing more than 750 kg. Will he say where he believes the threshold of acceptable risk lies, and at which point he believes all trailers should be registered on a compulsory basis? Will he make a personal commitment to extend regulation, without delay, to all trailers over 750 kg at the point the threshold is crossed?

On towbars, we have during the Bill's passage heard compelling information about the potential lack of compliance with towbar safety regulations. Specifically, I refer again to the National Trailer and Towing Association's findings that 91% of inspections carried out as part of its free towbar check failed to meet adequate safety requirements. The Minister knows that the Rotherham Towing Centre in my constituency is the second facility in the UK to be accredited by Horizon Global. Customers using such accredited centres have the assurance that a towbar fitted to their vehicle is safe.

There are, however, currently no legal requirements for towbars to be fitted by qualified professionals. There are not even specific standards with which the tow hitches and their fitting must be aligned. The examination at the MOT stage has a very high threshold for failure. In Committee, the Minister rightly said it was important to differentiate between small numbers of data and evidence. To that end, I am pleased that the Government have agreed to report on the compliance of existing provisions for the installation of towbars. Given the agreed need for good evidence-based policy making, does the Minister agree that the report should include details on the number and causes of road traffic accidents involving towbars, as well as the already agreed trailers, under clause 20? He expressed concern that it might not be realistic to retrospectively assess accidents for which data had not been recorded. Will he commit to reporting on accidents involving towbars going forward?

I note that the Minister has said that the level of recorded towbar defects is very low, but staff at my local garage, RH Motors, which does MOT testing, said that the threshold for giving notification of a problem with a towbar is very high. The Minister has stated that he would consider the guidance for staff at MOT stations on the threshold for reporting faulty towbars. What steps has he taken to review this for future guidance?

Finally, on the inspection protocol, the Minister has said that if an extension of periodic testing is proposed to cover all trailers, it would be appropriate for that to examine the tow connection on the trailer itself.

[Sarah Champion]

Given the concerning evidence suggesting that many towbars and hitches that are examined are not safe, and given that most are not examined at all, does he agree that it would be more prudent to introduce periodic testing for all towbars without delay?

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.

Business without Debate

STANDING ORDERS (CONSIDERATION OF ESTIMATES)

Ordered,

That Standing Order No. 54 (Consideration of estimates) shall apply for the remainder of this Session as if, for the word ‘Three’ in line 1, there were substituted the word ‘Five’.—(Andrea Leadsom.)

PETITIONS

Mr Speaker: I call Leo Docherty. Where is the chappie? We have reached petitions rather earlier than is commonplace and the hon. Gentleman is not in his place. However, Mr Martyn Day, who has a petition, is in his place, and we will now hear from him.

Gap in Educational Attainment

6.40 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): I rise to present a petition on behalf of the pupils and staff of Deanburn Primary School, which I was happy to visit last Friday to collect from the children there their sign to send to the Prime Minister to make schools safe, and I collected 231 of the signs, which will be making their way now to the Prime Minister’s office. I was very touched by the commitment of the young people to speak up for the right to education of children worldwide. They have also produced a petition, which I present tonight.

The petition states:

The petition of pupils and staff of Deanburn Primary School,

Declares that the petitioners believe that the gap in educational attainment across the globe is deplorable; further that schools need to be a safe and peaceful haven where children are free to learn and flourish; yet 264 million young people are denied this right worldwide.

The petitioners therefore request that the House of Commons urges the Government to ensure that the “Send my Friend to School” campaign forms a key aspect of the UK Government’s international development programme and ensure that every child in the world receives a quality education to reach their full potential.

And the petitioners remain, etc.

[P002160]

Medical cannabis oil

6.41 pm

Ian Lavery (Wansbeck) (Lab): I rise to present my petition on cannabis oil for medical use. The inspiration for it has been an incredibly engaging online petition started by my constituent, Paul Keeney. It was started by Paul from his hospital bed during his ongoing battle

with an extremely rare and aggressive form of cancer. His petition calls for cannabis oil to be used medically and legally in the UK, and has to this day been signed by 288,161 people on change.org. In presenting this petition I would like to pay deep personal respect to Paul for his bravery and courage and that of his family. The petitioners request that the House of Commons urges the Government to legalise cannabis oil for medical use in the United Kingdom.

Following is the full text of the petition:

[The petition of residents of the United Kingdom,

Declares that it is an injustice that sufferers of long term and terminal illness in the United Kingdom are currently unable to legally access Cannabis Oil for medical use which may in many cases be their only relief from pain or suffering; further that an online petition by Wansbeck Constituent, Paul Keeney, which has gathered the support of over 280,000 signatories in its calls for the Government to legalise Cannabis Oil for medical use; further the Government should listen to these calls and immediately act on reforming legislation which currently prevents cannabis oil being used in medical treatment in the United Kingdom; and further that in support of that petition and the work of Paul Keeney, this petition seeks to bring the attention of the Government to this important issue and further call for immediate action to be taken to legalise Cannabis Oil for Medical Use.

The petitioners therefore request that the House of Commons urges the Government to legalise Cannabis Oil for medical use in the United Kingdom

And the petitioners remain, etc.]

[P002161]

Mr Speaker: I have noted, and colleagues will have noted, that the hon. Member for Aldershot (Leo Docherty) has now beetled into the Chamber, admittedly earlier than the time at which he would have originally expected to present his petition. It is a tad out of sequence, but no matter: we will wish to hear the hon. Gentleman present his petition.

Protection for British Service Personnel

6.43 pm

Leo Docherty (Aldershot) (Con): Thank you, Mr Speaker; I rise with gratitude.

The outrageous legal pursuit of veterans of Northern Ireland, Iraq and Afghanistan is a national disgrace. If the bond of trust between the Government and our armed forces, which is critical to our national security, is to be maintained, our servicemen and women must know that the state is on their side. This petition has been signed by some 6,165 residents of Aldershot and the wider United Kingdom. I am pleased to present this public petition to the House of Commons on this, the second day of Armed Forces Week, in the hope that the Government will act.

The petition states:

The petition of Residents of Aldershot and the wider United Kingdom,

Declares that urgent action must be taken by the Government to protect British Military veterans from spurious historic allegations and repeated prosecutions.

The petitioners therefore request that the House of Commons urges HM Government to immediately legislate for the Statute of Limitations that will prevent British Military veterans of the conflicts in Northern Ireland, the Falklands, the Balkans, Iraq, Afghanistan and other overseas combat operations suffering spurious and vexatious historic allegations and repeated prosecutions.

And the petitioners remain, etc.

[P002159]

Council Tax and Second Homes

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

6.45 pm

Derek Thomas (St Ives) (Con): I appreciate the opportunity to raise this important issue for my constituents, for the whole community in Cornwall and, I am sure, for many tourist areas around the country. I am a firm believer that taxes should be simple and fair and that they should benefit the local community, so my overriding priority in securing a debate on council tax is to ensure that it is as easy as possible for local authorities to fund and provide homes for local families.

Earlier this year, I received a petition about the need for more homes in west Cornwall. I subsequently met the campaigners to identify ways of resolving the situation, because local Cornish families are finding it increasingly difficult to find a home that they can afford to live in. This is a significant challenge for my constituents, and it is the biggest issue in my casework and my surgeries. The key message that came out of my conversations with the campaigners was that the Government need to look at the issue of holiday lets and second homes. Those homes were built for people to live in. They are used for perfectly reasonable purposes such as providing accommodation for people on holiday, but as a result, the owners can avoid paying council tax.

I am advised that 8,808 houses in Cornwall are registered as businesses, and that 6,650 of them pay no council tax or business rates, as they claim small business rate relief. So, if I had a holiday let and I registered it as a business, I would be exempt from paying council tax and I could claim small business rate relief. I would then need to pay nothing at all on that property. That means that there are 6,650 properties on which council tax is not being collected. That represents a loss of income to local authorities, a loss to town and parish councils—which are increasingly being asked to take on responsibilities but finding it difficult to fund them—and a loss to our police. I can assure the House that the news that our frontline council services and our police are being deprived of income through a simple legal loophole is like a red rag to a bull.

Steve Double (St Austell and Newquay) (Con) *rose*—

Bob Stewart (Beckenham) (Con) *rose*—

Derek Thomas: I will give way first to my colleague from St Austell and Newquay.

Steve Double: I congratulate my hon. Friend on securing this debate. This is an issue that I have been campaigning on for some time. Those people who are avoiding making a contribution to local taxation are continuing to use the domestic refuse collection services, for example, so they are not only avoiding making a contribution but actually costing the council money. Does he agree that that makes the situation even worse?

Derek Thomas: That is a completely fair point, and I will be addressing it later. I have had meetings with people in St Ives town, where this has been a particular issue and where bins have been removed because the

[Derek Thomas]

council has deemed them to have been abused by holiday let owners. This has resulted in residents who are paying council tax having nowhere to put their rubbish.

Bob Stewart: I was going to make exactly the same point, so I shall shut up and sit down.

Derek Thomas: I am quite impressed by that intervention. It was quite a thing to hear, and I am sure that it will go on public record and that people will refer to it in future.

I have raised this issue with the Chancellor of the Exchequer since I was elected in 2015. I have raised it with three separate Secretaries to the Treasury, and I raised it once again just a couple of weeks ago in a debate in Parliament. I have a simple ask: every property that has been built as a home should pay council tax. I argue that the Government should close this loophole, allowing the authority to collect the council tax charge to provide public service and enabling the Government to divert cash towards the provision of homes for local families.

I remember—I was a counsellor and a parliamentary candidate in St Ives at the time—when business rate relief was introduced. It was clearly done to support our high streets and, for many, it has had a significant benefit. However, I do not believe for a minute that that relief was ever intended to create a route to enable a homeowner to avoid paying council tax, or business rates when a property is used as a business. Do not get me wrong: I am well aware of the contribution that tourism makes to the economy of Cornwall and Scilly—to the local economy, through the jobs it provides and through all the contributions that allow our high streets to have a fighting chance of survival—and I recognise the role that holiday lets play in supporting the sector. I am not seeking to oppress the tourism sector but to install some fairness in the housing system and identify some much-needed cash that can be used to provide the homes that my constituents and constituents across Cornwall need.

Scott Mann (North Cornwall) (Con): My hon. Friend is doing an exceptional job of talking about this issue, which is important for many of my constituents and his. Has he thought about how it might be implemented on the ground so that Cornwall Council and other local authorities can benefit for the personal benefit of the taxpayer?

Derek Thomas: That is why I believe that this is an opportunity for the Government to simplify council tax. If they know that every property built as a residential property is due for a council tax charge, surely that simplifies it. What the Government then decide to do about whether the properties are registered for business rates or not should be left to someone far brighter than I am. I am glad that I have two Cornish colleagues in the Chamber and that other Cornish colleagues support this campaign—

Bob Stewart: Not just Cornwall—

Steve Double: But an honorary Cornishman.

Derek Thomas: No, not just Cornwall, but we work closely together as a team, fighting for Cornwall in all sorts of ways. I am proud to be in a county where the six MPs work so closely together on such important issues, helping us to maintain good local communities and a fair society.

I am also asking the Government to see what powers local authorities can be given to collect an additional council tax premium of up to an additional 100% from second homes that would be ring-fenced for investment in local housing stock. These powers are already available to authorities for empty homes and it may be sensible to extend them to second home owners given the pressures on authorities to provide housing for local families. If the money is collected from second home owners and used to build homes for local families, that would do a great deal to create harmony and unity in our communities.

I know from the second home owners who live near me—down the lane on which I live, three of the nine properties are owned by them—that they buy properties in Cornwall because they love the communities, want to contribute to those communities and want to be part of the life there while they are on a break. I know that they want good public services, so I do not believe for a minute that they would object to contributing more if the Government were to allow local authorities to do that in a sensible and proactive way.

Earlier this year, I met the then Secretary of State for Communities and Local Government with the Council of the Isles of Scilly, where there is a real problem with second homes—195 properties in a community of just 2,200 people are locked up and often visited for only a few weeks a year. That has a depressing effect on the housing market, so when the council looks to create skilled jobs and attract nurses and people to work in schools and public services, housing is not available for them. The council has asked to be able to increase council tax on second homes by much more than 100% to free up the property market and start making houses available for the people who are needed to work on the islands.

Bob Stewart: For the vast majority of the year, perhaps six months, holiday lets are empty. Surely, as things stand, council tax can be put on the properties when they are empty.

Derek Thomas: As the rules stand, if a property is advertised for let for a certain number of weeks a year, it can be registered as a business and exempted from council tax and business rates. It is not necessarily required for people to be in the building during that time, as long as it is advertised as available for let. My hon. Friend is right, but I do not want to complicate the issue further. Simply saying that council tax is applicable to every house built for residential purposes would reduce many of the headaches that people might have at the moment.

The other additional benefit of applying council tax to every property is that communities like Steve and Mousehole. [Laughter.] I say “Steve” because of your point earlier. Sorry, not your point, Mr Speaker—although it was a good point you made—but the point made by my hon. Friend the Member for St Austell and Newquay (Steve Double).

The other additional benefit of applying council tax to every property is that communities like St Ives and Mousehole, which have a large number of holiday lets,

could benefit from simplified and inclusive waste collection. Currently, because of the concern that the users of second homes in places like St Ives are abusing the system and using the bins provided for genuine local residents who pay council tax, Cornwall Council has removed some of the bins and is refusing to collect some of the rubbish.

Recycling, refuse and how we look after waste is a big issue in St Ives, and I have a big meeting on Friday to identify the issues. The local community will put forward a plan and I will work with Cornwall Council to deliver it. I have been working on the situation for three years, and bins that were available for residents who pay council tax have been taken away because it was deemed that they were being abused by people who own holiday lets and local restaurateurs, which has caused real hardship for elderly people. In parts of St Ives, and in other parts of my constituency where holiday lets are numerous, the people who are left are often older people who are less mobile, and they are having real difficulties in getting rid of their rubbish.

Jim Shannon (Strangford) (DUP): I can well understand the hon. Gentleman's concern, but doubling the tax on people's second homes will impact on the attraction of second homes in such areas. Does he agree that much more thought is needed before implementing the draconian step of doubling council tax? That could be the death knell for the holiday industry in one area while opening up interest in other areas that do not introduce such a tax, like my constituency of Strangford.

Derek Thomas: I clarify that I am talking about second homes that are not available for let. There are properties where I live that are owned by people who might live not far from here in Westminster and who go to Cornwall for a few weeks a year as a holiday. That is absolutely fine, and they choose to contribute a great deal to the local community, but what I am proposing is that the Government look at giving the council powers to increase tax if it so chooses, if doing so would be beneficial to the area and if it would deliver homes for local families. If local authorities believe such a power would have no benefit to their area, they would hopefully choose not to apply it.

Jim Shannon: What I am saying is that there will be differences of opinion on those who buy second homes for their own use and who do not rent them out. Does the hon. Gentleman feel that one council could implement the tax while other councils do not? How will that work?

Derek Thomas: That is a fair point, because we would be dispersing the problem. I completely accept that point, and it is not something I have considered a great deal. In my constituency and across Cornwall, we are fairly sea-locked, so there would not be great competition from neighbouring counties. There is a particular issue for us in Cornwall, because once the houses are gone, they are gone and it is not easy to get a property nearby. The hon. Gentleman makes a fair point that needs thinking through properly.

At the moment, I am primarily asking the Government to consider applying council tax to every residential property. If every property paid council tax, every property would be entitled to the local authority's refuse

collection service. That would reduce the need to have several different companies providing the same service in a community such as St Ives, where the roads are tricky to navigate in the middle of winter, let alone in summer, when lot of tourists are around. As I said, I am holding a meeting in St Ives later this week to try to get to the bottom of this problem and to make sensible proposals for reducing the waste we have and dealing with the waste we produce. If we can apply council tax across the board and if properties—

7 pm

Motion lapsed (Standing Order No. 9(3)).

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

Derek Thomas: If every property's rubbish was collected at the same time by the refuse collection company, that would reduce vehicle movements and congestion in our tourist areas, which are often not built for large vehicles at the best of times.

In summary, I believe that asking for council tax to be paid on every property would provide a significant boost to funds which could be used to help to provide the extra housing a growing population so desperately needs and to ensure we have the services we need. One area has probably not been considered: we are concerned about our policing budgets and we have had many conversations in this place and in constituencies around the country about them. We have had many conversations about the support that local parish and town councils should have. If we were to apply council tax in the way I suggest, it would increase the funds available to provide these services to make our communities safer and help our towns and parishes provide the services we all want. I am sure that everybody concerned would welcome that opportunity. I thank Mr Speaker for giving me this opportunity to speak.

7.1 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): I commend my hon. Friend the Member for St Ives (Derek Thomas) for securing this debate. The issue of second homes is a subject that I know he cares about passionately and has raised repeatedly in the House. It is right that he voices his constituents' views on this topic, for they deal with the issue of second homes more than most. When we look at the percentage of a local authority's housing stock accounted for by second homes, we find that the Isles of Scilly ranks second among authorities in England and Cornwall ranks 13th. I have some personal familiarity with this issue, due to the reasonably high prevalence of second homes in my rural constituency of Richmond (Yorks), especially in the Yorkshire Dales national park. As we heard, in areas where the number of second homes comprises a significant proportion of the housing market, there is a risk that local people, particularly those who might be looking for their first home, might be priced out of the local market. There are legitimate concerns about the effect on local services, as well as on community cohesion.

However, it is also important that we do not lose sight of the benefits of second homes: the boost they can give to local economies and the tourism trade. Many local

[Rishi Sunak]

livelihoods will depend on tourism. This Government are not in the business of removing people's right to choose where they want to purchase property. There can, of course, be many reasons for owning more than one property. Although second homes are frequently referred to as "holiday homes", they can just as easily be properties that enable someone to work in and contribute to the local economy of an area, while being able to return to a family home in another part of the country on a regular basis.

However, we do recognise the concerns, which have been set out so clearly by my hon. Friend in this debate. As such, I would like to highlight for the House the range of actions the Government have put in place to mitigate the impact of second homes in affected areas and pass on more benefits to local residents. Let me start with the second home discount. The Government inherited a situation where second homes were automatically entitled to council tax discounts. There was a presumption that those who do not use local services for much of the year should pay less, but we shifted away from that approach. From 2013, the law was changed so that local authorities were no longer required to offer council tax discounts in this way, allowing them to target any discounts as necessary, according to their particular circumstances. I am pleased to report that that change has made a difference. Last year, no local authorities still offered blanket exemptions for second homes; nearly a third of billing authorities offered no discount at all on second homes; and, perhaps most clearly, fully 92% of second homes were charged the full rate of council tax.

Secondly, although that was a positive step, we have gone further. Beyond council tax, the Government raised stamp duty rates for those buying second homes. Since April 2016, anyone who has purchased a second home has paid a stamp duty charge of three percentage points above the current rates. Since then, more than half a million people have bought their first home, and first-time buyers now make up an increased share of the mortgage property market. It is worth noting the other significant support for first-time buyers, in the form of the total removal of the need to pay stamp duty on homes worth up to £300,000, which will benefit many people in the constituency of my hon. Friend the Member for St Ives.

Thirdly, the community housing fund is helping to channel funds back into local communities. It has allocated part of the additional revenue raised from the higher stamp-duty rates to areas with the potential to deliver community-led housing. That specifically includes areas with high rates of second-home ownership. Community-led housing is affordable at local income levels and is almost exclusively additional to any housing developed by other sectors, because it is brought forward on sites that would not normally be granted planning permission to speculative house builders.

The community housing fund has provided revenue and capital funding for numerous schemes since 2016, as I have seen at first hand in my own constituency, where the Hudswell community centre used the funds to develop affordable homes for people with local connections to that village. I was delighted to open up the homes and see how the scheme had enabled tenants with strong family ties to the local area to move in. I am aware of other shining examples throughout the country. Indeed, in the first round of the scheme, Cornwall

received £5 million to support community housing projects, including the Cornwall Community Land Trust, which I am sure was welcomed by my hon. Friend and others across Cornwall.

Fourthly, through neighbourhood plans, communities have the direct power to develop a shared vision for the future of their areas. Over 590 such plans have been completed so far. The plans allow communities to make decisions on where new homes, shops and offices should be built, what they should look like, and what facilities and infrastructure should be provided. I am delighted that the Government have committed more than £20 million to support communities in the development of neighbourhood plans over the next few years.

Through the neighbourhood-plan process, residents can develop plans that manage second-home ownership of new builds. We are aware that communities in areas such as Cornwall and Northumberland have put in place neighbourhood plans with such restrictions. Indeed, one of the more well-known plans that does exactly that is in my hon. Friend's constituency of St Ives, where new open-market housing is permitted only where there is a restriction to ensure its occupancy as a principal residence. It is quite right that local residents should have the opportunity to express their views on the design of their areas and ultimately to approve neighbourhood plans via a referendum.

Lastly, my hon. Friend expressed his concern about the possibility that some second-homeowners may be registering their properties for business rates and consequently not paying their share in council tax. Indeed, I have discussed this issue not just with my hon. Friend, but with my hon. Friends the Members for St Austell and Newquay (Steve Double), for North Cornwall (Scott Mann), for Suffolk Coastal (Dr Coffey) and for Totnes (Dr Wollaston), among others.

Holiday lets are a valuable part of the local business landscape in many communities. It is absolutely right that such genuine businesses should pay business rates and, as such, be able to avail themselves of small business rate relief, where appropriate. In the case of holiday-let accommodation, the properties are assessed for business rates rather than council tax if they are currently available for short-term lets for 140 days or more per financial year. This rule is widely understood and provides a clear method of deciding whether a property should be liable for council tax or business rates. It also ensures that properties do not switch between the two systems year to year merely due to success in letting out the property.

However, I assure all hon. Members that the Government take any suggestion of council tax avoidance or gaming extremely seriously wherever it occurs. My hon. Friend the Member for St Ives is absolutely right to point out the potential impact on his area. A reflection of this is that 17% of all holiday lets registered for business rates in England are to be found in Cornwall, and 97% of those have rateable values of £12,000 or below, so may potentially be eligible for small business rate relief.

Bob Stewart: I thank both you, Mr Speaker, and my hon. Friend for also allowing me to intervene. Does a business rate raised on a holiday let go to the local council or to central Government? In other words, if it is roughly the same as council tax, does the local council get the same amount?

Rishi Sunak: In general, business rates are split between central and local government. Depending on the particular area, that share may be more or less, but a rough rule of thumb is 50:50. Obviously, the particular question that my hon. Friend the Member for Beckenham (Bob Stewart) asked as to the level of difference between the two will depend on the rateable value of a typical business. The thing to bear in mind, as I said, is that 97% of holiday lets registered in Cornwall, for example, have a rateable value below £12,000, which means that they will be eligible for small business rate relief and to pay no business rates at all, and therein lies the issue that my hon. Friend the Member for St Ives highlighted.

Clearly, if these properties ought not to be eligible for business rates this could represent a financial loss to both the local and central Exchequer and that would not be fair. I know that there are different approaches to how such properties are taxed. Wales is a case in point. There, such properties must provide evidence of actual letting in the previous year in order to be valued for business rates, rather than for council tax. There may indeed be merits to such an approach, and I am happy to listen to views and ideas on this.

I very much understand the concerns that my hon. Friend the Member for St. Ives has raised. As he knows, I have been looking at this issue for some time and have tasked my officials to investigate this matter in detail, and especially to speak to their counterparts in Wales about their experience there to see whether we should

change the criteria under which holiday lets are valued for business rates. Whichever approach is taken, it is crucial that we strike a balance between ensuring that properties pay the right tax at the right level, and also ensuring that genuine small businesses receive the reliefs that they deserve.

To conclude, I have explained the wide-ranging measures that this Government have put in place to deal with the issues raised by second homes—from abolishing mandatory council tax discounts to increasing stamp duty rates, and from allocating funds to community-led local affordable housing to supporting neighbourhood planning. I hope that hon. Members will agree that the Government have been proactive in this area. However, ever restless to ensure that we are taking all sensible steps to address any issues, I am also examining the particular concern raised by my hon. Friend with regard to business rates and look forward to reporting back on this issue to him and to other Members in due course.

I end where I started: by commending my hon. Friend for so tenaciously and passionately continuing to raise this vital issue for his constituents. He is making a real difference to them by putting their issues directly on the Government's agenda, and I know that he will continue to do exactly that in the days and months to come.

Question put and agreed to.

7.13 pm

House adjourned.

Westminster Hall

Tuesday 26 June 2018

[MR LAURENCE ROBERTSON *in the Chair*]

Phenylketonuria: Treatment and Support

9.30 am

Mr Laurence Robertson (in the Chair): Given the number of Members who will seek to catch my eye, I am imposing a four-minute time limit on Back-Bench speeches.

Liz Twist (Blaydon) (Lab): I beg to move,

That this House has considered access to treatment, support and innovative new medicines for phenylketonuria patients.

It is a pleasure to serve under your chairmanship in this important debate, Mr Robertson. It is just over 12 months since I was elected Member of Parliament for Blaydon, and only a few days less than that since I first heard of phenylketonuria—commonly known as PKU, which is easier to pronounce. One of my constituents, Barbara McGovern, had called at my office and spoken to a member of my staff about whether I would attend an event in Westminster on 28 June. Barbara's son Archie has PKU, and she described his condition and some of the restrictions that he has to cope with every day. Her explanation of what PKU means, and her determination to get the best for her son, impressed my staff, who made sure that I attended the reception to learn more about the condition. Barbara and her husband David, and Archie, have travelled from the north-east to listen to the debate, and I welcome them.

Since that first encounter, I have been lucky enough to be introduced to the officers of the National Society for Phenylketonuria, and have had the chance to work with them and its other members to raise the profile of PKU, get people to understand it and its effects, and press for access to treatment and support. I will give a few of the many names that I could mention. Kate Learoyd and Caroline Graham both have children with PKU, and they have dedicated much of their time to talking to Members about the condition and the need for action for people who live with PKU. Professor Anita MacDonald OBE, of Birmingham Children's Hospital, also does much to raise awareness of the condition and goes above and beyond in advising families affected by PKU on diet.

Ian Austin (Dudley North) (Lab): I commend my hon. Friend on securing the debate and on her leadership of the all-party parliamentary group on phenylketonuria. There are lots of health-related campaigns for more resources, new treatments and drugs. Many have plenty of resources and are funded by major pharmaceutical companies, which hire expensive lobbyists and all the rest of it. The remarkable thing about Kate Learoyd and Caroline Graham is that they are parents of children with the condition, and their campaign is entirely voluntary. They have to fit it around their family and other commitments, which makes their work all the more remarkable.

Liz Twist: My hon. Friend is absolutely right, and of course there are many others working hard in the NSPKU.

PKU is a rare inherited disorder, affecting about one in 10,000 babies. Most people are familiar with the pinprick test that newborn babies are given; that is how the condition is picked up. It is one of a series of tests given. People with PKU are unable to break down the amino acid phenylalanine, which is found in proteins. They must have a diet very restricted in protein to prevent problems. If the condition is not properly controlled, it can lead to severe neurological and brain damage, as well as to behavioural problems. Untreated PKU causes profound, irreversible intellectual disability, seizures and behavioural problems. As the damage is not reversible, early diagnosis and early consistent treatment are vital.

I say that the condition can be treated by diet; that sounds easy, but it is not. Imagine, as a child or young person, trying to cope without all the foods that most children and adults take for granted. When we think of food that is high in protein, we probably think of meat, but that is the straightforward bit. All meats are on the red list, and so is fish. Everyday bread is too high in protein, so people with PKU must have special bread without protein, much of which must be baked at home using a specially prescribed flour.

James Morris (Halesowen and Rowley Regis) (Con): Having learned about the disease and issues connected with it, I think that the hon. Lady is right to argue for better treatment, but I am struck by the peculiar and intense pressures that PKU puts on parents and carers. Does she agree that we should explore ways to support them in coping with those pressures?

Liz Twist: I agree. There is incredible strain on parents—and of course on people with the disease, but we must not forget about the parents.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): I commend both my hon. Friend for securing the debate, and the many parents and families who work to raise the issue. She is right to highlight how challenging the condition can be for children, particularly in adolescence. A constituent told me that her daughter asked whether, for her 18th birthday, she could eat a pizza in a restaurant—seemingly a normal activity for a teenager, but a clear challenge for such children, who want to fit in with their peers.

Liz Twist: My hon. Friend is right, and I want to touch on that issue.

As well as having to have bread specially baked with prescribed flour, people with PKU can have no cheese, eggs or dairy products. Even some vegetables, such as cauliflower, are problematic, and so are potatoes, so there can be no chips or crisps. The daily intake of food needs to be monitored constantly. Imagine how that must be for a child at school who just wants to join in with classmates, or for young people who want to go out and socialise with friends—perhaps to go for a pizza, as my hon. Friend mentioned—and get on with their life. Everything must be measured and calculated to make sure that the appropriate level of protein for the child or adult with PKU is not exceeded.

[Liz Twist]

Let us not forget that the condition is lifelong, and adults, too, must restrict their intake of protein. On top of all that I have described, both children and adults must take a protein supplement. I and other MPs have had the chance to try it, courtesy of our friends at the NSPKU, and it is not a pleasant experience. That puts additional pressure on parents, who often struggle to get their children to take the supplements, which they really need, three times a day. Making sure a child has the right diet, including when parents are not around to control it, and trying to make food interesting, often by starting from scratch with basic low-protein foods, is a minefield.

Neil Gray (Airdrie and Shotts) (SNP): I congratulate the hon. Lady on securing the debate and on her work for the all-party group. A constituent shared with me some experiences similar to the ones that she has outlined. They are heartbreaking, and other Members who have constituents with PKU will share that feeling. Does the hon. Lady agree that alongside the medicinal treatments that might be available, it is important to raise awareness, through debates such as this one, and through Thursday's "diet for a day", in order to help provide and incentivise more support for parents who are supporting their children with PKU?

Liz Twist: I agree; it is important to look at the question in the round.

Many parents find that they need to give up work or reduce their hours to maintain their child's diet and keep them healthy. At the end of last year, the NSPKU produced a booklet and video, "Patient Voices: Listening to the experience of people living with PKU", which clearly and movingly sets out the practical and psychological impact of the condition on individuals.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my hon. Friend on getting the time for a debate on the issue; not enough is known about it. It strikes me, as I listen to her, that a child with PKU is a prisoner of their body, in a way, and so are their parents, because of the regimented way they must deal with the child's needs. Does she agree?

Liz Twist: I most certainly agree that it places an incredible strain on parents, who must live with that all the time. I recommend the "Patient Voices" booklet and video to anyone who has not already seen them.

In this debate, I will highlight very specific concerns about treatment and support for PKU. The first is the issue of access to a drug treatment, sapropterin, which is thankfully more commonly known as Kuvan. Although it is available in 25 countries across Europe, and was licensed for marketing over 10 years ago in the European Union, Kuvan is not available to people with PKU in the UK.

Tim Farron (Westmorland and Lonsdale) (LD): I congratulate the hon. Lady on this important debate. She makes a hugely important point about the licensing of Kuvan. The European Medicines Agency licensed the drug in 2008, and 10 years on we have buck-passing between the National Institute for Health and Care

Excellence, the Department of Health and Social Care and NHS England. It is deeply concerning. I am representing two children with PKU—I am sure there are many more—in my constituency. I got a letter back from NICE just a few weeks ago that said that the condition and the treatments for PKU are

"the subject of a NHS England commissioning policy...not covered by any existing NICE guidance."

It went on to pass the buck back to NHS England. Does the hon. Lady agree that it is time for the buck-passing to stop, and for the treatment to be licensed?

Liz Twist: I absolutely agree. I hope that one of the good things that will come out of this debate is that the buck stops being passed, and the assessment gets done as quickly as possible. It is so important for people to have access to this drug; we need that to be sorted.

There is evidence that for a significant proportion of people with PKU—about 25%—this drug can significantly improve their condition. It does not cure it, but it does make it much easier to deal with the dietary issues, which have such an impact on the way people live their lives. Despite the drug having been around for so long, NHS England has only recently considered it for the management of PKU. The drug has now been referred to NICE for assessment and technology appraisal. The APPG on PKU recently heard from NICE about the process, but there is concern about the timescales and how the benefits of the treatment will be assessed. Understandably, there is huge frustration on the part of the PKU community that there are children and adults who could be benefiting from Kuvan now, and there is substantial evidence to support its benefits.

There is a particular issue about prescribing Kuvan for pregnant women with PKU, who can understandably find it hugely difficult to control their diet, and who fear the effect of any problems on their unborn child. While there is a 2013 commissioning policy in place that allows Kuvan to be prescribed to some pregnant women, it can be difficult for women to be prescribed it in a timely way.

Some people, some of whom are in this room, have had access to Kuvan through individual funding requests, or on a trial basis. Those people have found real benefits from the drug. My constituent Archie, who is here, started on the treatment earlier this year. Archie tells me he has benefited from having Kuvan, not just because his diet is now much less restricted and he is able to do what many of his school mates do, but because it has improved his energy and his life. As his mum Barbara said to me, "If we had been coming here before the treatment, we would have been bringing our own special breakfast for Archie to eat in the hotel, and would have had to watch everything he ate very carefully. It has made a real difference." I hope that the Minister will be able to assure us that the assessment of Kuvan will be done very quickly, and that it will be available to the people it can help.

Vicky Ford (Chelmsford) (Con): I congratulate the hon. Lady on securing this important debate. Kuvan, the brand name for sapropterin, is clearly deeply beneficial for about 20% to 30% of sufferers. I met the manufacturers last week, and they told me they had written to NHS England twice to ask for meetings to discuss price, but they are still waiting for a response. Will she join me in

urging the Minister to use all his best offices to ensure that that meeting and the price negotiation can go ahead?

Liz Twist: I certainly do join the hon. Lady in that wish. I too have met BioMarin, which says it is prepared to negotiate significantly on the price, but we need to get in there and ensure that it happens quickly.

Mr George Howarth (Knowsley) (Lab): I congratulate my hon. Friend not only on securing this debate, but on the knowledgeable and passionate way in which she is putting the case. Does she agree that this is an example of the way that we in this country are very bad at dealing with rare conditions and potential therapies or treatments for them? Does she believe that, while this needs to be hurried up, the whole process needs to be streamlined and sped up?

Liz Twist: I certainly agree with my right hon. Friend. It has become clear, as we have looked into the issue, that there is a very complex way of assessing drugs. Clearly, we want to get the process right, but there needs to be a rigorous look at that process, not just for Kuvan, but for other treatments for rare diseases. PKU perhaps falls between the cracks, because it is not quite rare enough to be in that group, but it is still very rare, and will be pushed to the back of the queue if it goes into a more general group.

For those whom Kuvan will not help, and who still need to manage their diet carefully, there is another issue that must be addressed: access to low-protein foods, which help to maintain the diet. Individuals may be advised through their dietician and their specialist centre that they need a particular level of foodstuff supplies, such as the low-protein flour I mentioned, which I am told can be used in many ways to try to make the diet more palatable. General practitioners, however, may not have a complete understanding of the condition or the dietary needs, and may feel that patients are just trying to get food on the cheap, and they may limit or deny prescriptions for those foodstuffs. They may feel that they are like gluten-free foods, which can be bought at supermarkets.

The fact is that those foods and supplements cannot be bought; they are available only on prescription, and the absence of them creates a real injury to those affected. It is not just that they are not there; it is actually damaging if they are not available. It would be good if the Minister could address how we can ensure that GPs prescribe the specialist foodstuffs that form part of the treatment that those with PKU need, and how we can close the gap between the specialist services, clinical commissioning groups and GPs.

Nigel Mills (Amber Valley) (Con): I add my congratulations to the hon. Lady. Does she agree that there should be clear guidance, so that GPs or CCGs that are thinking about stopping prescribing that stuff can be told quickly and clearly that that is the wrong thing to do, and that there is no other way of getting this bread, and so that if one of them is foolish enough to go down that line, there can be a quick resolution?

Liz Twist: I thank the hon. Gentleman for that comment, and I agree. Last week at the APPG meeting, we heard some terrible stories; over the years, people have felt as

if they were asking for a favour in asking for those goods. They are not; the goods are absolutely essential, and they cannot be bought over the counter. We must do something about that. We need to square that circle.

Finally, for the 75% who will not benefit from Kuvan, it is important that new, innovative treatments are developed and assessed quickly, so that more people can benefit from treatments that enable them to live well and safely with the condition.

To conclude, it is important that we listen to individuals and families who are living with PKU day in and day out. It is time that this condition was acknowledged, and that we addressed the need for effective treatment. I hope that the Minister can give us positive news that will move us forward in helping those with PKU.

This Thursday, on National PKU Awareness Day, I and many other hon. Members in this room and across the House will undertake the PKU “diet for a day” challenge. We will restrict our protein intake to 10 grams a day, avoid all those things we normally eat without thinking, such as that piece of toast in the morning or Rice Krispies with real milk rather than coconut milk, and drink tea or coffee without milk. We know that we will not really face those restrictions day in, day out, or the relentless grind of getting the diet right to stay well, but we hope that it will help raise public awareness of PKU, and help to bring about change.

9.49 am

Paul Masterton (East Renfrewshire) (Con): Like other hon. Members, I wanted to speak in the debate because PKU affects a family in my constituency. I will not go over what PKU or Kuvan are. The hon. Member for Blaydon (Liz Twist) did an excellent job of that, and I congratulate her on her work as chair of the APPG in bringing this issue to wider attention across the House.

Scotland has a higher prevalence of PKU than other parts of the UK, which makes the attitude of the Scottish Medicines Consortium so disappointing. It has a poor record of approving treatments for very rare diseases, and I understand from conversations with the NSPKU that the current application for PKU is not going particularly well. The decision is due next week on 3 July, and there is real concern that it will not be approved, even for high-risk groups such as pregnant women. The hon. Member for Blaydon mentioned that there is currently a pretty poor Kuvan policy for pregnant women in England. It may be poor, but at least it is a policy; we do not even have that north of the border.

Pregnancies for women with PKU are extremely high risk. We have a slightly odd fail-first approach in this country, which can lead to serious defects and lifelong disabilities for children if they survive the pregnancy. The cost to the NHS of treating those disabilities over the life of the child is significantly more than the cost of Kuvan for the mother during pregnancy. We have an odd approach to cost-effectiveness when looking at medicines in this country that I think we need to reassess. That is not only true for Kuvan; we have seen it when talking about Orkambi and for various other issues.

I completely agree with the decision of the NSPKU to apply for Kuvan to be placed in the ultra-orphan stream due to the rareness of the condition and the Scottish gene variant. I was disappointed to hear of the

[*Paul Masterton*]

Scottish Government's lack of engagement with the NSPKU, so I ask Scottish National party Members present to do something about that. While I appreciate that there is a distinction between the Scottish Government and the SMC, the Scottish Health Secretary could step up a little bit there.

As a Scot from Greater Glasgow, I was of course drinking Irn-Bru when I met the NSPKU in Portcullis House. That led to quite an interesting discussion, because Irn-Bru could previously be given to young adults with PKU as a kind of treat and something to make them feel normal, but then we introduced the sugar tax. The recipe for Irn-Bru changed overnight and they could no longer drink it. It suddenly became toxic. This is one situation in which a very well-meaning policy, such as the sugar tax, had unintended consequences.

Members may have been in touch with their diabetic constituents after the recipe for Lucozade changed and suddenly they could not drink something that had been safe for them. Unless someone has very good eyesight, it is hard to read on the can that the recipe has changed. We also have the odd situation in Scotland where, depending on the shop, someone can buy old recipe Irn-Bru or new recipe Irn-Bru. They have to check very carefully. I do not think that we do a good job of looking at the potential unintended consequences of changes in health policy for special interest groups.

I was struck in our discussions when it was put to me that, in 12 years' time, my now four-year-old daughter will be going out and I will worry about her drinking alcohol or smoking, so imagine being the parent of a child with PKU and worrying about them going to a friend's house and eating a bag of crisps. The difference in terms of the strain and pressure is huge. For the family in my constituency, the parents of 10-year-old Katie and 20-month-old Harry said to me:

"Having PKU is a constant shadow that hangs over the family. Everywhere you go you are surrounded by food they...can't eat...Katie's 10 and wishes she could eat what her friends can, or even a little bit of it, but is aware"—

even at age 10—

"of the implications of brain damage if she doesn't stick to her diet... Kuvan might not work for her, but if it did it would be life changing...It's really sad knowing that our one year old has all this ahead of him."

We can and should do more to get Kuvan out there.

9.53 am

Stephen Morgan (Portsmouth South) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I must admit that I had not heard of PKU before my election to the House, let alone of some of the medical terms, which I still cannot pronounce. I think that the same is true for many across our country. In fact, after hearing that it meant a fault with enzymes, leading to an inability to break down the amino acid phenylalanine—PHE—I was not much the wiser.

However, after hearing my constituent Holly Mae's story and what the condition meant for her everyday life and tasting the various concoctions that replace typical meals for PKU patients, I was left in no doubt as to the potential debilitating impact of the disease. That is why I will begin with the impact on everyday life and what that means in practice for people with PKU.

As has been mentioned, people with PKU have to eat a diet with virtually no protein, meaning that they must take chemical supplements to avoid malnutrition. The briefing I was sent by the excellent NSPKU describes the protein replacements as "unpalatable". I have tasted those replacements and can assure hon. Members that the NSPKU is being polite; they are absolutely rank. However, they do not just taste disgusting. They form part of an incredibly prescriptive and restrictive diet that not only consumes a huge amount of time—approximately 19 hours a week—but makes living a normal life difficult and social activities intolerably difficult.

Hollie Mae's mum, Tara, says they hardly ever eat out. When they do, they have to bring separate food. It is the same at friends' houses. It is inevitably a difficult diet to manage, and because no young person likes to stand out as different, PKU makes sensitivity and insecurity around food and eating particularly pernicious among its teenage victims. These young people just want to live normal, happy lives, but PKU often exacerbates teenagers' vulnerability to eating disorders and so also becomes a mental health issue. I therefore urge the Minister to do all he can to improve access to psychological support for people with PKU. Clearly, the pressure of PKU and the diet it necessitates puts patients in immense difficulty and can be overwhelming.

We have just celebrated national carers week, and it is important to consider the burden that falls on families too, as we have heard. Half of parents stop working or reduce their hours to accommodate the extra work of caring for a child with PKU. What is more, the burden inevitably falls on women, with 81% of respondents to an NSPKU survey saying that it was the mothers who did most of the PKU-related work. I pay tribute to Tara and all the other parents and families who care for those with PKU. However, they do not want warm words, they need action.

I hope the Minister agrees that the opportunity to offer those with PKU and their families hope of a better life cannot be missed. There are practical things that can be done. I suggest that that means meeting with the manufacturers of a tablet can make a massive difference. It means making life a little bit easier for families and PKU patients by fixing the fragmented service on offer and smoothing and simplifying the chain from specialist metabolic clinic to GP to pharmacist to courier, complications in which constantly cause grief for patients. It definitely means ending the exclusion of PKU treatments from the prescription charge exemption.

The fact that PKU is a rare disease should not mean that it deserves any less of our attention. On behalf of my constituents and Hollie Mae, I urge the Minister to implement these changes.

9.57 am

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate the hon. Member for Blaydon (Liz Twist) on securing the debate and on championing so well the cause of PKU patients and their families and carers.

It is also appropriate to highlight the pioneering work of my hon. Friend the Member for Spelthorne (Kwasi Kwarteng). In an Adjournment debate on 1 December 2011, he highlighted his constituent's problems

in obtaining a Kuvan prescription. He successfully secured a prescription for his constituent, but it is most unfortunate, as we have heard, that six and a half years later we are no further forward in making this drug, which has the proven potential to change many people's lives, more widely available.

Finley Walsh lives in Lowestoft with his parents, Michelle and David. He is two and a half years old and he was born with PKU—a genetic condition that will be with him for his whole life. All Finley's foods have to be weighed, using a calculation that takes account of the amount of protein in the food. His parents have to take weekly heel-prick blood tests, which are sent to Addenbrooke's hospital in Cambridge for analysis. The results are then sent to the Norfolk and Norwich Hospital, where dieticians phone through the results that enable Michelle and David to prepare Finley's food intake for the coming week. That is a critical, delicate and often worrying process for them. It is vital to get Finley's protein levels right; if they go too high, there is a real risk of brain damage.

The challenges that the family face daily are immense and place a real strain on them. Quite often, the blood test results do not come through on time and must be chased up. At present, they have had no feedback for two weeks. Food must be ordered on prescription to enhance Finley's diet. Products such as those from Violife and Hooba are not only expensive but, quite often, not immediately and readily available. At present, there is also the worry that Finley was due to have a review with his specialist in May and that appointment has yet to take place.

Children with PKU suffer patchy care and support, which depends on where they live. That could be addressed by setting up specialised metabolic centres with an experienced metabolic physician and dietician. Psychological support should also be available in the centres to assist children if they experience learning difficulties and to ensure that they receive an education that enables them to realise their full potential. The centres could also administer prescriptions for PKU foods and dietary supplements so as to provide a more efficient service and to overcome the problems that the Walshes are experiencing.

On Thursday I, too, will take part in the PKU diet for a day challenge. In no way does that replicate the real experiences of people such as Finley, but I hope that together, we in this Chamber and around the House can highlight the need for modern treatments and better care for those who face such an enormous challenge daily.

10.1 am

Ian Austin (Dudley North) (Lab): Like other hon. Members, I had never heard of this condition until I was contacted by a constituent, Kirsty Thornton from Dudley. She is the reason why I am taking part in the debate. To hear how the condition had affected her was very moving, and as a result of meeting her, I met Kate Learoyd and Caroline Graham, to whom I paid tribute earlier. I want to mention one other person at the outset. Professor Anita MacDonald OBE, who is with us today, is the brilliant head of a dedicated team of dieticians caring for children with rare inherited metabolic disorders at the Birmingham Children's Hospital. I want to tell the Minister that Kate Learoyd, Caroline Graham

and Anita MacDonald are here today. I hope that, at the conclusion of the debate, he might find a moment to say hello to them and arrange to meet them properly and at length subsequently.

It is deeply moving to hear how families manage this condition, particularly for toddlers, who cannot understand why they are not allowed to eat the same food as their siblings or have the same food as their friends at a birthday party. One parent has said of their child:

"She resents the fact that her family can eat normally and she can't. At mealtimes, she will go into a depression. Often she will ask to eat the crumbs of normal bread off our plates or we catch her licking our plates. It is awful to see."

It is very distressing to hear how a simple mistake can have huge ramifications, affecting a young person's concentration and even their mental health and then their ability to study or to work. One young person said:

"When I have high phe levels I slur my words, struggle with balance, lose my train of thought and stop speaking...I am hit with such fatigue that I lose sight of what it is like to feel awake."

I would therefore like to encourage the Minister and the Opposition spokesperson, my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson), to join us on the PKU diet challenge this Thursday—indeed, I hope that as many hon. Members as possible will take part—to highlight the difficulty of adhering to the strict rules that people with this condition have to follow. We have to do this properly and stick to the rules. We have to check all the ingredients, as we heard earlier, weigh foods properly and keep a tally throughout the day of the amount of protein that we have eaten. Most of all, as we have just heard, we have to remember that we are doing it only for a day and not a lifetime, like the constituents on whose behalf we are speaking today.

I want to ask the Minister three other questions before I conclude. First, as he has heard, we are calling for an examination of the failure to use Kuvan in the UK. That treatment can transform people's lives. It has been licensed for almost 10 years and is used in lots of other countries in the EU. We would like the Minister to take personal charge of this matter and work out what can be done to sort out provision of it in the UK, too.

Secondly—we have raised this issue in respect of other conditions and other drugs—will he look at the appraisal rules for new treatments for PKU? This is a very rare disease, but it has a wide impact outside direct health costs. It is not a criticism of NICE or the Minister or Government, but the fact is that these are conditions and treatments that NICE was not really designed to deal with. How can the appraisal system be altered to work for conditions such as this?

Finally, will the Minister work with the NSPKU to review the provision of treatment to patients, including basic dietary treatments? How can that be made consistent across the country? That is a very urgent thing that it should be possible to sort out without too much difficulty.

10.5 am

Vicky Ford (Chelmsford) (Con): Thank you, Mr Robertson, for the opportunity to speak in this important debate. I add my congratulations to the hon. Member for Blaydon (Liz Twist) on securing it. I speak as a chair of the all-party parliamentary group on rare, genetic and undiagnosed conditions, but also on behalf of my constituent Cait, and other constituents who suffer from PKU. I was very honoured to lead an Adjournment

[Vicky Ford]

debate on this condition in March. I will not repeat everything that I said then, but I want to add some points.

PKU is a very rare condition, affecting about one in 10,000 people, but it is not ultra-rare, and that is part of the problem. Living with PKU is extraordinarily challenging, but for the 20% to 30% of sufferers who react positively to the drug sapropterin, there is a glimmer of hope. That is only about 150 children in the UK, and about 350 people in total, but for them, sapropterin is life-changing. Sapropterin is available in Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and Ukraine, as well as in the United States. However, except for a small number of people—truly exceptional cases—and women during pregnancy, it is not available in England on the NHS, and that must change. It should be available for all those who would benefit, not just those who cannot stick to the diet. Those who do stick to the diet should not be excluded for good behaviour.

I understand that NICE sometimes has a very challenging time in considering whether to approve drugs that can be very expensive, but sapropterin does not fall into that category. In my Adjournment debate, I pointed out that when the broader economic benefits of prescribing PKU are compared with the costs of not doing so, the pure financial calculation alone suggests that it may even be financially beneficial to the public purse to prescribe the drug. Furthermore, as I stated back in March, BioMarin, the manufacturer, told me that it was willing to make a substantial reduction in the price. During that debate, the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), suggested that a patient should go down the individual funding request route, but I understand that only one child has ever managed to receive the drug by that route. It simply does not work for the patients who need it.

I have written to the Under-Secretary of State for Health in the House of Lords a couple of times and I am grateful for his responses, but in his latest response, he suggests, in relation to the approval process, that the drug has now been prioritised for potential guidance development through NICE's technology appraisal programme. Both patient stakeholders and the manufacturer are really concerned that that could lead to even more delays. BioMarin tells me that it has written twice to NHS England, offering to meet to discuss price. It wants to negotiate on price; it wants to make a generous offer, but its letters have apparently not been responded to. The decision needs to be made. It should not need 21 Members of Parliament standing here in Westminster Hall to get this drug for 150 children.

Looking at the broader picture, there is a fundamental problem with NICE's commissioning programme. It works well for common conditions, and the highly specialised technologies process seems to work well for ultra-rare conditions, but conditions such as PKU fall through the gap. We need to find a way to get modern, personalised, specialist medicines to those who need them, where their condition is rare, but not unique.

10.9 am

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): It is a pleasure to serve under your chairmanship, Mr Robertson. I thank the hon. Member for Blaydon (Liz Twist) for securing this important debate and for her cogent argument. I am here on behalf of Mark Edwards of Llanegryn, Tywyn in Gwynedd. We have heard much about the impact on families and children, but the most effective thing I can do is talk about how Mark, as an adult, deals with this condition; how he manages from day to day; and what would make a difference to the quality of his life and the lives of others living with PKU.

Mark first contacted me about the sugar tax, which I had blithely thought to be a good thing. The sugar-sweetened drinks issue sums up how people with PKU struggle to strike the excruciatingly difficult balance between a medically essential specialist diet and fitting in with society's rigid norms about food and drink.

Our social lives revolve around food and drink, from children's tea parties to teenagers' fast-food binges to adults' restaurant dates. I have been told time and again how difficult it is for people with PKU to cope with the stigma of being "difficult" and "different", especially over something as integral to our lives as food. If they cannot enjoy cake, jelly, burgers and chips, at least they can enjoy a fizzy drink—Irn-Bru or whatever the brand—like everyone else. Now, however, it costs more, because aspartame is on the red list. People with PKU are being taxed on one of the few social drink and food experiences that they are able to share with everybody else, simply because of their condition.

Mark is keen to stress how much he appreciates Wales' policy on universal free prescriptions, which allows him to receive the special food and medical dietary supplements that he needs through Tywyn health centre's dispensary, when he needs them and for free. That means that people with PKU in Wales have a much better arrangement, he said, than those in England. None the less, Mark still faces public prejudice towards his invisible condition. He has had to explain to people that he is not "freeloading on food", as though it were a matter of lifestyle choice, and not medical necessity.

A number of us in this Chamber have committed to the PKU "diet for a day" on Thursday. A great number of people in Wales have also done so, and they deserve a shout out. They are: Alex Jones of Cambrian News; Janet Davis, the supervisor of Brighter Foods, where Mark works; school friends Carys Hughes and Nicci Hughes; and Tywyn solicitor Andre Bright, who has committed to keeping to the diet for a week. He deserves respect, even if a week is nothing compared to what the families face. I am only brave and organised enough to do it for a day; I apologise. We are doing this in solidarity with PKU families, but we also know that this in no way fully reflects or replicates the reality of their lives. Most of us will do this by being fussy and awkward—I anticipate living off aubergine for a day—but we are only doing it for one day. We will not face this fraught, potentially toxic relationship with food, and the stigma associated with it, every day of our lives.

PKU affects every aspect of one's life. Controlling the condition by diet alone causes immense strain, and any possible medical intervention will make an immense difference to the quality of people's lives. Wales is alert to England's NICE guidelines, and I urge the Minister

to do all he can to press NICE to move ahead, so that his Department can recommend Kuvan. I also urge that other drugs, such as Pegvaliase, be considered. I ask the Government to consider the health implications of the wider use of aspartame, which is associated with the sugar tax, and the way that it affects a number of other health conditions as well. Diolch yn fawr.

10.13 am

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate the hon. Member for Blaydon (Liz Twist) on bringing this debate. I also congratulate the hon. Member for Chelmsford (Vicky Ford) on her work in the past and on bringing her Adjournment debate to the House, which I supported.

I am the Democratic Unionist party health spokesperson, so it is important to be heard on this issue, which grossly affects people in Northern Ireland, as well as in the Republic of Ireland. Not many people know this, as Michael Caine always says, but there is a higher per capita prevalence of PKU in Northern Ireland than in the rest of the UK. In fact, one in 4,000 people in Northern Ireland has this condition, compared to one in 12,000 in England.

Mr Gregory Campbell (East Londonderry) (DUP): Given the higher incidence in Northern Ireland, but also instances across the United Kingdom, does my hon. Friend agree that that it is imperative for the Minister, and all health Departments across the UK under the devolution settlement, to ensure that the best possible treatment and support is given to PKU sufferers and their families?

Jim Shannon: My hon. Friend is absolutely right. We always look to the Minister for support on these issues, and he is always very forthcoming, so we look to him again with that in mind. It is clear that this condition affects my constituents and those of everyone else who is speaking today.

PKU is usually diagnosed shortly after birth by the heel test. Many women can tell us that when the heel prick is done and they hear their child crying in the hands of the midwife, their automatic reaction is to reach out and grab the child. That test is so important at a very early stage. For those families who receive a diagnosis of PKU, however, the pain begins when they realise just what that means.

People with PKU have a faulty version of the enzyme that breaks down the amino acid phenylalanine, a component of protein. Untreated, it can cause brain damage when it builds up in the blood and brain. Untreated PKU causes profound and irreversible intellectual disability, seizures and behavioural problems. The damage is not reversible, so early diagnosis and early consistent treatment is vital. That is why, in 1969, we added this test to the routine blood test at birth. Some people here were not born then; I was just a young child.

The only treatment for PKU that is currently funded by the NHS is a very restrictive diet. I am a type 2 diabetic, so I understand a wee bit what it means to be careful with what I eat. I know that if I had a wee bit of honey with my toast this morning, I probably should not have done, but by and large I know what I have to do, and what I can and cannot eat. For those with PKU

it is much more difficult, and the restriction is great. Most sources of protein are removed from the diet to prevent brain damage.

I want to give a few quotes from the parents of PKU sufferers, so that we can understand a bit better the life lived by those with this disorder. One parent said:

“The low protein prescription breads and pastas give her stomach ache—another reason she refuses to eat them.”

A parent whose daughter has PKU said:

“My daughter struggles with drink supplements as they all upset her tummy so she has to take 50 tablets per day.”

Another parent said:

“PKU causes arguments between us. My husband and I have suffered with stress, we argue about the management of her diet. I had hoped after 12 years things would get easier but this diet is met with anger, frustration, resistance and annoyance all aimed at me.”

The hon. Member for Dudley North (Ian Austin) already referred to the following case, but it is worth repeating simply because of its importance. One parent said that her daughter cannot normally eat, adding,

“she will ask to eat crumbs of normal bread off our plates or we catch her licking our plates.”

That is the impact PKU has on some children and their families. That is why parents throughout the UK are demanding that more be done. We look to the Minister to see if more can be done through his office. If there is something to help these people, we must make it available. We all know what must be made available: Kuvan. We all know what it can do. One young girl took a one-month trial of Kuvan and could eat a normal vegetarian diet. She had more energy, her mood lifted, her nightmares stopped and she could do ordinary activities at home and at school. What a difference it made to the child's quality of life, and that of the entire family!

I have read that the cost of Kuvan is on average £14,535 for a child and £43,597 for an adult, based on list pricing. The pharmaceutical company BioMarin has publicly stated its willingness to offer substantial discounts in a deal with the NHS. I am asking the Minister, as other Members have done, to broker that deal, and enter into meaningful discussions on providing the medication, as the High Court ruling has said that we should. I urge the Minister to instruct his Department to find a way of making this available, rather than simply checking a box.

In conclusion, I ask that no parent be forced into this situation when there is something available to prevent it. I stand with the PKU sufferers of Strangford, Northern Ireland and the whole of the United Kingdom of Great Britain and Northern Ireland.

10.19 am

Faisal Rashid (Warrington South) (Lab): I commend the fantastic work of my hon. Friend the Member for Blaydon (Liz Twist) and the National Society for Phenylketonuria, who have worked incredibly hard to raise awareness of PKU in Parliament in the past few months.

Until I met with representatives from the NSPKU a few months ago, I knew very little about PKU, like many other hon. Members. Since, I have learned a huge amount about it, and it has become clear that this devastating disease requires action. It affects one in 10,000 people across the UK. Although it is rare,

[*Faisal Rashid*]

an estimated 3,000 individuals in England alone live with it and could benefit from increased awareness and improved treatment of it.

As we have heard, the only treatment of PKU available on the NHS is a severely restrictive diet. Patient voices from the NSPKU illustrate how much of a daily struggle that diet is. It often leads to eating disorders and unhealthy relationships with food. It forces patients into social exclusion and is a great burden on their carers, who often also report psychological distress and strained family relationships. Studies show that half of parents will stop work or reduce their hours to accommodate the extra work needed to take care of a child with PKU.

I am grateful to my constituents, who shared with me the story of life with their five-year-old daughter who has PKU. Their openness helped me to understand what that life is like, and the difficulties their daughter faces daily, especially when she is unable to eat the same meals as other children at school.

The fragmented nature of NHS services provided to PKU patients often leads to confusion and mistakes in the chain. The inconsistent quality of those services has made the system needlessly complex and has added to the patients' burden. There have been multiple reports of clinical commissioning groups restricting funding for PKU dietary products. The variable quality of even the most basic treatment is simply not good enough.

Beyond dietary treatments, a drug called Kuvan has been developed, as has been mentioned. It can treat up to 25% of PKU patients and allow them to eat substantially more natural proteins, which fundamentally improves their quality of life. Despite having been licensed in the USA since 2007 and the EU since 2008, and being used in almost every EU country as a routine treatment for PKU, it is unavailable for the vast majority of patients in the UK.

Of course, Kuvan comes with a price tag, but as we approach the 70th birthday of our treasured NHS, we must allow it to uphold its fundamental principle of providing healthcare on the basis of need.

10.23 am

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate my hon. Friend the Member for Blaydon (Liz Twist) on securing this important debate. I will speak on behalf of my 11-year-old constituent, Olivia, and describe a bit of her struggle. I congratulate her parents on fighting so hard for her, because the stress on families is incredible. We have heard from many hon. Members about the impact that PKU can have on the whole family and just how isolating it is. The National Society for Phenylketonuria is helping us as parliamentarians to get to grips with the issues.

We have heard how restrictive the diet is. My hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell), who is no longer in her place, talked about going to a pizza restaurant at the age of 18. Olivia is 11, but she is allowed only 8 grams of protein a day. She was fortunate enough to participate in the one-month trial of Kuvan, and she was found to be a responder. Her protein tolerance increased from 8g to 27g. On Kuvan, she had safe, low blood results

and ate healthy, natural, normal vegetarian food. She could have baked beans at school on a Friday with a normal-sized portion of chips, just like her friends. It filled her plate—and her, instead of leaving her hungry. Her teachers commented on how bright and focused she was in lessons. Ironically, they asked, “What did she have for breakfast today?” Olivia loves life, and, during that month on Kuvan, it showed, just as it does for everyone else.

As many hon. Members have pointed out, it seems anomalous that a drug that is licensed in the US and the EU is still so difficult to obtain for our constituents. NHS England has handed the draft policy on commissioning Kuvan to NICE for review, but no date has been set. I press the Minister for a date, because it is absurd that Kuvan has been prescribed for years as a routine treatment in the rest of the developed world.

For Olivia, the waiting is taking its toll. She has frequent and severe migraines that cause vision disturbance, light, sound and taste sensitivity, vomiting and gastroparesis. During such times, she loses her PKU supplement and exchanges food, which takes her off diet for the duration of the migraine. They are difficult times for the whole family. Her illness and temporarily altered sense of taste mean she cannot drink the supplement and wants the normal food she prefers. How could anyone refuse a sick child because the food contains too much protein? She can be off diet for 60 hours.

Last year, Olivia was also diagnosed with moderate to severe scoliosis—a curved spine—for which she has to wear a back brace for 23 hours a day until she is 16 years old. It is uncomfortable, painful, and often prevents sleep. Her consultant said that spinal fusion surgery would likely be advised, but PKU is likely to result in low bone density, especially among girls. Olivia had a scan that showed that her bone density was abnormally low and getting worse.

Nothing more can be done dietetically; the amino acid supplement contains the correct levels of calcium, vitamin D, vitamin K and potassium, but it does not contain whole protein, which plays a major role in bone density. By definition, the diet goes to great lengths to avoid whole proteins, and that is one of the consequences. Olivia may therefore never be able to have the spinal fusion surgery that she needs, because her bones are not strong enough to take the screws and rods that would need to be drilled and fixed to her spine. Kuvan would at least allow her to eat more whole natural protein. Would that not be better for her, and everyone else who has been mentioned? The only access route to Kuvan remains an individual funding request. I hope that the Minister will consider that issue in his response.

10.27 am

Chris Williamson (Derby North) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate my hon. Friend the Member for Blaydon (Liz Twist) on securing this important debate. We have heard some heartrending accounts from hon. Members about the impact of PKU on their constituents.

My constituent, Denise Clayton, whose family I have known for 30 years, has lived with PKU for nearly 70 years, so she was born long before any real screening programme was in place. Consequently, she did not receive the required treatment, and the treatment she did receive was too little, too late to avoid neurotoxicity.

Her family have done everything they could to support Denise. A few weeks ago, I spoke to her father, Norman, who recounted some of the traumas and difficulties that they experienced down the years. His view was that nothing could be done for Denise, but it seems that a treatment is now available.

I join hon. Members in their pleas with the Minister to use his good offices to ensure that the new life-changing drug Kuvan is made available so that the sufferers of PKU in the UK—like sufferers in other countries—can obtain the benefits of it and lead something approaching a normal life. Let us remember that we live in a wealthy nation; we are the sixth-biggest economy in the world.

PKU is a very rare condition that affects only a very few people in total across the country. The cost of the drug would be minimal in comparison to the life-changing impact it could bring about for young people—our fellow citizens. I plead with the Minister to listen to the impassioned pleas we have heard from Members today. He should use his good offices to ensure that the drug is made available so that we can change the lives of so many young people in our country who are suffering from this terrible condition.

Mr Laurence Robertson (in the Chair): We now come to the wind-ups. I would like to leave two minutes for the mover of the motion to wind up at the end.

10.30 am

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate the hon. Member for Blaydon (Liz Twist) on securing time for this important debate and on her comprehensive and detailed summary of the issue. I am also grateful for the NSPKU briefing she kindly sent round to colleagues in advance of the debate. I must admit I had been in touch with Library specialists before I received the briefing to find out the pronunciation. The hon. Lady sensibly told us how to pronounce it. I will refer to it as PKU for the rest of the debate, despite my hatred of acronyms. It is fair to say that without that guidance, I would have been mispronouncing it.

I welcome the NSPKU members who are here to watch the debate. In preparation for the debate, I found out just how awful the condition is. I am grateful to all Members who have taken part and shared their constituent cases, which have helped highlight how truly horrendous the situation is. For my part, I am aware of no cases in my constituency, but as health is a devolved matter, they would more likely go to Scottish Parliament counterparts.

We have heard that PKU is a rare inherited disorder sufferers of which are unable to break down the amino acid phenylalanine. It is a truly horrific condition, and it is worth putting on record that there is currently no cure. Left untreated, it can cause serious damage to the brain and nervous system, which can lead to learning disabilities and other symptoms. As has been pointed out, the condition affects about one in 10,000 babies in the UK. As the hon. Member for East Renfrewshire (Paul Masterton) mentioned, the situation is worse in Scotland. The stats I have seen suggest that the condition affects one in every 8,000 babies in Scotland, which represents about six or seven cases a year.

Early intervention is vital. Without it, irreversible damage can occur. The Scottish Government take the

condition seriously, which is why at around five days old, babies are offered newborn blood spot screening to check whether they have PKU or a number of other conditions. If PKU is confirmed, treatment will be given straight away to reduce the risk of serious complications. If the right treatment is followed, babies with PKU are well in early life and do not develop symptoms. It can be managed with a low protein diet, but as has been pointed out by many speakers today, that is far from an easy option.

We have heard much about access to new treatments such as sapropterin, also known as Kuvan, which is available in 25 countries and has been licensed in the EU since 2008. In May this year, Scotland's Health Secretary Shona Robison wrote to the Health and Sport Committee to provide a further update on the Scottish Government's progress in delivering the recommendations from the review of access to new medicines. She confirmed that the pharmaceutical company BioMarin has made a submission to the Scottish Medicines Consortium for sapropterin or Kuvan to be used for the treatment of PKU. The SMC will publish its advice within the next few weeks. Let us hope that we can see progress in the matter as a consequence of the Montgomery review and the definitions of new processes for ultra-orphan drugs.

Decisions made by the Scottish Medicines Consortium are independent of Ministers and the Scottish Parliament, and it is worth remembering that our involvement in that process can be limited, but I would be happy to offer my support to the hon. Member for East Renfrewshire to do any joint working we can to bring pressure to bear, as the drug would be very beneficial for sufferers. The Scottish Government do not intervene in SMC processes, but they have sought to consider with all parties how issues identified in previous submissions could be resolved in new applications to achieve a best-value deal for NHS Scotland.

The Scottish Government have significantly increased access to new medicines in recent years. Between 2011 and 2013, the combined SMC acceptance rate for orphan cancer medicines was 48%. Between 2014 and 2016, the rate was 75% for ultra-orphan, orphan and end-of-life medicines. There are some positives that we can look at in that process. A responsible funding model is key, however. The Scottish Government are actively examining an improved negotiating function that seeks to ensure that the NHS in Scotland pays the same effective price for medicines as in the rest of the UK.

I thank everyone who has taken part. My sympathies go to anyone who is living with the condition. I would be interested in supporting the diet for a day challenge. My diet needs serious improvement at a range of levels, but I would be up for putting in the effort.

10.35 am

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I thank my hon. Friend the Member for Blaydon (Liz Twist) for securing this important debate, for her excellent speech and for all her campaigning on the issue. I also thank all the Members who have spoken this morning. There has been a good number. I thank the hon. Member for East Renfrewshire (Paul Masterton), my hon. Friend the

[Mrs Sharon Hodgson]

Member for Portsmouth South (Stephen Morgan), the hon. Member for Waveney (Peter Aldous), my hon. Friend the Member for Dudley North (Ian Austin), the hon. Members for Chelmsford (Vicky Ford), for Dwyfor Meirionnydd (Liz Saville Roberts), and for Strangford (Jim Shannon), my hon. Friends the Members for Warrington South (Faisal Rashid), for Hornsey and Wood Green (Catherine West), and for Derby North (Chris Williamson) and the hon. Member for Linlithgow and East Falkirk (Martyn Day) for their excellent contributions to this important debate.

I also thank the all-party parliamentary group on phenylketonuria, which is more commonly known as PKU. I understand the group was only recently set up by my hon. Friend the Member for Blaydon and others. It is already providing an invaluable forum for PKU to be discussed. Finally, I thank the National Society for PKU for the help and support it provides to sufferers of PKU, for its sponsorship of medical research into PKU and for the work it does with medical professionals in the UK. Just last week, it held a particularly informative event in Parliament sponsored by my hon. Friend. I attended it, and I know it will have been helpful in spreading awareness of this extremely serious disease. I found it very useful, and I know other Members did, too.

I had not heard of PKU. It is a rare metabolic disease that causes an inability to break down the amino acid phenylalanine, which can then build up in the blood and brain. Left untreated, PKU causes severe intellectual disability, seizures and behavioural problems. Damage caused by the disease is, tragically, irreversible. That makes early diagnosis and treatment essential. The only treatment available on the NHS for PKU is an extremely restrictive diet. A PKU diet involves avoiding most forms of protein, and taking a special protein replacement—as we have heard, it does not taste as good as what it replaces—to avoid malnutrition. I would like to briefly highlight a number of the problems with the treatment.

First, it is extremely restrictive. Only a small number of foods can be eaten without severe limitation. It is easy to think that almost all food allergies and requirements are catered for in the modern supermarket these days, but with PKU that is not the case. Some of the necessary food replacements are available only by prescription. For some sufferers, the nature of the diet can have a detrimental impact on their social lives, particularly for younger people, as we have heard from a number of Members. Sadly, a high number of PKU patients also suffer from eating disorders and other mental health problems because of it. The NSPKU recommends that all people with PKU should automatically have follow-up appointments with an integrated specialist metabolic physical dietician, along with support from a psychologist and support worker. Is that something the Minister agrees with? Are the Government looking into providing that kind of support?

The second problem with the current available treatment is that it places a huge amount of pressure on those who care for children with PKU. In order to administer the necessary diet, a significant amount of measuring and

preparation is required. As we heard at the event last week, dietary care takes on average 19 hours a week according to a recent study.

Catherine West: Is the shadow Minister aware that nearly 60% of mothers who care for their children with PKU have some kind of other psychological stress associated with this type of lifestyle?

Mrs Hodgson: I was not aware of that fact, but it is hardly surprising when we realise how complicated the diet is. As the child grows, the calculations have to be changed. As we know, children's sizes change every week, so it is a constant battle to try to get it right, and it is not surprising that that figure is so high.

As the consequences of a child with PKU consuming the wrong type of food are so severe, it is easy to see how much stress a carer can go through in ensuring not only that they are preparing the right food but that a child follows the diet, particularly when away from home, as we have heard, or in school. With that in mind, I want to know whether the Minister believes that patient-centred care should be extended to school support, psychological support and counselling in order to relieve some of the pressure on carers.

When we consider the fact that the consequences of failing to adhere to the necessary diet are so extreme, one would imagine that all treatments that could improve outcomes would be available. Sadly, as we have heard, that is not the case. As has been discussed this morning, a non-dietary treatment for PKU does exist, yet it is not available to patients here in England. Kuvan is a licensed medicine that comes in the form of a simple tablet. In some 20% to 30% of people with PKU, taking Kuvan considerably increases the amount of protein that they can eat each day while maintaining a safe phenylalanine level. Indeed, some patients are able to stop or decrease the use of specially manufactured prescription foods while taking the drug. For those people, having access to Kuvan would literally change their lives and in some cases it would allow them to come off their restricted diet.

Unfortunately, the treatment is not currently commissioned by the NHS, except in a very small number of cases and for women during pregnancy. That is despite its having been licensed in the USA since 2007 and in the EU since 2008. It is used by thousands of patients across Europe and around the world. We heard the full list from the hon. Member for Chelmsford, but I will simply mention such countries as Ukraine, Estonia and Turkey by way of example. Many patients who suffer from PKU will rightly ask why, if the treatment is available there, it is not here?

Although Kuvan is available to women during pregnancy, it can be difficult to get hold of. Tragically, some women with PKU avoid having children altogether owing to fear of the risks to the foetus associated with high levels of phenylalanine. I understand that NHS England has recently referred Kuvan to NICE after it went through its internal clinical panel. Can the Minister explain why there has been such a delay in commissioning Kuvan, and when we can expect it to be available to all patients? Indeed, I understand that it was under the appraisal process in NHS England for seven years.

Access to Kuvan is not the only PKU treatment that has been impeded by the structure of the NHS. For sufferers of PKU, there is a significant risk of variable

outcomes and health inequalities, exacerbated by lack of access to special protein replacements and manufactured low-protein foods. Many PKU patients have reported difficulties in accessing the prescriptions they rely on, and some clinical commissioning groups have been found to actively restrict funding for PKU products. Has the Minister had any conversations with Public Health England and the CCGs to ensure that people with PKU have easy access to prescription-only foods and amino acid supplements?

As a parent who watched her children have the heel prick test as babies, I had no idea how important that test was. I had not heard of PKU back then and I thought the test was just a little test in which they check the hips and prick the heel. I can only imagine how it must feel to be the one out of 10,000 parents who receive a life-changing diagnosis for their child, only to find out that their life and the health of their child will be harder than they need to be because of what can only be described as rationing by their CCG and NHS England.

Catherine West: Does my hon. Friend the shadow Minister agree with me that it is a disgrace that it takes a court case to get the NHS, NICE and all the other bodies to respond, even when they have heard about the difficult times that families have? Does she agree that a family should not have to take the Government to court to get the treatment that their child needs?

Mrs Hodgson: I absolutely agree. It is shocking. I want to end by saying to all the campaigners here and across the country that I hope we have shown in this debate today that we are listening. All their campaigning has not been in vain. It has led to us having an amazing champion in my hon. Friend the Member for Blaydon, and it has led to this well-attended debate today. The Minister has heard all the powerful speeches. He is a compassionate man, so they cannot fail to have had an impact on him. I look forward to his response. This is his opportunity to give hope to thousands of people. Let us hope that he does so.

10.45 am

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): No pressure, then. I will try to give some hope.

Thank you, Mr Robertson, for chairing our debate. I also thank the hon. Member for Blaydon (Liz Twist) for introducing the debate with such humanity. She speaks so well and passionately on this subject. We also heard from my hon. Friend the Member for East Renfrewshire (Paul Masterton), who mentioned the Irn-Bru issue. The Treasury has a policy on the sugar tax, which is part of our child obesity plan. We published the update on that yesterday. The policy long predates me. This subject has not been raised with me before, but we cannot let the bad be the enemy of the good. Taking sugar out of fizzy drinks is a good thing for society, but the unintended consequences of that need to be addressed, and he is right to raise it.

We also heard from the hon. Gentleman from my own county, the hon. Member for Portsmouth South (Stephen Morgan), from the hon. Members for Dudley North (Ian Austin), for Warrington South (Faisal Rashid), for Hornsey and Wood Green (Catherine West), for Derby North (Chris Williamson), and from my hon. Friend

the Member for Waveney (Peter Aldous), who always speaks so passionately, from the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts), and, as always, the hon. Member for Strangford (Jim Shannon), all of whom—I think everybody—touched on the subject of Kuvan. Many touched on the dietary aspect and everybody gave personal examples of constituents. I hope to address all of those subjects.

I congratulate the hon. Member for Blaydon and the all-party group on the work that they do. When I was a Back Bencher I was involved in many all-party groups, including the APPG on breast cancer with the hon. Member for Washington and Sunderland (Mrs Hodgson), who speaks for the Opposition. So much of the good work of this place goes on in APPGs. I hope that the public watching inside and outside today can see that.

The House debated PKU and Kuvan in March this year, led by my hon. Friend the Member for Chelmsford (Vicky Ford), who spoke well again today. I was not able to attend that debate in person back in March, so I am grateful to have the opportunity today to hear the issues around PKU and access to treatments. I have learnt a lot today, as I did in my reading ahead of today. The importance of rare diseases, of which PKU is one, is of course recognised by us and by policy makers and healthcare service providers in the UK and internationally, and rightly so. One in 17 of us will suffer from a rare disease at some point in our lives.

With the number of known rare diseases steadily growing as our diagnostic tools improve, the Government remain focused on and dedicated to improving the lives of those living with a rare condition. That was reinforced in the Prime Minister's words last Monday at the Royal Free. I was fortunate to be there when she set out a vision for the long-term plan for the NHS, underpinned by increased funding for the service. She said the UK had an opportunity,

“to lead the world in the use of data and technology to prevent illness, not just treat it; to diagnose conditions before symptoms occur, and to deliver personalised treatment”,

informed by our own data, including our genetic make-up. I will say more about that in a moment.

Early and accurate diagnosis of rare conditions is essential for the best outcome for patients with rare diseases such as PKU. We know that without early treatment the outlook for those born with the condition is very poor, as the Scottish National party spokesperson, the hon. Member for Linlithgow and East Falkirk (Martyn Day), and the Opposition spokesperson, the hon. Member for Washington and Sunderland West, said. With early treatment, however, the outlook can be good, which is why, as a number of speakers have said, screening has such a vital role to play. I have two children, and equally watched the pin heel prick with trepidation—little did I know what it could have found. I had no idea what they were doing—I was in that daze—let alone what it could have found, so I have great compassion for people in that moment.

The current newborn screening programme in the UK is based on the blood spot test—the heel prick test that we have referred to—and screens for nine rare but serious conditions, including PKU. With that early

[*Steve Brine*]

diagnosis, treatment can start straight away. For patients with the condition, that treatment includes a special diet and regular blood tests. We have heard so many incredible examples today.

We have heard how severely limiting a protein-restricted diet is and how difficult it must be for any patient to stick to, but particularly for young children. Those of us with young children can really feel that. Children with PKU, as has been said, cannot eat most of the foods that we all take for granted, such as meats, fish, milk and treats such as chocolate—everything in moderation—and that is just to name a few.

I stand here as a Minister, but also as a constituency MP. I, too, had not heard of PKU until constituents brought the condition to me. I recently met with one of my constituents, Sarah, who was a doctor and, like many people, as we have heard, had to give up her job to look after her children. Her three-year-old daughter, who is a beautiful little girl, lives with the condition. I heard first-hand of much of the daily strain that it puts on her daughter and the family. My constituent, like many carers, cares for the child full time—preparing the meals, calculating ingredients and going to doctor appointments—and has had to give up her career. As the hon. Member for Blaydon said in her introduction, when we say that the condition can be treated by diet it sounds quite easy. However, in an email last night my constituent said to me,

“If she goes off ‘the diet’, she will suffer permanent and irreversible brain damage.”

If my seven-year-old boy goes off diet and drinks a fizzy drink we certainly suffer the consequences, but it usually lasts for only an hour. I have a great understanding from today’s debate about that.

I understand that even in adulthood, as the hon. Member for Dwyfor Meirionnydd said, PKU can cause harrowing symptoms that make any attempt at a normal life and contributing to society very difficult and sometimes impossible. The availability of specially formulated low-protein foods and nutritional supplements through the NHS is therefore vital. Since its development in the ’50s, it has saved the lives of and improved outcomes for many patients.

I cannot deny that PKU is not on the list of medical conditions in England that are exempt from prescription charges. As such, only the usual age-related pre-paid certificate exemptions apply to such patients. That is the current situation, but everything can be challenged and can change. As I said at the start, the power of all-party groups is incredible, and perhaps that is something that the all-party group may wish to look at and campaign on.

An awful lot of information is available. My constituent Sarah is also the editor of the National Society for Phenylketonuria’s magazine. She sent me the summer 2018 edition last night, which I read overnight. It was a really interesting read, and I might touch on a couple of things in it before I close. That magazine and its website contain all sorts of information on foodstuffs, advertisements for foodstuffs, products and recipes—and yes, avocado does keep coming up.

Catherine West: Will the Minister give way?

Steve Brine: I will briefly, but then that will be it, because I know hon. Members want to hear from me, as the Minister. We have heard from Back Benchers.

Catherine West: As the Minister knows, there have been five applications for an individual funding request. Two of those were allowed and one, which I mentioned earlier in the debate, had to go to the High Court. The judge declared that the decision that had been made was irrational and unlawful. Will the Minister not just speak about the dietary supplements, which we can all find out from Google, but about what he is doing to push these requests? Specifically, what is he doing on behalf of Olivia, aged 11, whose mother is here today, who would like to know whether he will personally support her application for Kuvan?

Steve Brine: I was going to come on to talk about Kuvan; obviously, I stopped to listen to the hon. Lady’s intervention. No, I will not personally support an individual request. That would not be appropriate for a Minister at the Dispatch Box. That is not how our system works, but if she wishes to write to me with the specific example then of course I will see that she gets a reply. That should be handled through the right processes. I know that the processes for individual funding request applications are sometimes torturous, and I am sure that we could do them better.

Let us touch on Kuvan, which everybody has raised. It is one treatment option that has been found to lower blood phenylalanine levels in some patients with mild or moderate PKU. We know that the drug is effective in a small number of patients, depending on their genetic make-up, and is more likely to benefit those with milder forms of the condition. If patients respond to treatment, it is likely that they will still need to continue with some form of dietary restrictions—everyone understands that.

As we have heard, Kuvan is not currently routinely commissioned for use in children and adults. That is due to the lack of evidence of its effectiveness on nutritional status and cognitive development at the time the policy was developed in 2015. NHS England does, however, have a commissioning policy for PKU patients with the most urgent clinical need—namely, pregnant women, as we have heard.

Vicky Ford: Will the Minister give way?

Steve Brine: No, I will not. Although the decision taken by NHS England was not to commission Kuvan routinely, the system has the flexibility to review that decision if new evidence emerges. As the House heard during the debate in March, NHS England received a preliminary policy proposal for the use of Kuvan in the management of PKU for adults and children, because new evidence has now been published to support its use. Kuvan was subsequently referred to the National Institute for Health and Care Excellence for assessment through its topic selection process—the process through which NICE prioritises topics for appraisal in its technology appraisal or highly specialised technology programme.

The NICE process is important. It is independent of Ministers and provides a standardised, governed procedure to ensure that NICE addresses topics that are important to the patient population, carers, professionals and commissioners and, similarly, helps to make the best

use of NHS resources. To update the House on progress, Kuvan has progressed through the first stage of the topic selection, and NICE is currently considering whether the drug should proceed to the draft scope creation stage. We are expecting that decision to be taken in the autumn. I will press NICE, along with the relevant Minister in the Department—the Under-Secretary who sits in the other place—to bring that to a conclusion as swiftly as possible.

People have asked today for me to personally get involved in access to Kuvan. NICE's process is important and sits independently of Ministers. It would be a very strange situation if Ministers were able to sit in the Department of Health and, like a Roman emperor, give a thumbs up or thumbs down. I do not think that any Minister in this Government or previous Governments would want to be in that inappropriate position. As I said, we expect the decision to be taken in the autumn and we will press for that to be brought to a conclusion as soon as possible.

I will give the hon. Member for Blaydon time to wind up the debate, but let me say first that there are other promising treatments on the horizon. NICE is currently considering pegvaliase, an enzyme substitution therapy indicated for adults, through its topic selection process, and recently consulted stakeholders on its suitability for the technology appraisal. I can update the House that a scoping workshop on this topic is scheduled to take place tomorrow, 27 June.

Finally, my hon. Friend the Member for Chelmsford said that there had not been a response on BioMarin. She mentioned that point to me last night, and I am worried to hear it. As I said, Kuvan is currently going through the independent NICE assessment. If the topic goes ahead, there will be many opportunities for BioMarin to engage in commercial discussions, as per NICE's usual process. BioMarin and NHS England are already in discussions about a number of other drugs, so it has the opportunity to raise the issue. However, it seems to me that NHS England could at least communicate

better, because no answer sounds like a bad answer. I will take that away from the debate and ensure that it happens ASAP.

I know you want me to stop, Mr Robertson, and let the hon. Member for Blaydon close the debate, so I will do that.

10.58 am

Liz Twist: What can I say in less than one and a half minutes? I thank all hon. Members who have taken part today. I thank the hon. Members for East Renfrewshire (Paul Masterton), my hon. Friend the Member for Portsmouth South (Stephen Morgan), the hon. Member for Waveney (Peter Aldous), my hon. Friend the Member for Dudley North (Ian Austin), the hon. Members for Chelmsford (Vicky Ford), for Dwyfor Meirionnydd (Liz Saville Roberts) and for Strangford (Jim Shannon), my hon. Friends the Members for Warrington South (Faisal Rashid), for Hornsey and Wood Green (Catherine West) and for Derby North (Chris Williamson), the hon. Member for Linlithgow and East Falkirk (Martyn Day), my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson) and the Minister for his reply.

I am rather disappointed that we did not have a bit more promising news on the future of Kuvan, but we will be back; we will ensure that the Minister hears from us again, and we will continue our campaign. Finally, I thank all the families who are here today to show how strongly people feel about the issue. I thank everyone for attending. The issue will not go away. We will be back and will keep pushing this agenda.

Question put and agreed to.

Resolved,

That this House has considered access to treatment, support and innovative new medicines for phenylketonuria patients.

Mr Laurence Robertson (in the Chair): Would hon. Members leaving please do so quietly? Thank you. We have another debate.

North Wales Police and Nicholas Churton

11 am

Ian C. Lucas (Wrexham) (Lab): I beg to move,

That this House has considered North Wales Police, probation and the murder of Nicholas Churton.

It is a pleasure to be here, and to address you in the chair, Mr Robertson. I always hesitate to bring up individual cases in the House, but this extremely serious case involved the death of one of my constituents. I hesitated to raise the matter because it brings grief and sad memories to his family, but I have notified them of the debate, and I think there are profound matters of public interest in the case that need to be raised.

The primary responsibility of our criminal justice system is to keep people safe, and this case highlights where it did not do so. I will ask questions about why that happened, who was responsible and how we will respond to serious failures in the system in future.

My constituent Nicholas Churton was 67 when he was brutally murdered in his own home in the middle of Wrexham in March 2017. He was murdered by Jordan Davidson, who had a long history of offending, and was, at the time, on licence and serving a sentence of three years for burglary. While still in prison, Davidson received a further 12-month prison sentence for possession of a knife in prison. He was released in December 2016 on licence. Following Davidson's release, Nicholas Churton complained on a number of occasions to the police about Davidson's conduct. According to the prosecuting barrister at his trial, Davidson knew that.

In March 2017, just four months after being released on licence, Davidson was arrested for another offence of possession of a knife. None the less, he was released by the police in Wrexham on bail, without having a court appearance. Within three days of his release by the police, Davidson went on a spree, committing serious offences, which culminated in Mr Churton's murder in his own home in a hammer attack. Davidson's trial was for not only murder, but four offences of assault and two of robbery, as well as offences of aggravated burglary, attempted robbery, burglary and aggravated vehicle taking.

Davidson pleaded guilty to Mr Churton's murder and many of the other offences. The offences were so serious that the Attorney General appealed against the tariff imposed by the judge on the ground that it was too lenient. The Court of Appeal agreed with that appeal and increased the sentence.

I am grateful to local journalist Jez Hemming of the *Daily Post* in north Wales for highlighting the facts of this dreadful case, which were revealed in court. As the Member of Parliament for the constituency where the dreadful incidents occurred, I contacted North Wales police and asked for a private briefing. The chief constable told me that that was not possible because the Independent Office for Police Conduct had started an inquiry into the case to address why the police had not adequately responded to Mr Churton's complaints about Mr Davidson before the attack. I made it clear that I was very concerned about the extraordinary decision to release Davidson from police custody when he was arrested for possession of an offensive weapon, and asked why that had happened despite Davidson's long criminal history. I also wanted to understand the role of the community rehabilitation company and the probation services that

were dealing with the prisoner on licence, to ensure that adequate systems are in place to protect my constituents. Despite that, the police would not meet me.

That approach is unacceptable and disrespectful of the role of a local Member of Parliament. The police and crime commissioner in north Wales will not meet individual constituents to discuss their cases, unlike Members of Parliament. It is quite clear that the advent of the office of the police and crime commissioner has diminished the accountability of the chief constable to MPs in north Wales. The chief constable has a much more distant relationship with MPs than they did when I was first elected.

Given the Attorney General's involvement in the appeal and my continued concern about not being properly informed about the facts of the case, I wrote to the Attorney General and pointed out the detail of the case and its seriousness. I am grateful for the response that I received from the Home Office. Following my intervention, the Independent Office for Police Conduct announced a second inquiry, into the decision to release Davidson on police bail. Until I intervened, that matter was not the subject of such an inquiry. I am glad that it is now, but I am not certain that the matter would have been investigated if I had not intervened.

I am pleased to say that, unlike the police, the probation service, which is also involved in the matter, agreed to meet me privately to discuss my concerns about the supervision of those on licence from custody. I fully understand that there are limitations on the information that can be disclosed to a Member of Parliament, but given the appalling set of circumstances that led to the offences, it is entirely appropriate that the MP should be closely involved in ensuring that his or her constituents are safe.

Of course, the set of incidents and the situation with the probation system and the police have a political context that it is important to raise. Since 2010, we have had large reductions in the numbers of police officers on the streets of Wrexham, in common with everywhere else in the UK, which necessarily means that individual police officers are under more pressure in providing a police service. That is a political decision that the Government made, for which they need to be held accountable.

Further, in 2014 and 2015, the Government introduced major structural changes in the probation system. That included changes to who delivered probation services and what was delivered as part of probation, which is clearly relevant to the supervision of prisoners on licence. The reforms were known as Transforming Rehabilitation, and sought to extend statutory rehabilitation to offenders serving custodial sentences of less than 12 months; to introduce nationwide "through the gate" resettlement services for those leaving prison; to open up the market to new rehabilitation providers to get the best out of the public, voluntary and private sectors; to introduce new payment incentives for market providers to focus relentlessly on reforming offenders; to split the delivery of probation services between the national probation service for offenders at high risk of harm and community rehabilitation companies for low and medium-risk offenders; and to reduce offending.

Like many others, I was deeply concerned at the time about the impact that this huge set of reforms would have. I was very aware that they were introduced without

additional resources, despite the fact that a group of prisoners on short prison sentences and people who had been released from prison who would not have received supervision previously were expected to receive it under the new system. I was particularly concerned about how we would determine which individuals would be supervised, and which body would do it. Jordan Davidson—the murderer in this case, who had a long criminal history and had been given a relatively short sentence—was one such individual.

The more I look at this case, the more I think that the reforms contributed to the failure of supervision that led to Jordan Davidson's release on bail and on licence after the serious offence of possession of an offensive weapon, to the subsequent assaults he carried out, and to the death of my constituent, Nicholas Churton.

Last week, after I applied for this debate, the Justice Committee published its excellent report, "Transforming Rehabilitation", which looked at the probation reforms and was compiled without knowledge of this case. It said:

"We are unconvinced that splitting offenders by risk was the right way to split the probation system. Splitting the system in such a way does not recognise that the risk of harm an individual poses can change over time."

It continued:

"The splitting of probation services between the National Probation Service and Community Rehabilitation Companies has complicated the delivery of probation services and created a 'two-tier' system. Although we heard about joint working going on at a local and national level, problems in the relationship remain."

Crucially—this is very relevant to this case—it said:

"We are concerned that problems remain regarding data sharing across the criminal justice system."

I believe that Jordan Davidson's case highlights many of those issues.

Why did the police not share data about a man who had offensive weapon convictions and a long history of offending, and had been the subject of complaints by Nicholas Churton in the recent past? When Davidson was arrested for another offensive weapon offence, why was he released without even a court appearance? What system was in operation for the supervision of offenders that allowed all this to happen? No single person is responsible for the system, but the then Secretary of State for Justice was a vocal proponent of the change, and proudly made it clear at the time that the system was put in place for ideological reasons. It has now been heavily criticised by the all-party Select Committee and many others.

The appalling case of Nicholas Churton is a real example of the deficiencies of the system created by the former Secretary of State, for which he needs to take personal responsibility. It is disgraceful that, in such a serious case, North Wales police failed to respond adequately to legitimate concerns that I, the elected Member of Parliament for Wrexham, expressed. The confusion in the probation system is exacerbated by the confusion in lines of responsibility created by the office of the police and crime commissioner, who, as far as I am aware, has taken no action in this case.

In short, the situation is a mess, and there have been appalling consequences. We need clear answers, and the former Secretary of State, the police and the bodies

tasked with probation and protecting the public must accept responsibility. Only in that way can the public be confident that such a dreadful case will not happen again.

11.14 am

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): It is a pleasure to serve under your chairmanship, Mr Robertson. I thank the hon. Member for Wrexham (Ian C. Lucas) for securing this debate and for setting out the terrible facts of this very sad case. The Attorney General referred it to the Court of Appeal because of the inadequacy of the initial sentence. The Court of Appeal's judgment makes for very stark, sobering reading. I extend my sincere condolences to the family of Mr Churton, who was the victim of the most horrendous attack in his home. He was clearly targeted by Davidson because he was elderly and vulnerable, and he was unable to defend himself against Davidson's ferocity. Davidson is now rightly serving a life sentence with a tariff of 30 years for his wicked murder of Mr Churton.

The hon. Gentleman raised a number of issues and made a political link to this case, with which I am afraid I do not agree. I am going to break down those issues. As Jordan Davidson was subject to statutory probation supervision at the time, the Wales community rehabilitation company had to complete a serious further offence review, which identified a number of areas where the practice of those responsible for monitoring Mr Davidson fell below the expected standards. Indeed, there were significant failings. Her Majesty's Prison and Probation Service is now overseeing the CRC's implementation of the improvement actions from that review. Senior officials from the CRC met members of Mr Churton's family in March and shared with them the victim summary report, which was based on the review.

My hon. Friend the Minister of State, Ministry of Justice will consider the Justice Committee's recommendations carefully and will respond in due course. This was a significant programme of reform. For instance, 40,000 people who would not previously have been monitored now receive support and supervision upon release. Fewer people reoffend, and there have been some innovative and impressive programmes. Of course, the Ministry of Justice accepts that there have been challenges, and that CRC services need to improve. It is currently in discussions with the providers and will consider all possible options to ensure improvement is delivered.

That is, of course, of no comfort to Mr Churton's family. I am pleased that the local probation service met them. I imagine they will take little comfort from looking at this after such a traumatic event in their lives, but I hope they found some resolution in that meeting with the probation service.

The hon. Gentleman also raised the issue of the police, and I understand that he is concerned about North Wales police's lack of engagement with him. To my mind, one of the most important responsibilities of the police and police and crime commissioners is to connect with local residents and answer their concerns, and to ask questions of their chief constable when they have concerns about how the force is delivering policing locally. Police and crime commissioners were introduced to make the police accountable to the population they serve.

[*Victoria Atkins*]

I urge the hon. Gentleman to press the police and crime commissioner further and insist that he discusses this case with him, because it is obviously so important to the hon. Gentleman and his constituents.

As the hon. Gentleman is aware, there are two Independent Office for Police Conduct investigations into North Wales police's involvement. I am not in a position to comment on them while they are ongoing, but I am sure that when those reports are handed down, the policing Minister will be pleased to discuss them with the hon. Gentleman to see what further improvements can be made.

The hon. Gentleman raised the issue of funding. I wish that we did not have to view policing just through the prism of funding, but that seems to be the only line of debate on policing that Opposition Members wish to pursue. I am conscious that I am constrained by the fact that there are two live IOPC investigations. He described funding as a political decision; I must remind him why that decision had to be made. I would not have raised funding in this context, but he has, so I am obliged to put it on record that the reason those hard decisions had to be made was the economic mess in which we found ourselves when the last Labour Government left office.

We are very conscious of the pressures that the police have been under in the last few years, which is precisely why the then Home Secretary protected spending in 2015, and why it has been protected since then. This year, my right hon. Friend the Minister for Policing and the Fire Service has spoken to every constabulary in the country. With the help of police and crime commissioners, we have secured an extra £460 million of funding for police forces.

Ian C. Lucas: I am sorry that the Minister takes exception to me raising funding. I do not accept her description of the position in 2010. In 2010, the Conservative Government reduced policing funding for 2010 to 2015 on the basis that the policies that they were pursuing would eliminate our budget deficit by 2015. That policy failed, but none the less we suffered the imposition of cuts between 2010 and 2016. It is fair to individual police officers to point out in a debate such as this where I have made criticisms that they are under more pressure now than they were in 2010. That is a fact.

Victoria Atkins: I wonder whether the hon. Gentleman, as the good constituency MP that I know he is, has raised with the local police and crime commissioner the fact that as of March 2017, the police and crime commissioner had held-back reserves equivalent to 24.1% of funding for the local police force, or £34.4 million in

savings. The hon. Gentleman talks about political decisions; presumably it is a political decision by the police and crime commissioner not to spend that money on frontline policing.

I am very conscious of the gravity of this case; frankly, there are times when the public want us just to get on with it and sort things out, rather than have these back and forth arguments about funding. The fact is that we have protected spending and it is now increasing this year by £460 million. Any police and crime commissioner or chief constable who wants to spend that money on frontline policing however they see fit for their local area will have our support. That is their decision.

Data sharing sadly is a point raised not just in this context but in other cases, where there are serious incidents of violence and it emerges that various agencies involved in the run-up to an incident did not share information in the way that we would wish. To declare the fact that agencies can and should share information for safeguarding purposes, we amended the Data Protection Act to include a statement to that effect. I hope that will provide reassurance to those agencies that hold information—not just the police but social services, the medical profession and others. That may help to safeguard children or vulnerable adults. I hope that amendment to the Act will give them comfort, enable them to do that and create a culture in which agencies realise that in certain circumstances, they are allowed to share information where it may help to keep people safe. I hope that change will reassure the hon. Gentleman and Mr Churton's family for the future.

I want to praise the actions of two police officers in North Wales. During Mr Davidson's tirade of crime in the aftermath of the murder, police constables Rhys Rushby and David Hall arrested Mr Davidson and were very badly injured in the process. They were extraordinarily brave, selfless and devoted to their duty. I was very pleased to hear that their bravery has been recognised not just by their own force but in their nomination for a national police bravery award. I give them my thanks and wish them the best of luck in that ceremony. This is just one example of the daily dangers faced by our police officers. We must thank them for facing them

I thank the hon. Gentleman for securing this debate. He is an assiduous constituency MP; we have met to discuss other issues relating to behaviour in and around his constituency. He has raised this important issue because he wants to ensure that the thoughts of the Churton family are heard and, just as importantly, that actions are taken by the agencies involved to ensure that these terrible mistakes are not repeated. I thank him for his contribution.

Question put and agreed to.

11.26 am

Sitting suspended.

Gaza: Humanitarian Situation

[IAN PAISLEY *in the Chair*]

2.40 pm

Ian Paisley (in the Chair): It is extremely stifling in here today. If hon. Members wish to remove their jackets, I will permit that, given the heat. I know we will probably generate more heat and light during the debate. This is also a highly subscribed debate, so I ask people to bear that in mind when they make their introductory remarks. I will try to get everyone in, if possible, but quite a lot of Members wish to speak. I will try to accommodate everyone; if we can keep interventions to a minimum, that will help.

Grahame Morris (Easington) (Lab): I beg to move,

That this House has considered the humanitarian situation in Gaza.

It is a pleasure to serve under your chairmanship for the first time, Mr Paisley. This is a DFID debate rather than a Foreign and Commonwealth Office debate, and I am glad that the Minister of State, Department for International Development, the right hon. Member for North East Bedfordshire (Alistair Burt), is present to bring his expertise to bear.

The situation for Gaza and its 1.7 million residents is appalling and inhumane, but before I turn to some of the specific concerns of the many in Gaza and the wider Palestinian community, I will briefly comment on the events of the past few months. Many hon. Members will be aware that there have been multiple protests along the border with Israel as part of the “Great March of Return”. The start marked the 70th anniversary of the exodus of as many as 750,000 Palestinians, many of whom were driven from their homes during the creation of the state of Israel in 1948. According to Medical Aid for Palestinians, approximately 14,600 people have been injured by Israeli forces, and 55% of those were hospitalised. Tragically, 118 Palestinians were killed, including 14 children. Elsewhere, including in the west bank, a further 17 Palestinians were killed during the same period, including five reportedly shot at the fence or after crossing into Israel.

In particular, I pay tribute to Razan al-Najjar, a 21-year-old volunteer for a medical team helping wounded protesters, who was shot dead near Khan Younis. Razan was fatally shot in the neck while clearly wearing a medical staff uniform. That is a war crime, as the Palestinian Health Minister, Dr Jawad Awwad, has said. Razan was brave and inspirational, and will be remembered as such, but it is our responsibility as politicians in the UK Parliament to try to ensure that those responsible are held to account for her death. Dr Andy Ferguson, who is MAP’s director of programmes and was present at Gaza’s largest hospital, Al-Shifa, on Monday 14 May, said the following about what he witnessed:

“Any hospital in the UK would be utterly overwhelmed by such a massive influx of injuries as we saw in Gaza. Amid dwindling supplies of medicines and equipment and Gaza’s chronic electricity shortages, hospitals in Gaza were in crisis even before the protests began. It is testimony to the motivation and skills of medical teams in Gaza that, despite this, hospitals were able to keep receiving, triaging, referring and treating patients—both the newly-wounded and the hospital’s standard patient workload.”

Although it is apparent that some protesters may have engaged in some form of violence, that does not justify the use of live ammunition. International law is clear: firearms can only be used to protect against an imminent threat of death or serious injury. In some instances, Israeli forces appear to have committed wilful killings, constituting war crimes.

Mr Jim Cunningham (Coventry South) (Lab): My hon. Friend will recall that I asked the Minister a question—I think it was about a fortnight ago—about an inquiry into what had been happening there. That was to go to the United Nations, but when it got to the UN, the British Government sat on their hands. What does my hon. Friend think about that?

Grahame Morris: I am grateful for that intervention and I am pleased that the Minister is here. He has some responsibilities and I hope we will have some answers. We need to have an inquiry and to hold those responsible to account, because Israeli forces were using not only live ammunition, but high-velocity weapons in particular, causing absolute maximum harm. Another issue of concern is that the UK Government have approved more than £490 million-worth of arms exports to Israel since 2014.

Faisal Rashid (Warrington South) (Lab): According to the latest figures from the UN, since 30 March this year, 135 Palestinians, including children, have been killed and thousands injured, half of them seriously, as a result of the use of live ammunition. Does my hon. Friend agree with Amnesty International, which has renewed its call on Governments worldwide to impose a comprehensive arms embargo on Israel following the country’s extreme response to the mass demonstrations along the fence separating the Gaza strip from Israel?

Grahame Morris: I agree with my hon. Friend. It is about not just the sale of high-powered rifles but the type of ammunition that is being used, all of which has been licensed. The licences include categories of arms and arms components such as sniper rifles, assault rifles, surveillance and armed drones, and grenade launchers. As yet, the use of UK-manufactured weapons in the current atrocities has yet to be verified, but US-supplied weapons of the same type are clearly being used by Israeli forces to kill and maim Palestinians.

The export controls under which our Government operate clearly state that export licences should not be approved if there is a clear risk that the weapons might be used in violation of international law or for internal repression. From the Government’s own figures, it is hard to see how current sales of military and security equipment to Israel are not in breach of those obligations, which comes back to my hon. Friend’s point. The Israeli Government must rein in the military to prevent the further loss of life and serious injuries, and the UK Government must immediately suspend all their current arms sales to Israel and support international efforts to set up a comprehensive arms embargo that applies to Israel, Hamas and other armed Palestinian groups.

The UN Human Rights Council has condemned “the disproportionate and indiscriminate use of force by the Israeli occupying forces against Palestinian civilians,” and called for the urgent establishment of an “international commission of inquiry” to investigate the killing of Palestinians during the protests. In my opinion, it shames

[Grahame Morris]

the UK Government that the UK abstained on the vote, objecting to the omission of references to Hamas and its role in the violence. The UK has, however, separately called for a full and independent inquiry. Indeed, the Minister told the House:

“Our abstention must not be misconstrued. The UK fully supports, and recognises the need for an independent and transparent investigation into the events that have taken place in recent weeks, including the extent to which Israeli security forces’ rules of engagement are in line with international law and the role Hamas played in events... The death toll alone warrants such a comprehensive inquiry.”—[*Official Report*, 21 May 2018; Vol. 641, c. 579.]

Bob Stewart (Beckenham) (Con): It would be extremely useful to see the rules of engagement issued to the Israel Defence Forces; I wonder whether anyone has a copy of them.

Grahame Morris: The hon. Gentleman makes a valid point. However, certain principles apply in relation to the use of lethal force. It is clear that the Israeli security forces’ response has been completely disproportionate, as demonstrated by the death toll and the huge number of Palestinians with gunshot wounds, many of whom are in a very serious condition and will have permanently disabling injuries as a result.

Dr Matthew Offord (Hendon) (Con): I congratulate the hon. Gentleman on securing the debate. Is he aware of the high committee of the “Great March of Return”, which includes Hamas, posting on Facebook a request that people bring a knife or gun to the protests? Does he agree that it is a distortion of the truth to ignore the role of Hamas in this violence?

Grahame Morris: I condemn violence and I condemn those who advocate it on all sides. I have seen some appalling quotes from prominent Israeli politicians that are equally worthy of condemnation, so I condemn Hamas and I condemn those responsible on the Israeli side.

Tracy Brabin (Batley and Spen) (Lab/Co-op): The last time we debated this in the Chamber, I asked the Minister if we had any statistics on Palestinians being arrested, but he was unable to give them. Those statistics would indicate whether the Israeli forces’ approach to the protest was one of “shoot to kill” or of arresting the protestors. Does my hon. Friend agree that that should be looked into?

Grahame Morris: I know that my hon. Friend has visited the west bank and has seen some of the actions of the Israeli security forces. Perhaps the Minister will respond to that. The UK must press for an independent inquiry and ensure that its abstention at the Human Rights Council does not send the message that grave violations of international humanitarian law will be tolerated.

In 2012, the UN warned that Gaza would be unliveable by 2020. In July 2017, the then UN co-ordinator for humanitarian aid and development activities, Robert Piper, revised that projection, saying that “that unlivability threshold has been passed quite a long time ago.” I share that view. Chronic needs and injustices must be addressed now. Many right hon. and hon. Members present have actually seen the conditions there with

their own eyes. The people of Gaza cannot wait for a successful peace process. The blockade must be lifted and the suffering relieved.

Rushanara Ali (Bethnal Green and Bow) (Lab): My hon. Friend will be aware that the former Conservative Prime Minister described Gaza as the world’s biggest open-air prison. That narrative has changed, as has the policy of the Government, who seem increasingly apologetic about the Israeli Government’s actions. I welcome the Government’s reference to an international inquiry, but they are shirking responsibility given our history in that country and region. I call on the Minister and his Department to work in the spirit he has always shown and make sure that the Prime Minister and the Foreign Secretary start to show some leadership on this issue, rather than ducking and diving, as has happened over the past few years.

Grahame Morris: I absolutely agree. I hope that we will hear some positive responses from the Minister. Until Israel ensures effective and independent investigations that result in the criminal prosecutions of those responsible, the International Criminal Court must open a formal investigation into these killings and serious injuries as possible war crimes and ensure that the perpetrators are brought to justice.

The debate relates to the work of DFID, and the protests, attacks and deaths merely shadow a wider issue, which is that many Palestinians live a miserable life because of the Gaza blockade. It has now been 11 years since the closure of Gaza, which was intensified by Israel’s imposition of a land, sea and air blockade.

Despite Israel’s removal of its settlements in Gaza in 2005, it retains effective control over both the territory and its population. It therefore remains the occupying power, with all the humanitarian and legal responsibilities resulting from the fourth Geneva convention, including for the Gaza population’s access to adequate healthcare, the provision of medical supplies and the functioning of medical establishments. Hospitals in Gaza are suffering a drastic deficit in medical disposable equipment and vital drugs. The World Health Organisation warned that the health system in Gaza is

“on the brink of collapse”,

with more than 40% of essential medicines completely depleted, as well as shortages of electricity and fuel for generators.

Permit approval is needed from Israel for patients seeking urgent treatment outside Gaza. Last year saw the lowest rate of permit approvals for Palestinian patients since records began, causing the avoidable tragedy of the deaths of at least 54 people after the denial or delay of their permits.

Imran Hussain (Bradford East) (Lab): My hon. Friend is making a powerful and informed speech, and I congratulate him on securing this important debate. He is absolutely right to say that healthcare is on the brink of closure, but so are other vital services, such as energy, schools and sewage management. Despite humanitarian efforts over 11 years, the situation has worsened year on year. Will he ask the Minister to set out what concrete steps he will take to end this illegal blockade?

Grahame Morris: Precisely. I am grateful for that contribution, and I hope that the Minister will respond positively and give us some good news about the potential for progress on a lasting settlement and relief for the hardship of those people.

Gaza's unemployment rate is almost 50%, which is the world's highest, while 97% of households lack access to clean drinking water. There has been a threefold increase of diarrhoea among under-threes, and in contrast to the global improvement in infant mortality the rate in Gaza has actually stagnated for a decade. Mains electricity is available for only four or five hours a day—less under certain circumstances—which undermines vital services and severely inhibits people's everyday lives and wellbeing. Some 109 million litres of waste water is released into the sea every day, and almost the whole of the Gaza coastline is contaminated.

I know that the Minister shares my concerns, but we need to do more. We need to step up to the plate for the Gazans. We cannot allow the desperate situation of these innocent people to continue. Taking no action will be counterproductive. It will simply strengthen the position of those who advocate extremism. We need to hear a stronger voice from the UK in the international community.

Stephen Crabb (Preseli Pembrokeshire) (Con): The hon. Gentleman is making important points about the desperate humanitarian conditions faced by Gazans. However, unless he is willing to mention that the disruption to energy supplies for Gazans has much to do with the ongoing dispute between Hamas in Gaza and the Palestinian Authority in the west bank, that the Rafah crossing is hardly ever opened to allow humanitarian supplies in from Egypt, or that Hamas runs Gaza with an iron fist and is guilty of numerous counts of misappropriating aid, we will not get the balanced discussion that this important issue needs.

Grahame Morris: We need an understanding of the situation and the appalling hardships faced. Let us not forget that Israel has obligations under international law and under the fourth Geneva convention. It must honour those commitments, and if it does not the international community must take action.

On our roles and responsibilities, I have seen at first hand the vital work of the United Nations Relief and Works Agency and the Office for the Co-ordination of Humanitarian Affairs. I hope that the Minister gives us something positive in his comments today, because we need to ensure that those organisations are properly funded. I believe that we must consider sanctions against Israel if international law continues to be flouted. Most importantly, we need to ensure that the blockade is lifted and Gazans are allowed to travel, trade and have access to healthcare. If we do not do everything in our power, and the Government do not do everything in their power to achieve peace, the blood of many more people will be on our hands.

Several hon. Members *rose*—

Ian Paisley (in the Chair): Order. Before I call Sir Nicholas Soames, I ask hon. Members to restrict themselves to as few interventions as possible or no interventions—I know it is impossible to order that. It will mean that everyone gets a chance to speak, but after Sir Nicholas speaks,

I will be cutting the time available to each Member to, potentially, two minutes, depending on interventions. I want to get it to three minutes each, but that will be up to you.

3 pm

Sir Nicholas Soames (Mid Sussex) (Con): It is a great pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Easington (Grahame Morris) on securing this very timely and important debate. I wish to make only a brief contribution.

I speak today as a long-standing member of the Conservative Middle East Council and, now, its president, and as someone who has travelled extensively in the middle east for many years. At the beginning of my speech, I want to make it clear that I believe absolutely in Israel and I believe without qualification in the statehood of Palestine. I want to see a secure Israel alongside a viable and independent Palestine. However, I want today to express my deep concern about the truly appalling humanitarian conditions in the west bank and most particularly in Gaza.

In the 35 years that I have been a Member of Parliament, I have taken a very close interest in the middle east, with all its endless shifting alliances, problems and disasters, and it has always seemed to me quite unbelievable that a nation such as Israel—a nation that is cultured, sophisticated and democratic, that has triumphed over so much and whose people have, down the centuries, suffered so dreadfully—should even consider tolerating the grotesque situation that pertains in Gaza and the serious harm, desperate squalor and cruelty that the people there live with. It is immoral and contrary to all humanitarian norms. Israel acts with seeming impunity, imposing what is in effect a collective punishment on Gaza. Israeli actions against the Palestinians are legally and morally wrong and must be condemned, but more importantly, they must be put right. It is not enough just to express concern and to go on expressing concern. I say to my right hon. Friend the Minister, who is indeed my friend and who has a deep and profound understanding of the middle east, that I look to him for something stronger.

A democratic, sophisticated Israel should know much better than to do what it is doing at the moment, not only in its recent violent behaviour towards the Palestinians—the position was very well expressed by the hon. Member for Easington—but as it continues to expropriate, absolutely illegally and against all advice from all its friends and its opponents, land for settlements.

This year is the 70th anniversary of what Palestinians refer to as the Nakba—the terrible catastrophe that befell them, in which most of Palestine's Arab population fled or were driven from their homes during Israel's creation in 1948. Since 2007, an illegal Israeli-imposed blockade and three major wars have wreaked havoc on Gaza's economy, its infrastructure and, above all, its people. Unemployment in Gaza stands at 43%; 39% of Gaza's 2 million Palestinians live in abject poverty, with 80% dependent on international food aid for their very survival. If that is not enough, 97% of Gaza's entire water supply is contaminated by sewage and seawater. According to the United Nations, on top of all that are hopelessly inadequate health services. Essentially, the Gaza strip has been made uninhabitable and unliveable.

[*Sir Nicholas Soames*]

It is clear that the ongoing split between Fatah and Hamas has paralysed Palestinian politics, made it much harder to make any progress, and rendered very difficult reconstruction efforts in Gaza. However, the House should express today our unqualified and unreserved anger and our shock that Gaza should be kept as it is, with a devastated economy and desperate humanitarian needs.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Will the right hon. Gentleman give way?

Sir Nicholas Soames: I will not, if the hon. Lady will forgive me, because I am coming to the end of my speech and many hon. Members want to speak.

I know many Israelis and many Jews in this country who are deeply, abidingly, desperately ashamed of their country's behaviour—that wonderful, extraordinary country's behaviour—in this respect, and we should not in the House let this moment pass without most strongly condemning such dreadful and barbaric behaviour.

3.5 pm

Andy Slaughter (Hammersmith) (Lab): It is a pleasure to speak in the debate, and I congratulate my hon. Friend the Member for Easington (Grahame Morris) on securing it. It is also a pleasure to be under your chairmanship, Mr Paisley.

Last week, Jamie McGoldrick, the director of the Office for the Co-ordination of Humanitarian Affairs, spoke to the Britain-Palestine all-party parliamentary group here. A very experienced UN diplomat, he took over recently, and he gave us a horrific picture of both the current and the long-term situation in Gaza. As has been said, there is very little electricity or clean water. There are appalling levels of unemployment, poverty and reliance on aid. One statistic that he gave stuck in my mind. It was that 1,700 people were shot in one day. It is not just the 135 people who have been killed but the thousands of people who have been injured recently. We are talking about really quite unimaginable figures. Nearly 15,000 people have been injured, and the injuries of a large number of those—4,000—related to the use of live ammunition. This is firing into largely unarmed crowds of people who do not pose a threat to the state of Israel.

We can go back 200 or 100 years to events in our own history, such as Peterloo and Amritsar, in which the military engaged in attacking civilian populations. The idea that that is happening now in a country that says it is a democracy and is an ally of this country is just horrific. I am waiting to hear the condemnation that we should hear on this, because it relates to an illegal occupation that has gone on for 60 years. What has happened over the last 25 years—long before Hamas came on the scene—is the separation of Gaza from the west bank so that a Palestinian state becomes impossible. It is no longer possible to travel, not just for health reasons but for any reason at all, out of Gaza. In effect, the people of Gaza are being told, "You are sealed off. You will continue to be occupied. You will be subjugated and humiliated, but you will no longer have the right, just as people in East Jerusalem do not have the right, to travel to the west bank." This is the fracturing of Palestinian integrity and society in a way that is clearly deliberate.

Debbie Abrahams: Will my hon. Friend give way?

Andy Slaughter: I will give way—no, having looked at Mr Paisley, I will not; that was a stern shake of the head.

I end by asking this one question. Tomorrow Omar Shakir, a director of Human Rights Watch, will appear before an Israeli court. Can the Minister deal with the question of whether there will be British attendance there from the consulate or the embassy? It is important that voices in Israel speaking up against what is happening are defended and supported, because otherwise the truth simply does not get out. I ask the Government to do their bit, not just in condemning, but in supporting those who are trying to make a difference to the lives of people in Gaza.

3.8 pm

Damien Moore (Southport) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Easington (Grahame Morris) on securing the debate, although I am saddened that this contribution is on a fraught and hostile topic that concerns many of my Jewish constituents in Southport. I draw hon. Members' attention to my entry in the Register of Members' Financial Interests. I recently made a trip to Israel and the west bank with a number of colleagues—a trip that I will refer to.

Last Wednesday, a rocket exploded outside a nursery in southern Israel. No children were hurt, but the rocket was one of 45 fired from the Gaza strip that day. In recent weeks, dozens of balloons and kites with explosives attached to them have floated into Israel. One landed on a children's trampoline. Fortunately, no children were hurt. We rarely hear about violence emanating from the west bank or the deprivation there. I ask hon. Members to consider why. What is the difference between the two territories? The answer is simple. Whereas the Palestinian Authority want to create a lasting peace, the regime that controls Gaza wants to wage war against the Jewish people. Such hatred informs its decisions, which worsen the lives of ordinary Gazans.

Even more worrying is the anti-Semitism of Hamas. If we want to understand the humanitarian situation in Gaza, we need to appreciate the importance of the hatred that drives Hamas to launch bombs attached to balloons in the direction of innocent children. Since its foundation, Hamas has promoted the sort of perverse anti-Semitic stereotypes that some in our own country now believe. Its original charter accused the Jews of controlling Governments and triggering wars between them. It asserted that the Jewish people needed to be broken and their dream of a Jewish state destroyed. Even its revised charter denies Israel's right to exist.

Such unrelenting hatred causes obvious concern in Israel, but it creates only misery for Gaza. It is the reason why Hamas hides its weapons in the homes of innocent people; why it fires rockets from unprotected schools and hospitals; and why it channels tens of millions of dollars of international aid into maintaining a network of tunnels that terrorise Israel. This year I had the opportunity to see one of those tunnels. Only by seeing it can a person comprehend the true scale of the terror infrastructure that Hamas has created. It is nothing like what many anti-Semitic commentators would have us believe. The tunnels are not built to assist those

who might be fleeing. They are the product of sophisticated technical engineering, built with the purpose of supporting Hamas in achieving a prescribed outcome. Concrete slabs support the walls and ceilings of the passageways, many of which have electric wiring and lighting.

It is right that we concern ourselves with the ongoing humanitarian crisis in Gaza, yet I ask hon. Members to keep in mind what continues to make the humanitarian situation in Gaza unfavourable. Is it a lack of support by the international community? No. Is it the chronic shortage of humanitarian funding? No. Is it the anti-Semitic hatred of Hamas that keeps Gaza in its current pitiful state.

3.12 pm

Jess Phillips (Birmingham, Yardley) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I want to associate myself with what was said by my hon. Friend the Member for Hammersmith (Andy Slaughter). The hon. Member for Southport (Damien Moore) talked about seeing Gaza for ourselves. I have recently been to Israel and to the Palestinian territories. Seeing it for ourselves is important; it is what makes us turn up at 2.30 in the afternoon in Westminster to speak about these things. It is important that we all see it for ourselves. I appeal to the Minister to try to ensure that arrangements are made for Members of this House to go to Gaza, so that we can have proper oversight of British funding around Gaza and the humanitarian crisis. My hon. Friend the Member for Liverpool, Walton (Dan Carden) and I asked to visit Gaza as delegates, and were told in no uncertain terms that it would be almost impossible. That does not fill me with hope that the system is fair, especially given all the points raised in the opening remarks. It worries me when we stop being able to see.

My hon. Friend the Member for Hammersmith raised the case of Omar Shakir from Human Rights Watch. It appears that there is a closing down of dialogue, which is aimed at silencing human rights voices in the west bank and Gaza. The only way in which we can exert power to try to change that is through the use of our missions in the region. I urge Ministers to seek support on the case regarding Omar Shakir's deportation, and to urge the missions to attend tomorrow's court case in Jerusalem. Something must be done, so that we are not left guessing about the propaganda and the different groups. Let us call a spade a spade. We are all associated with different groups that have different feelings and ideologies on this issue, but we can put all that aside. I watched myself and the people I travelled with put some of our preconceived ideas aside when faced with the reality. I ask the Minister to try to make sure that we can go into Gaza and see it for ourselves.

3.15 pm

Jack Lopresti (Filton and Bradley Stoke) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Easington (Grahame Morris) on securing this very important debate.

The humanitarian situation in Gaza is severe and extremely difficult, and I am pleased we are having this debate. I want to focus first on the good work that is being done. We often think the problems are insurmountable and ignore the really serious efforts to improve the situation. Israel has doubled the amount of water it provides to Gaza to relieve the water crisis that Gazans face. Furthermore, Israeli healthcare and charitable bodies

continue to provide their services to Palestinians. Some 6,000 children have been examined in the weekly cardiology clinic run by Save a Child's Heart in the city of Holon. Each day, around 700 trucks of supplies of medication, food and building materials enter Gaza through the Kerem Shalom crossing. In total, 10 million tonnes of construction material have been delivered to Gaza since 2014. Those are all positive signs.

Debbie Abrahams: I appreciate the hon. Gentleman's giving way. The World Health Organisation has stated that in Gaza, there is only a month's supply of half of the items needed for essential medicines, and of a third of essential disposables. Does he find that acceptable?

Jack Lopresti: These things are extremely difficult and it is not up to me to say whether that is acceptable. I will simply highlight what I think is happening to some of the resources directed towards Gaza.

As I said, there are positive signs, but clearly they have not alleviated the very serious humanitarian situation in Gaza. It could be said that Israel can and should do more, but when we ask why it does not do more, we come across the root cause of the Gazan humanitarian catastrophe. Hamas won in the 2006 Palestinian legislative election, and emboldened by that, it militarily seized the Gaza strip in 2007. Since then, Hamas has been the undeniable root cause of the suffering and devastation in Gaza. It is committed to the destruction of the state of Israel, aided and abetted by its Iranian paymasters. It antagonises the situation by being a bad, unhelpful and corrupt Administration.

The reconstruction material that Israel sends through the Kerem Shalom humanitarian crossing is frequently misappropriated to build terror tunnels. In 2016, it emerged that \$36 million had been diverted from the international relief group World Vision directly into Hamas's coffers. Additionally, 369 Palestinians are alleged to have abused their medical permits to seek treatment in Israel, using them instead to plan and prepare terrorist atrocities. In such circumstances, given the rampant maladministration and deception that Hamas oversees, the Israeli and international aid efforts are amazing and optimistic. It is a credit to all involved that they continue to do the right thing, despite the real risk that their good intentions will be subverted for evil ends. Hamas is not just a corrupt administrator; it is a genuine threat to the security of Israel and the wider region.

3.18 pm

Marsha De Cordova (Battersea) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate my hon. Friend the Member for Easington (Grahame Morris) on securing this important debate and on his excellent speech.

Following the killings of Palestinians protesting on the "Great March of Return", a senior UN official rightly described the humanitarian situation in Gaza as a "crisis on top of a catastrophe".

And it is a long-running catastrophe.

The illegal blockade of Gaza is entering its 12th year. That is more than a decade of occupying forces violently locking nearly 2 million people in one of the most densely populated areas in the world, in what David Cameron described as an "open-air prison". It is more than a decade of Palestinians being terrorised by an Israeli

[*Marsha De Cordova*]

army that still effectively occupies Gaza, with Israel retaining control over Gaza's borders, air space, sea space and public utilities. It is more than a decade of the Israeli army making frequent and devastating military interventions in Gaza, and it is more than a decade of its control being used to suffocate Gaza.

The poverty rate is 40%, with 80% of the population dependent on foreign assistance. Just 20 years ago, Gaza's water network provided safe drinking water to 98% of households. Now the figure is less than 4%. Today there are just three to four hours of electricity a day in Gaza. In 2012 the UN warned that Gaza would be "unliveable" by 2020. That judgment was revised last summer: Gaza is already unliveable.

We could spend all day cataloguing the severity of the de-development of Gaza but throughout it must be remembered that the humanitarian catastrophe is human-made, perpetrated through military might and with international backing. Because it is human-made it can and must be unmade, but rather than seeking a political solution our Government facilitate the disaster. Just last year the Government approved more than £490 million-worth of weapons exports to Gaza, including sniper rifles like those used to kill Palestinian protesters in recent months. Since we know that the Israeli army's military arsenal is crucial in the ongoing humanitarian catastrophe in Gaza, will the Government review the sale of arms to Israel?

The human-made disaster in Gaza can be unmade. Palestinians and Israelis can live in equality and peace, and on just terms, but it will require political courage to bring that about. I look forward to that day and pray it will be soon, when we have a Government who are willing.

3.21 pm

Paul Masterton (East Renfrewshire) (Con): Since Hamas seized control of Gaza in 2007, the humanitarian situation has deteriorated drastically. Hamas does not use international aid for the benefit of its citizens, to build schools or hospitals. Instead it uses it to build sophisticated tunnels into Israel, with the intention of committing terror attacks.

It has gone relatively unreported, and has certainly not been mentioned in this debate, that Israel has facilitated the passage of well over 10 million tonnes of construction materials into Gaza since Operation Protective Edge in 2014. It has expanded and developed its Kerem Shalom goods crossing to increase its capacity to 800 trucks a day, which carry food, medical equipment, fuel, building materials and more. Yet on at least three occasions in recent weeks Hamas has set fire to the crossing and to the gas pipelines that serve the people of Gaza. It has refused and destroyed aid supplies, including the medicines whose severe shortage other Members have highlighted, when it has been realised that they came from Israel. That attitude is completely incomprehensible and only compounds the suffering of Gazans, who are living in the most horrifying situation.

Israel regularly allows Gazan patients to get treatment in Israel, and helps Gazan doctors and nurses to receive further medical training at Israeli hospitals. When I visited Tel Aviv I saw Israeli doctors at Save a Child's Heart providing life-saving heart surgery to Palestinian children and training Palestinian doctors, who will return to Gaza where they will be able to perform the surgery themselves.

Stephen Crabb: My hon. Friend makes the point that Israeli hospitals treat citizens from Gaza. Is he aware that some of the people who have been treated have included senior Hamas operatives and members of their families, and their children?

Paul Masterton: I thank my hon. Friend for that point, which is a good one. Senior officials in Hamas are always too ready to allow access to those high standards of healthcare in Israel, although they seek to block it for their own citizens.

The moments in that Tel Aviv hospital gave me hope that peace could be achieved, because Palestinians and Israelis worked together there as equals with mutual respect. When we debate the disastrous humanitarian situation in Gaza we cannot ignore the role of Hamas, as others have sought to do. What struck me when I was in the west bank and met the Palestinian chief negotiator was the fact that his overriding emotion was not frustration, anger or upset; instead there was a sense of despondency and guilt, because he keenly felt that the loss of the Gaza elections to Hamas in 2006, the battle of Gaza in 2007 and the political violence of 2009, when opponents of Hamas were tortured, shot and thrown off buildings, have created an insurmountable obstacle to peace and left the innocent people of Gaza at the mercy of an authoritarian militant jihadi regime.

Christine Jardine (Edinburgh West) (LD): Will the hon. Gentleman give way?

Paul Masterton: No, I am sorry but I do not have time.

It is important to note that the Palestinian Authority are not reconciled with Hamas. They cannot work with it or bring it to the table. They do not want Hamas to be in control of Gaza. They have sought to use financial measures to isolate it, and in the past couple of weeks President Abbas has really tried to increase pressure on the regime to transfer power over to Ramallah. Until Hamas renounces violence, seeks to work for peace and co-operates with the international community, the humanitarian situation in Gaza will only get worse.

3.24 pm

Julie Elliott (Sunderland Central) (Lab): It is a pleasure to serve under your chairmanship for the first time, Mr Paisley. I congratulate my constituency neighbour, my hon. Friend the Member for Easington (Grahame Morris), on obtaining the debate, and associate myself with all his remarks. I also agree with every word that the right hon. Member for Mid Sussex (Sir Nicholas Soames) said.

I want to deal with a couple of issues that have not been mentioned in the debate. One concerns the truth. The debate is about the humanitarian situation in Gaza, not the politics of the region. We should remember that. It is about the men, women and children who live in an absolute hell hole. The media reporting this week of the visit by His Royal Highness the Duke of Cambridge has been inaccurate. I welcome his visit—it is a good one—but the media have been referring to the Palestinian territories, and not the occupied Palestinian territories. We should never forget that point, and the BBC needs to do better.

Another thing that has not been touched on today is the issue of permits. To get access to hospitals in Israel, the west bank or East Jerusalem, people need a permit to leave Gaza. I visited the west bank last year and the number of people refused permits was enormous. With the recent increase in violence on the border, after the “Great March of Return”, children are being refused permits to seek medical attention in better equipped hospitals outside Gaza. By any parameter—by any civilised metrics—children should not be refused medical treatment. They are not a security risk or political operatives, but children. We should remember that.

We are talking about the enormous suffering of people who live in Gaza—an area that is beautiful, if only it can be given the resources to succeed. I feel strongly that British parliamentarians have a huge responsibility to shine a light on what is happening there. That is what we are doing today. The Government have a responsibility to step up to the mark and do something. We need to stand tall and act on what is happening, and not allow it to continue. I look forward to hearing what the Minister will say to call out that unacceptable situation, and what meaningful, purposeful suggestions he will make for what can be done to address the humanitarian crisis in Gaza.

3.27 pm

Chris Davies (Brecon and Radnorshire) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Easington (Grahame Morris) on securing the debate, and draw attention to my entry in the Register of Members’ Financial Interests.

The humanitarian situation in Gaza is most worrying. The people of Gaza live in difficult circumstances, with high unemployment, particularly among the young. There are no real export markets to speak of, and GDP is at low levels. The territory suffers from intermittent blackouts, and access to water is deteriorating. However, it is important to note that for many years Israel has provided electricity to the people of Gaza, and it was the Palestinian Authority who last year put pressure on Israel to reduce the electricity supply temporarily, when they refused to continue paying for it.

The only way to end the humanitarian crisis is to improve the prospects and life opportunities of the people of Gaza. Israel has an important role to play in that. I particularly welcome reports today that Israel and Cyprus are working together to build a sea port to facilitate Gaza’s rehabilitation, while also ensuring that Hamas will not be able to exploit the port for smuggling weapons. Hamas has, for too long, taken humanitarian aid away from the most needy in Gaza, for the purpose of terrorism. I hope that with the support of the international community the sea port will be able to open up a new and more hopeful chapter for the people of Gaza.

Sadly, today’s debate is set against rising tensions along the Gaza-Israel border. The Hamas-orchestrated riot on the border and the highest levels of rocket fire into Israel in years have been a painful reminder of the volatility of the area. Less well known, however, are the new arson terror attacks being deployed in Gaza, which have devastated Israeli communities along the border. Almost 1,000 incendiary kites and helium balloons bearing inflammable materials and, occasionally, explosives have been launched from Gaza into Israel, causing more than 1,000 fires in Israeli communities.

Make no mistake: this new form of terrorism is led and co-ordinated by the Hamas terror group. It is inexpensive and straightforward. It must stop. The cycle of violence fundamentally highlights why Hamas must abide by the Quartet principles and immediately renounce violence against Israel.

Several hon. Members *rose*—

Ian Paisley (in the Chair): Order. Before I call Dr Rosena Allin-Khan, I inform Members that her speech will be the last three-minute speech. After that, the time limit will be two minutes.

3.30 pm

Dr Rosena Allin-Khan (Tooting) (Lab): It is a pleasure to serve under your chairmanship again, Mr Paisley. I thank my hon. Friend the Member for Easington (Grahame Morris) for initiating this debate.

It has been heartbreaking to follow the ongoing situation in Gaza. Time after time, we have had the opportunity to ease people’s suffering around the world, yet in Gaza we have failed to do so. We are witnessing ongoing massacres and conflict. In the past three months alone, 135 Palestinians have been killed and almost 8,000 people have required hospital treatment. That is the largest loss of life in Gaza since 2014. Violence was directed at protestors, many of them children. The massacre on the border on 14 May was triggered by the opening of the US embassy in Jerusalem. On that tragic day alone, 52 Palestinians died. How, as an international community, can we allow our actions to lead to such a senseless loss of life? How can we welcome President Trump here next month, when his actions have led to the death of civilians and the slashing of funding for UN relief work for Palestinian refugees?

In my capacity as a humanitarian aid doctor, I worked with Palestinian refugees for three years, with the Red Cross and the humanitarian aid department of the European Commission. Through that work, I witnessed the aching and suffering of a marginalised population who have been repeatedly displaced, are without hope and are continually at the mercy of the international community. Gaza is suffering from a protracted health crisis, which is inhumane. To restrict access to healthcare for an already marginalised population is nothing short of disgraceful. Basic infrastructure such as healthcare, electricity and sanitation is not being developed in Gaza.

What makes Gazans less deserving than anyone else in the world who Britain, as an outward-looking country, fights for day in and day out? Why should parents continue to witness their children—children like ours—dying in their arms? We have a duty to ensure that we use the honourable power bestowed on us on the political stage to protect those at risk. Britain has always been an outward-looking country that does not shy away from the challenges that face us all. Our country’s response to this crisis goes to the essence of who we are as people. We must stand up and call out the human rights offences in Gaza when they are taking place. We have a duty. We cannot turn our backs on those in Gaza.

3.33 pm

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate my hon. Friend the Member for Easington (Grahame Morris) on securing this important debate.

[*Mr Tanmanjeet Singh Dhesi*]

It is clear that the situation in Gaza represents a major humanitarian crisis, which is getting worse, not better, and which has dangerous consequences for the whole region. It makes the likelihood of a Palestinian state seem further away than ever.

Some 2 million souls are living in cramped urban conditions under a blockade by land, air and sea, as if they are in a prison. Some 1 million Palestinians are reliant on food aid. Just 10 years ago, that figure was 80,000. Ninety seven per cent. of households are without access to fresh running water. There are regular, frequent power blackouts. The reduced electricity supply puts strain on hospitals, as well as water and sanitation supply, with over 110,000 litres of raw waste or untreated water released into the Mediterranean sea every day. Six in 10 young people are unemployed. A Palestinian in Gaza is twice as likely to be unemployed as a Palestinian in the West Bank. That situation is simply unsustainable, so there is an immediate humanitarian need for aid.

Christine Jardine: Does the hon. Gentleman agree that the US President's slashing of UN aid to Gaza threatens to make the situation much worse? Will he join me in calling on the UK Government to put that case to the President when he is here on 13 July?

Mr Dhesi: I could not agree more with the hon. Lady and I hope the Minister will answer that point.

At the International Development Committee on 19 June, Rachel Evers, director of legal affairs at the United Nations Relief and Works Agency, gave shocking evidence about the pressures on the relief on the ground. I ask the Minister to address the important point about the impact of cuts to the UNRWA budget. Can more be done by the UK in the short term to ease the humanitarian crisis? We all know that the long-term solution will be a political one, pursued by calm heads with a genuine desire for peace—alas, I do not see too many of those in Washington and Jerusalem at present.

We should absolutely condemn the US moving its embassy to Jerusalem as a provocative and reckless act. But what of the medium term? Here the answer may be economic as much as political. The Israeli Government must relax their blockade and allow economic development. People in Gaza must be allowed to develop their own infrastructure and economy. Finally, I ask the Minister to share his views on economic development as a route to a better future for the Palestinians in Gaza. In conclusion, Gaza is collapsing. Its people are suffering. The world is watching. We must act now.

3.36 pm

Alex Cunningham (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I will concentrate my remarks on children, who have never had a say in this conflict, have never done anything to add to it and have committed no crime whatever except being born. They are suffering the most. I visited Gaza in 2012 and what I saw will stick with me for the rest of my life. I remember the people who were making the most of a very difficult situation. They were welcoming people, with aspirations for their children, as we have for ours, but above all, they wanted freedom.

I also remember the mothers showing me pictures of their children locked up in Israeli prisons after being sentenced—contrary to international law—by military courts. They could not visit their children, because the Israeli Government would not permit it. I also saw the fertile land and stunning beaches, but the land could not be fully exploited and the beaches were polluted because of the lack of sewage treatment. The potential for a vibrant nation was there, but people had little optimism that it could be achieved. It just gets worse.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I want to make a brief comment about children. A 10-year-old child in Gaza will already have lived through three conflicts, with no end in sight. Already, Save the Children is reporting that children are facing huge mental health problems, bed-wetting and all sorts of issues.

Alex Cunningham: Indeed, that is the case. I wanted to address mental health, but I do not have sufficient time. I thoroughly believe that it is the responsibility of Governments and countries around the world to help those unable to help themselves, yet countries trying to help the Palestinians are restricted by the harsh regime imposed on the movement of goods and aid by the Israeli Government.

It is not just about aid but about development and a nation that can sustain itself. I know it is an old cliché: give a man a fish and you have fed him for a day; teach him to fish and you will feed him for a lifetime. It is about allowing people to develop and reach their potential. Although that does not do the Palestinian fisherman any good, as they are banned from their own fishing waters. It cannot possibly be right to have two nations living cheek by jowl, with one firmly in the 21st century, developing and thriving, while the other is left behind in poverty and need.

We have seen how the nations of the world react in times of disaster. We have seen countries devastated by famine, others ruined by catastrophic weather and refugees fleeing war zones across the world. They all have one thing in common. Other countries can get access to those people. We cannot get access to the people of Palestine. It is time that the nations of this world made it clear that they are prepared to tell Israel that they want and will have access to these marginalised people. That is not just my message. I attended an Eid festival event at Stockton Mosque on Friday and heard a series of speeches, most from young Muslim women, about the middle east, particularly Palestine. They want a peaceful world. They want to reach their potential, but that is also their wish for the children of Gaza.

3.38 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Paisley. To improve the humanitarian situation in Gaza, what must happen is self-evident but, unfortunately, intractably difficult to achieve. There are steps that the UK Government can take to help. They must take the long-overdue action they know is required to improve the humanitarian situation.

There are three main things the UK can do. The first is to demand an end to the 11-year blockade of Gaza. Not only is the blockade illegal under international

law—as has been mentioned, it is in contravention of the Geneva convention on human rights—but it is preventing the rebuilding of infrastructure, hospitals, schools, electricity supply and sewage systems. Indeed, the GDP in Gaza has halved in recent years. The blockade is highly restrictive to the work of local and international humanitarian organisations, not to mention the local economy and the ability of Gazans to support themselves. Humanitarian and development organisations are extremely limited in obtaining basic supplies, such as building materials for shelter and medical supplies, which undermines their ability to provide support and take a sustainable approach to development assistance. The restrictions need to be lifted and, until they are, I hope the Government will urge the Israeli authorities to go much further in easing them.

Secondly, the UK Government need to review their defence sales relationship with Israel. In response to a written question that I tabled earlier this month, the Minister said:

“The Government...have been keeping the situation in Israel under review. We have no information to suggest that UK supplied equipment has been used in contravention of the Consolidated EU and National Arms Export Licensing Criteria.”

However, as the Government’s review found that the UK had issued 12 licences for defence equipment that they believed were likely to have been used in the 2014 war, and as equipment sales have continued unabated ever since, serious questions remain as to whether the UK-made weapons supplied to Israel were used by the Israeli Government during the recent horrific violence in Gaza, and there needs to be a full investigation into that.

Thirdly, we must push for an independent investigation by the UN or the International Criminal Court into Israel’s use of live ammunition against civilians in Gaza, particularly during the recent protests for the Palestinian right to return. After 70 years of intractable conflict, the only sustainable future is a comprehensive peace deal based on a two-state solution of a secure Israel alongside a secure and viable Palestine. Sadly, that vision—

Ian Paisley (in the Chair): Order. I call the first Front-Bench spokesperson, Joanna Cherry. I thank her for conceding some of her time to Back Benchers.

3.41 pm

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Easington (Grahame Morris) on securing the debate and on making such an eloquent and heartfelt speech. It is always a pleasure to listen to him.

The hon. Gentleman spoke of the shocking number and nature of the casualties sustained by Palestinians in Gaza due to recent events. In particular, he spoke about the fatal shooting of the volunteer paramedic, Razan al-Najjar, despite the fact that she was clearly identified as a paramedic. He said that that was a war crime, and I endorse that. He stressed the importance of an independent investigation of that death and of all the other deaths that took place, and the importance of people being held to account.

The hon. Gentleman also spoke about the nature of the weapons and the ammunition used, and made the demand, which many hon. Members agree with, that until

those matters are looked into properly, arms sales to Israel should be suspended. He spoke about the humanitarian conditions on the ground, which was taken up very eloquently by the right hon. Member for Mid Sussex (Sir Nicholas Soames).

Like me, and the Scottish National party, the right hon. Member for Mid Sussex supports a two-state solution, but recognises that that is becoming less likely because of the situation on the ground and the settlements in the occupied territories. In connection with that, I refer hon. Members to my entry in the Register of Members’ Financial Interests. In October 2016, I visited the Occupied Palestinian Territories with the Council for Arab-British Understanding and Human Appeal. It was sobering to see the size and nature of those settlements and the way in which they make the two-state solution unfeasible. I agree with his description of what is going on in Gaza as “collective punishment”, and he is also right that it is legally and morally wrong.

The hon. Member for Hammersmith (Andy Slaughter) has long worked on these matters. He spoke about a briefing by Jamie McGoldrick last week that several hon. Members present attended. Mr McGoldrick described the situation in Gaza as polarised and visceral—a crisis on top of an unfolding disaster, as the hon. Member for Battersea (Marsha De Cordova) said. He said that there would be no humanitarian solution without a political solution. I asked what his key asks were, and he said that we had to address the United Nations Relief and Works Agency shortfall; shore up the health sector in Gaza; and support education so there can be a depolarised place for children to spend time, rather than getting sucked into the conflict.

Mr McGoldrick also said that the parties to the conflict must exercise restraint, and that is the message that the UK Government must put to the Israeli Government. Of course, Hamas must exercise restraint, but democratic Government should speak to democratic Government, and we must tell the Israeli Government to exercise restraint too.

Andy Slaughter: Mr McGoldrick also indicated not just that there had been a lack of restraint but that the weaponry used against civilians was designed to cause maximum injury. In contrast to some of the bizarre things that we have heard from Government Members, there was no attempt to treat the injured, so even minor wounds are causing amputations and infections. I also refer to my entry in the Register of Members’ Financial Interests; I travelled to Palestine with Medical Aid for Palestinians last year.

Joanna Cherry: Mr McGoldrick made strong reference to the terrible injuries that have been sustained. He said that Gaza was running out of external fixators because people have suffered such terrible fractures from a bullet going into their foot and essentially exploding it, so that it does not even look like a foot any longer.

Marsha De Cordova: Will the hon. and learned Lady give way?

Joanna Cherry: I had better make some progress, so that the Minister can respond.

Many issues have been raised today, and because of the lack of time, I will not go over them again in detail. The Minister is a good man, and he recognises the

[*Joanna Cherry*]

gravity of the situation. I would like the United Kingdom Government to have a stronger voice on this issue. Earlier, the hon. Member for Battersea referred to what David Cameron said years ago about Gaza being an open prison. We need that sort of language to be made real.

Last month, the Israeli ambassador visited Scotland, and my colleague, the Scottish Government's Cabinet Secretary for Culture, Tourism and External Affairs, Fiona Hyslop, met him. She delivered a forceful message on the Scottish Government's behalf that the 50 years of Palestinian oppression, the illegal occupation of the west bank, the illegal expansion of settlements and the illegal siege of Gaza must end, and that there must be genuine work in good faith towards a peaceful two-state solution. The Scottish National party also supports the UN Secretary-General's call for an independent investigation following the recent massacre.

The Scottish Government have spoken decisively, but they do not have the foreign affairs competence of the British Government. I want to hear what the Minister will do. Will he give us a cast-iron guarantee that the United Kingdom Government will not shirk their responsibility and that they will join others in the international community in speaking out clearly on this matter?

3.46 pm

Dan Carden (Liverpool, Walton) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. It gives me great pleasure to follow in the footsteps of distinguished hon. Members, especially my hon. Friend the Member for Easington (Grahame Morris), who has spent many years campaigning on this topic. I well remember when he played a vital role in securing a vote in the House of Commons to recognise the Palestinian state, but the UK Government still refuse to give that recognition. I am limited by time, and I want to give the Minister as much time as possible to answer all the questions that have been asked, but I will start by saying that, importantly, this is a different debate. It is about the humanitarian situation in Gaza. We want to know what the Government can do to alleviate some of that pain and suffering.

The right hon. Member for Mid Sussex (Sir Nicholas Soames) spoke strongly, with great experience and passion, and as president of the Conservative Middle East Council, about how what has taken place in Gaza is legally and morally wrong. He was very plain with his words and I am grateful to him for that.

My hon. Friend the Member for Hammersmith (Andy Slaughter) mentioned Jamie McGoldrick. We are all putting a lot of hope and faith into his role for the future of the conflict. My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) and I travelled to the west bank together and had an emotional and educational visit. Many hon. Members have had similar trips. My hon. Friend the Member for Battersea (Marsha De Cordova) focused her contribution on the problems with the water and electricity supplies and the real humanitarian situation on the ground. My hon. Friend the Member for Sunderland Central (Julie Elliott) talked about the permits. I saw at first hand how children who were leaving Gaza to try to get medical assistance in the

west bank had to travel with family friends or others, because they had to leave the country with someone who was over a certain age, so they could not be assisted by their parents.

This debate comes at a vital time for the Palestinian people. It is no exaggeration to say that their whole future in the Occupied Palestinian Territories is now under direct threat. If we do not act in Britain, Europe, the United States or the middle east, or through the United Nations, millions will suffer from continued violence, from a lack of the most basic public services and clean water, and from a shortage of places to live.

The Trump Administration substantially cut funding to the United Nations Relief and Works Agency. The EU has partially stepped up to the plate by announcing €3 million of new humanitarian aid to help civilians in Gaza in need of urgent assistance. In response, the UK decided to advance £28 million of agreed funding. Yesterday, the ad hoc committee for voluntary contributions to UNRWA met for the first time, and my reading is that the United Kingdom has donated a further \$51 million, or £38.5 million. I welcome that contribution wholeheartedly. Will the Minister report back fully on yesterday's meeting and what money will be targeted specifically at Gaza? We know that will be reliant on Israeli co-operation.

More than 120,000 people are still disconnected from public water networks, and 23% of Gaza is not connected to the sewerage system. Some 96% of the water from Gaza's coastal aquifer is contaminated with nitrates and chlorides. Only a quarter of wells in Gaza meet World Health Organisation safety levels.

We are here today to offer advice to the British Government on what they can do economically, socially and politically to help the Palestinians in their hour of need. Last week, to mark the UN's World Refugee Day, the leader of the Labour party visited two of the biggest Palestinian refugee camps in Jordan. This week, Prince William is visiting the Occupied Palestinian Territories in an important symbolic act aimed at showing that people in Britain do care about the plight of the Palestinians. What is the Minister doing to argue for better access to Gaza so that the international community, non-governmental organisations, charities and politicians here can visit, so that the crimes perpetrated on Gaza are not hidden behind blockade walls?

We have to begin by acknowledging that the humanitarian crisis is man-made. It is vital to resolve Gaza's catastrophic lack of clean water and electricity, as well as its health system, which is hanging by a thread, and other life-threatening problems that experts say will make the strip uninhabitable in a matter of years. The utter desperation rife in the squalid, bombed-out settlements of Gaza has in recent weeks manifested itself in huge protests and an Israeli response that has shocked and appalled. As Members have said, we condemn any acts of terror by Hamas, just as we condemn the appalling actions of the Israeli Government.

Since the first protests on 30 March, the Israel Defence Forces have killed 135 Palestinians, including a young medic, 21-year-old Razan al-Najjar. Nearly 15,000 people have been injured, with 4,000 of those injuries caused by live ammunition. Sixteen children have been killed. Five Israelis have been injured. This puts further pressure on Gaza's health system, which was anyway already on the brink of collapse, according to the World Health Organisation. I do not have the time to go into the

details of those outrageous, disproportionate and illegal acts, which have been covered many times in previous debates and today. Instead, I will use my time to pin down some of the humanitarian situation and what DFID can do to improve the lives of these people in the most dire of situations.

Protecting the Palestinians is an international obligation—let us be clear about that, too. In fact, it is the international community's collective responsibility as states party to the fourth Geneva convention to provide protection to Palestinians in the occupied territories. The British Government should not be ordering their diplomats to vote against or abstain on resolutions that uphold international law.

I will move on to some questions that I hope the Minister will be able to answer. Currently the Government do not disaggregate their DFID spending for Gaza and that for the west bank. Will he consider reviewing that approach, so that our development work in Gaza, which is clearly a separate and defined area under blockade, can be more readily reviewed by this House? At present, the movement and access restrictions imposed by Israel significantly constrain the health system in Gaza. Access to treatment is impeded by the inability to import medical equipment, and administrative constraints are placed on people seeking medical attention outside Gaza. What progress has the Minister made in talks with the Israeli Government on expediting medical permits for those who require treatment outside Gaza?

The UK is supporting water and sanitation needs through £1.9 million-worth of support to UNICEF and £1.5 million to the International Committee of the Red Cross, helping support patients in 11 hospitals in Gaza. Will the Minister tell us more about those projects? Are those the only Gaza-specific aid contributions made by the UK Government to Gaza, outside obviously of their contributions to UNRWA, which supports 1.3 million people in Gaza? If I am allowed a crude calculation, if the population of Gaza is near enough 2 million, that money works out at just £1.70 a person in Gaza over one year. That funding finishes in September 2018. Will the Minister tell us when we will hear about future years' funding?

In answer to written question 144778 in May, the Minister said he is reviewing how the UK can best support the health system in Gaza. What does that review involve and when will he report to the House? If elected, Labour will recognise the state of Palestine immediately. The Minister has been asked before why his Government do not recognise Palestine right now. If not now, when? He often talks with great empathy about the polarisation and worsening of the situation between Israel and Palestine. The reality of this Government's actions is that they are providing very good critiques of the situation, but are failing to act robustly when they should be upholding international law. They should be taking action, not simply offering words.

On America, we often hear the Minister take a different line from that of US counterparts. That is of course welcome, but this Government must have the courage to tell President Trump that he is wrong. What is the Minister doing to work with other European and global partners so that all the UK's eggs are not in the Trump basket and we are not reliant on the peace plan of Jared Kushner?

Finally, in his response to a House of Commons debate on 15 May on violence at the Gaza border, the Minister said:

“we are supportive of that independent, transparent investigation.”—*[Official Report, 15 May 2018; Vol. 641, c. 139.]*

When the UN Human Rights Council resolved to set up a commission of inquiry to undertake precisely that investigation, the UK failed to join 29 partner countries and abstained in the vote. We are still waiting for an explanation of that decision.

3.55 pm

The Minister of State, Department for International Development (Alistair Burt): It is a pleasure to serve under your chairmanship, Mr Paisley. I begin by once again thanking the hon. Member for Easington (Grahame Morris) for securing the debate. His long-standing commitment to and passion for the Palestinian people is well known and appreciated by many. The conviction with which he speaks is noted.

There have been a number of powerful speeches on all sides. The hon. Member for Liverpool, Walton (Dan Carden) went through them, and I do not intend to add to that. It is impossible to pick out all the speeches, but I commend my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames). He spoke about his admiration for the state of Israel and his worry about where Israel policy has gone in relation to Gaza and the humanitarian concerns. I am sure he spoke for many in expressing not only the interest that the House has in the future security and existence of the state of Israel, but the worry, because of the humanitarian situation we have all described, about policy in terms of Gaza.

It is difficult to approach the issue in a new way, but I will say something towards the end about that, if I may. To begin, I would like to concentrate on the humanitarian issues. As so many Members have spoken and so much has been said, it is impossible to cover everything, so I hope colleagues will bear with me.

Last month, I visited Gaza again. I say to the hon. Member for Birmingham, Yardley (Jess Phillips) that we will do what we can to assist Members of Parliament in going, because there is nothing like seeing things on both sides, but it must be for Israel to decide in terms of security. We are all subject to caution about that. While I was there, I once again saw the extreme humanitarian difficulties that the people of Gaza now face. As Members have noted over the course of the debate, people there are living without enough fresh water, with only four hours of power a day, with some of the highest youth unemployment rates in the world and, perhaps most important, with diminishing hope for their own or their children's futures.

I will pick out a few key parts of the humanitarian system. Without additional support, the health system is unable to cope with the high casualty rates from the demonstrations. Between 30 March and 12 June, 14,605 people were injured and a further 135 died. Between 30 March and 3 June, two health workers were killed and 328 were injured, including by live ammunition and tear gas. An estimated 80,000 additional non-trauma patients have had limited access to emergency healthcare services. Shortages of medicines are chronic in Gaza. An estimated 1.2 million Gaza residents have no access to running water. A lack of adequate sanitation facilities poses a

[*Alistair Burt*]

serious health risk. Approximately 1.45 million people in the Gaza strip are at risk of contracting waterborne diseases from the consumption of unsafe water. Gaza has three main sources of electricity supply: Israel, Egypt and the Gaza power plant. The most stable of those sources is from Israel, which supplies 120 MW of electricity through 10 feeder lines, but those are unstable, as we know.

[*MARK PRITCHARD in the Chair*]

The food and nutrition situation remains difficult. An estimated 1.6 million people do not have reliable access to nutritious food in Gaza and are judged to be food-insecure. As I will say later, someone doing an objective assessment of whether the policies in relation to Gaza are working would come to the answer, "No".

Before I come on to the politics, colleagues rightly want to know what we are trying to do. There are three key issues: first, the need to alleviate the urgent humanitarian need; secondly, the need to unlock the barriers to an improved quality of life for Gazans through economic development; and thirdly, the need to work with international partners to secure political agreements that will ease movement and access restrictions to Gaza.

The Department for International Development is stepping up its support to alleviate humanitarian need. When I was in Gaza I announced £1.5 million for the International Committee of the Red Cross appeal. The hon. Member for Liverpool, Walton asked for a little more information. That money will help 11 hospitals. I went to the al-Quds hospital in Gaza city, which was spotless. I met some of the doctors involved in treating patients there and some of the patients. Our work will help some of those 11 hospitals and their patients with the restocking of surgical equipment and medicines and with providing physical rehabilitation.

We are also committing an extra £2 million to UNICEF to address urgent water and sanitation needs. That will help Gazans to have access to clean water to drink, cook and bathe. Our support will provide more than 1,000 roof water tanks for families to help them to store scarce water, drinking water tanks, and chemicals to treat water in 280 wells and 38 desalination plants, making water safe for human use.

Colleagues have mentioned access. We value the role of the UN in co-ordinating humanitarian worker access and in supporting the safe reconstruction of Gaza. The UK is committed to an extension of support for the UN access and co-ordination unit, which works to ensure humanitarian access for UN and non-governmental organisation workers.

The UN Relief and Works Agency plays a vital role in providing basic services. We are, of course, concerned about the lack of finance for Gaza, particularly as a result of the United States' decision to reconsider its financial commitment. UNRWA will struggle to survive unless we can find a way around this. Accordingly, I have announced £28.5 million, which I committed at the UNRWA pledging conference in Rome. Yesterday, at the UN Security Council, we pledged a further £10 million, making the £38.5 million that the hon. Member for Liverpool, Walton mentioned. That is money being brought forward to give to UNRWA now to help it to meet the shortfall. I hope that that is appropriate.

Dan Carden: Is that new money, or is it bringing money forward?

Alistair Burt: It is money brought forward, so of course we will have to consider what will happen in future years. However, the immediate need for UNRWA is money now, which is why we have done what we have done. The hon. Gentleman's question is perfectly appropriate, and that is our answer.

That deals with the immediate term. On the slightly longer term, we are looking hard at what we can do on a new economic development package, designed to lift the standard of living in Gaza by increasing trade and job creation, enabling greater movement and access for people and goods, and enhancing the supply of electricity and clean water.

We are also looking at the proposals of Nikolai Mladenov, the UN special representative, that I mentioned the last time I spoke. They are being confirmed in the next month, but I anticipate that they will include measures to catalyse the Gazan economy and ameliorate the energy and water situation. We are very committed to supporting the special representative's plans. That will deal more effectively with medium and long-term needs.

I will now move off the script, to the worry of my officials. In trying to find something new to say about a situation with which we are all familiar, I thought of this. As I said earlier, if someone looked objectively at Gaza, they would say—whatever party they were from—that whatever is being devised by way of policy just is not working. Israel has put pressure on Hamas for 12 years or so in order to effect political change in Gaza. It has clearly not worked. Hamas is still there. Rockets are still being fired. People on the border areas are still under threat, in Sderot and other such places.

Equally, Israel has not crumbled and is not at risk from Hamas. Hamas has achieved nothing politically and has damaged the people it purports to represent. The Palestinian Authority have had no success in dealing with Gaza. Attempts at reconciliation should be encouraged and should go forward. Those who live in Gaza have seen no evidence of the success of policies purportedly put forward in their defence, including politically, to give them a right to protest against the state of Israel. The same applies to protecting those in Israel from a terrorist organisation that is clearly hell-bent on killing them if it gets the chance.

I suspect it will come as little surprise if I tell colleagues that there is much truth in everything they have said. I do not agree with everything that has been said, but if hon. Members look at one another's speeches, they will see that there is no great contradiction. Colleagues are talking about two sides of the same coin. It is true that Hamas was involved in exploiting—

Grahame Morris *indicated dissent.*

Alistair Burt: The hon. Gentleman shakes his head, but this is the point. If colleagues only listen to their own side of the argument, we get—

Grahame Morris: Will the Minister give way?

Alistair Burt: No, I will not. The hon. Gentleman should just listen for a moment. We get nowhere if we listen to only one side of the argument. It is no more effective to talk about Hamas's rule in Gaza and blame everything on Hamas than it is to blame everything on

Israel and not understand the context of the political discussion and what is going on. My point is that none of that helps the people of Gaza. If that is what we want to do, we have to do something new.

I am saying very clearly that I do not think that the policies in relation to Gaza are working; I think they are failing. There is now greater recognition in the state of Israel that those policies are not working. A search on the internet for "Israel in talks with Hamas" will produce an article from 9 May this year titled, "Western country said to be brokering Israel-Hamas talks on long-term ceasefire"; an article from *Haaretz* on 6 June titled, "Israel Has to Talk to Hamas. Otherwise, It's War"; and an article from 6 June, again from *Haaretz*, titled, "Israeli Army Believes Hamas Willing to Negotiate Deal".

The only extraordinary thing in politics is that we assume that these two different sides will go on forever. This must not go on. The people of Gaza are not being served, and we would all be amazed by who talks to whom. The truth is that there has been a comprehensive, international and partisan failure for the people of Gaza, and this debate, like previous ones, has made it very clear. If the United Kingdom is to have an impact, we first have to say very clearly that these policies have not worked, and stress the urgent need for a political settlement and for immediate attention to be given to humanitarian aid in Gaza. We also have to be very clear that those who exploit the situation politically, whether it is non-state groups or state groups, also have to bear their responsibility. We get nowhere unless we understand that.

Now I will, of course, give the Floor to the hon. Member for Easington.

Grahame Morris: I simply wanted to say very briefly that it is not two sides of the same coin. We are dealing here with an asymmetrical situation where we have an oppressor and an oppressed. To present it as two sides of the same coin is wilful misrepresentation of the situation.

Alistair Burt: No, it is not. I entirely accept that it has an asymmetric element to it, with regard to Israel and Hamas, but that is a description. It gets us nowhere,

because unless the two sides are engaged in finding an answer there will not be one. That is why it is interesting that people are starting to talk to people.

What worries me is that the PA, who for years have accepted the state of Israel, have been non-violent and co-operated in relation to security, must not be left out of ultimate settlement talks. It cannot all depend on Hamas and what it has been able to achieve over the years with its policy of destruction towards the state of Israel.

Colleagues have accurately described what is happening in Gaza, but my point is simply that, in trying to get something done, believing that only one side or the other has the answer is not, in my view and that of the United Kingdom Government, sufficient. We have to do more and call out everyone, saying, "Actually, the policy is failing, so everyone needs to provide something new." Perhaps the settlement proposals from the envoys of the President of the United States may start that, but unless we each accept that there is some truth in what the other says, we will not get very far.

4.9 pm

Grahame Morris: I thank everyone who has participated in the debate from both sides. There has been great interest, with contributions and interventions. I thank the Minister for his response, and the Front-Bench representatives of the Scottish National party and my own party for their responses.

I urge the Minister to do all he can to seek to resolve the problem and bring relief to the people of Gaza. I say to Government Members: please do not mistake our empathy for the suffering of the people of Gaza with support for Hamas. It does not make us anti-Semitic or anti-Israel; it makes us human.

Question put and agreed to.

Resolved,

That this House has considered the humanitarian situation in Gaza.

4.10 pm

Sitting suspended for Divisions in the House.

Fentanyl: Sentencing

4.35 pm

Charlie Elphicke (Dover) (Ind): I beg to move,

That this House has considered sentences for supplying Fentanyl.

I am delighted to have secured this debate on the evils of fentanyl. It all came about because of a tragedy that took place one morning in 2016, when every parent's worst nightmare came true for a family in my constituency. Graeme Fraser was getting ready to walk his dog. He went to ask his son if he wanted to join him. On entering his son's bedroom, he found his son's body on the bed, pale, rigid and lifeless. Robert Fraser was just 18 years old. Beside Robert's body, on a book cover, was a clear plastic bag containing white powder. The police did not know what it was. Only several weeks later did tests identify it as a substance called fentanyl.

Robert was one of the first people in Britain to be killed by this dangerous and incredibly toxic drug. Since that day, at least 120 deaths in this country have been attributed to fentanyl, and since that day I have been working with Robert's family to raise awareness, to try to save other young lives and prevent other parents going through what Michelle and Graeme have gone through. I am delighted that Michelle, Robert's mother, is here in the public gallery today.

Ultimately, we are fighting for tougher jail terms for people who are caught supplying fentanyl. We are calling it Robert's law, in memory of Robert, and I will explain why it is so incredibly important. Fentanyl is a class A drug, yet it is vastly more dangerous than any other substance in that category. Kent's top drug detective told me that it was more like a poison. It is extremely powerful—50 times stronger than heroin.

Giles Watling (Clacton) (Con): Does my hon. Friend agree that due to its intense potency, when fentanyl is cut with heroin and cocaine those drugs become far more addictive? Fentanyl is therefore ideal for drug dealers, because it is very addictive and their clients become very dependent.

Charlie Elphicke: I thank my hon. Friend for making that point. He is absolutely right. He is a true champion of his constituency, and he will recall that his own constituent, Jed Spooner, who was just 27 years old, died from fentanyl on 2 December 2017 in Clacton. It is an appalling drug and a real, evil poison, 50 times stronger than heroin. It is a synthetic opioid, often produced in China, smuggled out in shipping containers and sold domestically on the dark web. Over in America, fentanyl has claimed 20,000 lives.

Those numbers are remarkable, not because they are so large and rising so quickly but because our top police people at the National Crime Agency say they have seen no evidence that drug users are demanding fentanyl. It is not a drug that people are craving and demanding at all. Robert did not demand it. He was no drug addict. He would get together with friends at weekends and experiment; I would not recommend that young people do that, but we all know that they do, and what happened to Robert could happen to any of our kids.

Other fentanyl deaths have involved even greater deception. In the north-east of England, only last year, heroin suppliers began secretly mixing fentanyl with

their usual supplies to increase profits, exactly as my hon. Friend pointed out. There has been a surge in overdoses in the region. In Teesside, at least six people have died. Again, the National Crime Agency said that it has seen no evidence of users demanding fentanyl-laced heroin.

Why do dealers get involved in it? The answer is simple: it is cheap and versatile. It is a great cutting agent, it is difficult to detect and it has extreme potency, which means that drug users believe they have consumed a pure, powerful and strong substance, yet for the supplier it is a fraction of the cost. For most drugs, supply is dictated by demand—people will always supply them because there is so much to gain from doing so—but fentanyl is not being demanded. It is a choice, which until now has been tipped one way by the desire for profit on the part of drug pushers and dealers, not by users seeking that toxic and dangerous substance. Given the lack of demand for fentanyl, its obvious dangers and its capacity to kill, dealers should be punished more harshly for supplying it. Today, they know that they will not be, which is why I am making the case for updating our justice system.

Some will argue that a whole new class should be created for fentanyl, but I do not think that would be the right thing to do. That would send the wrong message about other class A drugs, which are incredibly harmful. Michelle and I want the existing sentencing guidelines to be strengthened. Right now, they mention drugs such as cannabis, heroin and all the rest of it, but they do not mention fentanyl. The result is that we do not send a strong enough message to drug dealers. One recently convicted supplier was handed a jail term of just 18 months, despite the fact that his batch of fentanyl was directly linked to a death. That shows that the existing guidance is not strong enough. Until it is, drug dealers across our country will not be sent a strong enough message. They do not think our justice system will punish them fully for the level of misery they inflict.

Some people will say that tougher sentencing does not work. Again, I disagree. Let us look at gun control. Two decades ago, we introduced legislation to stop Britain heading down the American route of rampant gun ownership. Ten years later, the Violent Crime Reduction Act 2006 went even further and introduced still tougher sentences. Today, Britain has one of the lowest rates of gun homicide in the world. We have a history of looking across the Atlantic, taking note of alarming trends, and taking action to stop them gathering pace here. Over there, they know things are already very serious, and a number of states have started bringing in second-degree murder charges against fentanyl dealers. Let us do what we did with guns. Let us look at the fentanyl problems in America, look at the growing numbers here and take action now before it is too late.

I believe that a good start would be to place any quantity of fentanyl in the top of our sentencing categories of harm. After all, a quantity of fentanyl the size of a grain of sugar can be fatal. High or extreme potency should be added to the list of aggravating factors. Purity is already on the list. In terms of danger and capacity to kill, potency is far more significant than purity. The measure that I suggest would increase minimum jail terms from three years to six. After accounting for aggravating factors, most fentanyl suppliers would be

looking at a minimum of 10 years behind bars. That is the kind of strong message we want to send to dealers who think nothing of taking the lives of our kids.

I can see that there are arguments against this campaign. People will say, “The war on drugs is lost”—the usual defeatism. They will say, “We can never win the war on drugs. We can never stop drug addicts putting dangerous substances in their bodies. We can never stop dealers trying to make a buck off the back of them.” I say that the war on drugs is not lost. We must fight back. The number of drug deaths in Kent—the county of my constituency—has doubled in the past three years. In Canterbury, two young men recently lost their lives because of fentanyl.

Giles Watling: Last year, some 60 deaths were recorded, and that number has now doubled. In comparison with the number of deaths caused by the misuse of many other drugs, that is relatively small. Is it not right that we get on top of this now and nip it in the bud before it spreads even further?

Charlie Elphicke: I completely agree, which is why yesterday’s huge step forward on the road to Robert’s law is so welcome, with the Sentencing Council setting out new guidance called “Sentencing of drug offences involving newer and less common drugs”, which specifically related to synthetic opioids. I hope that the Minister will tell us more about the action being taken by the Ministry of Justice, the Crown Prosecution Service and the Sentencing Council. This is a trend that we must reverse. Drugs rain devastation on our families, friends and communities; they drag our young people into gangs and violent crime and they kill those closest to us.

I want to take the House back to the day that Robert died. His mother Michelle, who is sitting in the Public Gallery, was with a friend in Primark that morning when her phone rang. Graeme told her the news and she collapsed to the shop floor, screaming. Her life has not been the same since. I will finish with her words, because her situation could all too easily become anyone else’s in this room. She says:

“Robert was not an addict. He made a bad choice. This poison is costing lives and sitting back, hiding, hoping it will all go away is not an option. My son’s memory is worth so much more — and so is our children’s future. If we bring in Robert’s Law, we will save lives. And it means my son mattered. That can be my boy’s legacy.”

I hope that my hon. Friend the Member for South Thanet (Craig Mackinlay) is able to take a few minutes in the time remaining to make a short speech about the campaign against this evil drug that he has been fighting alongside me for some years.

4.46 pm

Craig Mackinlay (South Thanet) (Con): It is a pleasure to serve under your chairmanship, Mr Pritchard. It is very good to support my hon. Friend the Member for Dover (Charlie Elphicke). I led a Westminster Hall debate on 22 November last year on the human and financial costs of drug addiction. The real trigger for that debate was the rise in fentanyl. My hon. Friend gave the figure of 20,000 deaths in the US, but the figures that I found suggest that to be more in the region of 50,000 to 60,000 in 2016. Fentanyl is becoming a real killer drug in the US. As we are very aware, it is a

man-made opioid mimic. To put that figure into context, 60,000 deaths represents the entire rate of attrition and death of the entire 20 years of the Vietnam war, but that is happening each and every year in the US.

Ohio has had a particular problem, where deaths rose 33% in 2016 alone, with a death rate of 4,050. That is people across the whole social spectrum out of a population of 12 million in Ohio. To put that in relation to the size of the UK, that would represent 22,000 deaths. Thankfully, we are nowhere near that, at about 2,500 drug deaths in the UK.

My worry is that what starts in the US often crosses the Atlantic to us. I do not want to see what happened to Michelle and Robert happen again. Rehabilitation is important, because for every £1 that we invest in rehabilitation, £2.50 is saved. In that debate of 22 November, I called for fentanyl to become a category AA drug, with a higher sentence to go with it. Current sentencing guidelines are that 5 kg or more of a class A drug would bear a maximum of only 16 years in prison, whereas attempted murder, which is what supplying fentanyl actually is, carries up to 35 years. I am very pleased to support my hon. Friend and the family in every way that I can.

4.48 pm

The Minister of State, Ministry of Justice (Rory Stewart): It is a great privilege to serve under your chairmanship, Mr Pritchard. I begin by paying tribute to the hon. Member for Dover (Charlie Elphicke), and my hon. Friends the Members for South Thanet (Craig Mackinlay), and for Clacton (Giles Watling), for their leadership on this issue.

Fentanyl is a very serious and pressing threat in three distinct ways. First, as the hon. Member for Dover pointed out, it has an unusual potency; it can be 50, 100 or, in some chemical forms, close to 10,000 times more powerful than heroin. A tiny fragment of this artificially produced drug can be far more powerful than heroin.

Secondly, there are the chemical effects of the drug. It is much more dangerous, gram for gram, than heroin because of its effects on the respiratory system. Artificial opioids bind themselves to receptors in the brain and have an effect on its ability to distinguish between its oxygen and carbon dioxide intakes. Confusing the receptors in the brain can lead to respiratory depressions, so that one effectively stops breathing.

The final reason why we need to be worried about the drug is that we can already see the scale of the problem it causes in the US, as my hon. Friend the Member for South Thanet pointed out eloquently. In the UK, it represents a tragic element in a larger swathe of overdoses. It accounts for a few per cent. of the people dying from overdoses in the UK. In the US, fentanyl and other fentanyl-like substances account for nearly a third of such deaths, and the figure is climbing. As my hon. Friend pointed out, tens of thousands of deaths in the United States are taking place through fentanyl.

How do we deal with that? Here I pay tribute to the hon. Member for Dover. His leadership and championing have led to two important changes in relation to the Crown Prosecution Service and the sentencing guidelines of the Sentencing Council—changes that I can honestly say would not have happened as rapidly had it not been for his work.

[Rory Stewart]

The first change made thanks to the hon. Gentleman's championing is that the Crown Prosecution Service has specified that prosecutors dealing with cases involving fentanyl need to take into account the potency of the drug. They are encouraged to bring expert witnesses into the courtroom to explain how the drug operates, and that a tiny quantity can have the potency of a larger quantity of heroin or cocaine. The second, perhaps more important, thing that happened is that the Sentencing Council yesterday published its new guidelines. You will understand, Mr Pritchard, that it was absolutely no coincidence that that happened the day before the hon. Gentleman's debate. The guidelines state:

"Since publication of the Drug Offences guideline, there has been an increase in the number of cases before the courts involving newer drugs, such as synthetic opioids"—

in other words, fentanyl—

"which may have much higher potency and potential to cause harm than more common drugs. Where these newer drugs are covered by the guideline but not specifically listed in the section on assessment of harm, the approach to assessing harm in these cases should be as with all cases of controlled drugs not explicitly mentioned in the guidelines."

This is the key point:

"Sentencers should expect to be provided with expert evidence to assist in determining the potency of the particular drug and in equating the quantity in the case with the quantities set out in the guidelines in terms of the harm caused."

Then there is a box entitled "Example—supplying or offering to supply a controlled drug", which says:

"If the quantity of the drug would cause as much harm as 5kg of heroin, the offence would be in the most serious category."

Why is that important? Drug offences are listed by category, from 4 to 1. Category 4 would be 5 grams of heroin; the top category would be 5 kg. The guidelines will move expert witnesses to state that fentanyl is in the top category of class A drugs for prosecution. That will be vital in deterring people from supplying and importing the drug, but it is just the beginning of what will happen. The tragic death of Robert has led to a significant campaign, led by Roberts' family and the hon. Gentleman, that has already changed the guidelines for the Crown Prosecution Service and the Sentencing Council.

That is just the beginning. The next stage needs to be a very serious public education campaign, so that we do more than ensure strict guidelines against people supplying or importing this drug. Anyone thinking of using fentanyl should be aware of not only the danger to themselves, but the catastrophic damage that tiny quantities of the drug can cause to anyone in their home. In the United States, toddlers are being killed by this drug, because the tiny quantities, even on a small patch on the arm, can immediately choke and kill somebody as young as two. That needs to be apparent to the public. This debate in the House of Commons underscores that. I hope that what we have said in this debate will push that change through society.

I end by paying particular tribute to the hon. Gentleman for his extraordinary campaigning on the issue, which, as I said, brought about a change yesterday, driven entirely by this debate.

Question put and agreed to.

Leaving the EU: Upland Farming

4.55 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I beg to move,

That this House has considered the future of upland farming after the UK leaves the EU.

Dioch yn fawr iawn, Mr Pritchard. It is a pleasure to serve under your chairmanship and to lead this debate. I thank both the farming unions in Wales, NFU Cymru and the Farmers' Union of Wales, for their help in preparing for this debate and for their overall contribution to supporting the farming industry in Wales and the wider rural economy.

Wales does not have a national animal in the way that New Zealand has the kiwi, Australia the kangaroo, Argentina the puma and South Africa the springbok. We have the splendid mythical Welsh dragon, of course, but if we were to have a living animal, a very strong case could be made for the sheep, or perhaps the ram. There are more than 10 million sheep in Wales, based on the latest annual survey, accounting for 33% of all UK sheep. That compares with human population of around 3 million, accounting for only 5% of the UK population.

The reason for the huge number of sheep livestock in Wales is the terrain and climate of my country. Wales is very mountainous and, as we know, even more wet. Some 82% of Welsh land is utilised for agricultural purposes—an incredible figure when considering Welsh terrain—and 10% of UK agricultural land is in Wales. Agriculture contributes 400% more to direct employment in Wales than it does in the UK on average, if my reading of the British Government's Brexit economic impact assessments is correct. With those statistics in mind, Welsh politicians should be extremely concerned about the likely impact of Brexit on this vital indigenous Welsh industry. We have far more to lose from a botched Brexit than other parts of the British state do.

The vast majority of farming land in Wales is designated a less favoured area. It is more suited to pasture than to arable farming. As a consequence, the Welsh farming model tends to be the traditional family farm based on livestock, rather than the crop-based farming that we tend to see in England.

In the late winter of 2010, before I was elected, I visited Mr Ian Rickman and his family at their Gurnos farm to undertake some work experience. Gurnos is high above the village of Bethlehem in the Tywi valley, near the Garn Goch. The Garn is one of the largest iron-age forts on the Brecon Beacons mountain range. It houses the monument to the late Gwynfor Evans, a national great, and the first Plaid Cymru MP elected to Westminster. He used to walk its slopes to gain solace and inspiration.

When I did my work experience, it was bitterly cold. The reality is that the only productive use of land at such altitudes is for sheep farming. During that experience, I gained a huge amount of respect for the sheep as an animal, but also for the families who endeavour to make a living out of hill farming. I assure you, Mr Pritchard, that there are far easier ways to make money and sustain a family. Let us remember that according to Welsh Government statistics, the average farm income in Wales is less than £30,000 a year.

These people, however, are from the land. Their families have worked the hills for generations upon generations, and have sustained a community, a culture, a language and a way of living that has lasted thousands of years. They have cultivated a natural landscape so beautiful that in 2017 “Lonely Planet” designated the north of my country one of the essential places to visit in the world. As beautiful as the north is, I would of course say that Carmarthenshire is best, but the critical point I am endeavouring to make is that the beauty of our country, and everything that goes with it, is not just something that happens naturally. It is the result of the work of the agricultural community and its livestock. Without that, Wales would not be the special place that it is; nor would it have the impact that it has, economically and socially.

Had I more time, I would have elaborated on the economic and cultural importance of agriculture, and its benefits for tourism, other sectors of the Welsh economy, and the Welsh language. My good friend Councillor Cefin Campbell, who leads for the executive board of Carmarthenshire County Council on rural development, has identified working with the agricultural community and young farmers’ clubs as a key cog in his strategy for regenerating the economy and preserving the language in Wales.

I realise that other Members want to speak, and I am grateful for the support I received before the debate from those Members, so I will move on. Farmers are a tough bunch, used to operating in a climate of fluctuating incomes and rapid market changes for their produce. European agricultural support has been the one constant in keeping their businesses sustainable. The European market is by far the biggest external market for Welsh agricultural produce, especially lamb. I have to say to the Minister that there is a huge amount of anxiety and foreboding about the future. I have held many meetings with farmers and unions since the Brexit vote, and anxiety is increasing as we move on. If this debate achieves only one thing, I hope it is that we can collectively begin to reduce those anxieties in the agricultural community.

We have to concentrate on three main areas that are vital for the future of hill farming: devolution, agricultural support, and trade. If it is the ultimate decision of the British Government to leave key European frameworks such as the single market, new frameworks of the territories of the British state will have to be created in their place to govern internal trade. I am not opposed to the creation of such frameworks, if the British Government do decide to shoot the economy in the foot by leaving the single market. Following Welsh independence, I would want the Welsh economy to be within a larger trading bloc; cross-border economic co-operation is a very good thing.

The key divide between Plaid Cymru and our Unionist opponents is that we believe that any common framework should be built and regulated by the four Governments of the state in co-operation—in a partnership of equals. Any decisions should be made on a shared governance basis, by a properly constituted UK council of Ministers, with a robust decision-making and dispute resolution process. They, on the other hand, believe that these matters should be decided in Westminster, and Westminster alone. That risks Wales becoming a permanent rule taker—or, as the Foreign Secretary might say, a vassal

country within the British state. That risks English-specific frameworks being imposed on Wales, to the detriment of hill farmers in my country.

Admittedly, our position in Wales has not been strengthened by the contemptible capitulation of our country’s Labour Government, who accepted the changes. As Professor Tim Lang said recently in an evidence session of the External Affairs Committee of the National Assembly, when it comes to Brexit, Welsh interests are now “steamrollable”. As I said during a ministerial statement last week, the actions of the Welsh Government will go down as one of the biggest sell-outs in Welsh political history, and I can assure you, Mr Pritchard, that that is quite some achievement.

The 26 policy powers re-reserved by Westminster include vital agriculture-related policy areas such as agricultural support, fertiliser regulation, genetically modified organism cultivation, organic farming, zootech, animal health, animal welfare, food and feed safety, food labelling, public procurement, nutrition labelling, plant health and food geographical indicators. Welsh lamb holds EU-protected geographical indication status, of course, as does Welsh beef.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I thank my hon. Friend—diolch yn fawr iawn. Would he agree that it is time for the red meat levy—on animals that were reared in Wales but slaughtered in England—to come back to Wales, so that Hybu Cig Cymru can do an effective job on marketing that meat?

5.4 pm

Sitting suspended for a Division in the House.

5.14 pm

On resuming—

Jonathan Edwards: My hon. Friend makes an important point. It has been a bone of contention for the Welsh farming community for far too long that when products go over the border to be slaughtered, the levy is collected in England and not returned to us for the proportion of our products.

Welsh meat has an EU protected geographical indication, which is a mark of its quality and a vital marketing tool. Indeed, Hybu Cig Cymru considers the PGI to be of enormous economic importance to the Welsh red meat industry as it identifies the origin and unique qualities of our lamb and beef. Hybu Cig Cymru estimates that 25% of the growth in Welsh lamb exports between 2003 and 2012 can be directly attributed to its PGI status.

The Welsh Labour Government have effectively handed control of the issue to Westminster, despite the warnings of farming representatives. Of course, that is a Westminster Government who insist that only the Union Jack can appear on our driving licences, despite honourable exceptions in Wales who insist on having the Welsh dragon on them.

Concerns are not limited to Wales. The chair of Food Standards Scotland, Ross Finnie, expressed his concern in a letter to the Scottish Parliament. On the power grab, he said:

“However, if those matters are reserved to the UK Government to determine, it will be difficult for Scottish stakeholders’ voices to be heard, or for the needs of businesses or consumers in Scotland to be given priority.”

Chris Davies (Brecon and Radnorshire) (Con): I thank the hon. Gentleman, my neighbour, for giving way. He mentioned the UK market framework, which most of the farmers in my constituency are pleased about. He also mentioned the Welsh Labour Government. The fear of farmers in my constituency is about that Government being in charge of farming—thank goodness that Westminster will be leading the way.

Jonathan Edwards: I fear the hon. Gentleman is continually getting mixed up. Nobody opposes the creation of common frameworks should we decide to leave the EU internal market. The key question is where power over those frameworks resides. Our approach is that this is a multi-polar state, so the four Governments of the UK should have a joint say. His approach, confirmed today, is that such matters should be determined only in Westminster. A serious political divide separates us, and the people of Wales can cast their view on that at the next election.

The second major issue is agricultural support. Since the formation of the common agricultural policy, hill farmers have received direct support, which constitutes a significant element of farm incomes. In Wales, 80% of total farming income comes from CAP, and Wales, which has 5% of the UK population, gets 9.8% of CAP spend in the UK, which equates to nearly £300 million a year. CAP is a key part of the EU's seven-year multiannual financial framework, which gives great certainty in support at a time when market prices for produce are volatile.

Luke Graham (Ochil and South Perthshire) (Con): Does the hon. Gentleman welcome the Government's announcement that they will guarantee CAP payments until 2022? Since he mentioned Scotland, will he back the National Farmers Union Scotland, which supports the Government's approach to have common frameworks but to allow the devolution of currently devolved agriculture matters to Scotland and elsewhere in the United Kingdom?

Jonathan Edwards: I am afraid that the situation in Wales is not as good as for English farmers, who have certainty until 2022—[*Interruption.*] I am not aware of the situation in Scotland, because I am a Welsh Member of Parliament. I am sure the hon. Member for Ochil and South Perthshire (Luke Graham) will accept that. [*Interruption.*] The hon. Member for Perth and North Perthshire (Pete Wishart) may address those issues.

Mark Pritchard (in the Chair): Order. If Members want to make a contribution, they can intervene or speak. I ask those who intervene to be mindful that this is a very popular debate. I will impose a time limit once Mr Edwards ends his speech, and that is likely to be shorter if people keep intervening. I do not want to stop debate, but be mindful of other colleagues in the Chamber.

Jonathan Edwards: I am grateful for your guidance, Mr Pritchard. I will return to the issue at hand, Welsh farming.

In Wales, the situation has been compounded by the decision of the Labour Government of my country to reduce direct payments to producers by 15% by moving money from pillar 1. However, the point remains that CAP payments offer a degree of stability. While previously, under CAP, farmers did not have to worry overtly about

the impact of Westminster elections on the amount of agricultural support they would receive, they could easily now face a situation in which a new Westminster Government could radically alter agricultural support policy. As we see from the power grab, the Labour Government of my country have abdicated all responsibility.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): Will the hon. Gentleman give way?

Jonathan Edwards: I will not give way. I will carry on, mindful of what the Chairman has said. While the British Government have promised to protect the current UK level of EU payments until 2022, the reality is that once we have left the EU, agricultural support will become an annual issue for the budget, or at the very best a three-year cycle under a future comprehensive spending review. There is no guarantee that current levels of funding for Wales will continue after March 2019.

We urgently need clarity for Welsh hill farmers, particularly about what the budget for agricultural support will be and how exactly it will be administered. Now that agricultural support has been re-reserved, I would be grateful if the Minister could outline how it will work for Welsh hill farmers. Will the Welsh share of agricultural support be based on our agricultural footprint, or do the British Government intend to distribute funds for Wales, Scotland and Northern Ireland based on Barnett consequentialities?

During the referendum, the leave campaign argued that farmers would receive a dividend post-Brexit, because the UK would no longer have to make contributions to the EU budget. However, the reality is that there will be less money for Government investment post-Brexit, because the economy will slow and revenues will subsequently be less. Agriculture could find itself way down a long list of priorities for Westminster. Will the Minister outline what intergovernmental discussions have been held between the UK and the devolved Governments, and where exactly we are on getting clarity on the vital issue of agricultural support?

The third major issue is access to export markets. The European Union is a vital market for Welsh meat. Hill farmers inform me that approximately half of all their lambs are exported to the EU on a frictionless, zero-tariff basis, and 90% of all Welsh meat exports are destined for the EU. The EU is the largest global market for agricultural produce, and while the rest of the world is doing everything possible to get access to that market, the British Government are moving in the opposite direction. Preserving those markets is vital. It is sobering that some of the highest new tariffs are agricultural. The lowest that tariffs on lamb can be under WTO rules is 40%, and they are far higher if the product is frozen or processed in any way.

Admittedly, a comprehensive trade agreement with the EU could solve the problem, but while the British Government continue to maintain that no deal is an option, those of us who have concerns about the British Government's negotiating strategy cannot be accused of scaremongering. We only have to look back to the chaos caused by foot and mouth. There was a collapse in market prices, a collapse in farm incomes and a host of other problems, all because farmers could not export to the EU. Impacts on upland farms were particularly acute. While such circumstances occurred due to a ban

on exports rather than trade barriers, such impacts are worth bearing in mind when we consider the potential impacts of harder Brexit scenarios.

Now is the time to commit to maintaining tariff-free access to the UK's largest trading bloc through our membership of the EU single market and customs union. That would ensure that our food producers could continue to export tariff free, that there would be no other barriers to trade and that already established, complex supply chains were not disrupted. The Farmers Union of Wales agrees. The president of the union, Glyn Roberts, said:

"Since the Referendum we have maintained that we should remain within the Single Market and Customs Union, and every day that passes brings more evidence supporting our view that at least in the short term, leaving these institutions would be a grave mistake."

Our farmers are proud of the standard of their produce. They have some of the highest environmental and welfare standards in the world. If the British Government insist on dragging us out of the EU single market and customs union and pursuing free trade deals with third countries, it is vital that those standards are not compromised in any way, and that our markets are not opened up to substandard produce. It is essential that such matters are not regarded as exclusively within the remit of the UK Government and Parliament. As Hybu Cig Cymru chairman Kevin Roberts has said,

"Any future trade deal must take full account of the needs of the Welsh red meat sector."

Ultimately, any future trade deal must be fully endorsed by the National Assembly, the Scottish Parliament and the Northern Ireland Assembly.

To close, agriculture, due to its complex supply chains and its prevalence in Welsh culture, is the backbone of the rural economy. It is vital, therefore, that the UK and Welsh Governments should do all they can to ensure its sustainability and success into the future. As the director of NFU Cymru, John Mercer, told me,

"Farmers were promised a bright and prosperous future after Brexit and it is now imperative that those political promises are upheld."

Welsh hill farmers potentially face a perfect storm of hindered access to their main export markets and the opening up of the UK domestic food market to lowerstandard food produce. Policy makers cannot afford to get it wrong. With the clock ticking, it is time for Ministers to start coming up with some answers.

Several hon. Members *rose—*

Mark Pritchard (in the Chair): Order. I thank the attendants and technical team for their help in resolving a problem with some of the microphones earlier.

Given the popularity of the debate, I reluctantly have to impose a time limit of four minutes. That, of course, excludes the Front Benchers, who have five minutes, apart from the shadow Minister and the Minister, who have 10.

5.25 pm

Peter Heaton-Jones (North Devon) (Con): It is a pleasure to serve under your chairmanship, Mr Pritchard. I congratulate the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) on securing the debate. My interest in upland farming lies with Exmoor, and I am incredibly proud that about one third of the national

park is in my constituency. For the record, the other two thirds are in the constituency of my parliamentary neighbour, my hon. Friend the Member for Bridgwater and West Somerset (Mr Liddell-Grainger).

Farming is an incredibly important part of the county's economy generating 13% of Devon's GDP, by some measures. As well as producing food, upland farming adds value to rural economies in many ways through diversification. The retail, recreational and tourism industries are especially important. I am proud that many of the upland farmers on Exmoor are embracing that diversification, and proud of the work that they do to protect and enhance the unique upland landscape. However, I want to focus on the primary industry, if I may put it that way, of farming.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Does the hon. Gentleman agree, furthermore, that diversification of the final product of upland farming, such as quality land and products, can enhance its economic future, particularly because of the image of an unspoiled environment, wind and rain and so on?

Peter Heaton-Jones: Yes, that is absolutely right. There are about 70 million day visits a year to national parks in this country, because of the landscape. Quite apart from the farming that goes on there, stewardship by upland farmers contributes to the fact that so many people want to visit those areas.

The uplands are home to about 44% of England's breeding ewes and 40% of its beef cows. I saw a small sample of what I am talking about on a recent visit to West Ilkerton farm at Barbrook, near Lynton on Exmoor. It is a family-run livestock farm whose farmers have not only embraced diversification and run a successful business in challenging areas, but are leading members of the Exmoor Hill Farming Network, which, along with the Exmoor National Park Authority, has been instrumental in producing a detailed document, "Exmoor's Ambition", seeking to engage the Government in discussions of how upland farming might be supported post-Brexit.

There is clearly considerable uncertainty for upland farmers now, and it is right that they should play their part in shaping future policy, so I am delighted that the Government are listening. I know they are, because three weeks ago the Secretary of State for Environment, Food and Rural Affairs was kind enough to make two visits over two days to Exmoor farms in my constituency, in which he took full account of what the document says about realising Exmoor's ambition. The national park authority and the Exmoor Hill Farming Network have an idea for a pilot for a new approach, to be used after Brexit, to secure and enhance the many public benefits that rural landscapes and their farming businesses give their local economies.

"Exmoor's Ambition" is about a simpler, more integrated and locally accountable policy that incentivises all the public benefits provided by the countryside. It would be delivered through a single scheme that has the concept of natural capital at its heart and is driven by results and evidence about what actually works. There are no better people to talk to about that than the upland farmers who have worked that landscape for many years.

The proposed scheme consists of two complementary measures: "good farming", available to qualifying land-managing businesses, and "enhanced benefits", which target specific outcomes. Importantly, those measures

[*Peter Heaton-Jones*]

would be matched by the branding and promotion of goods to secure a premium income for their producers and the local economy. The post-Brexit outcomes that this programme seeks to achieve include tackling climate change, protecting the historical environment of the uplands, restoring damaged landscapes, rejuvenating hedgerows, improving river quality, enhancing public recreation, promoting local products and reducing flooding, which is incredibly important on Exmoor.

In the very limited time left to me, let me say this. These are uncertain times, as we approach Brexit. For upland farmers, such as those on Exmoor, the uncertainty is exacerbated by the inherent challenges to farming in that difficult landscape. I know that the Government are alive to those issues, and I look forward to hearing from the Minister about the support that upland agricultural communities, such as those on Exmoor, will have as the Brexit process moves forward.

5.30 pm

Helen Goodman (Bishop Auckland) (Lab): It is a pleasure to serve under your chairmanship, Mr Pritchard. I congratulate the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) on securing this very important debate.

My constituency includes Teesdale, which is part of the north Pennines area of outstanding natural beauty. I represent 400 sheep farmers, most of whom are on the uplands. Teesdale is a unique natural environment. A couple of months ago, I got up at 4.30 am to see the black grouse lekking, and we had a tour of the area to see the fantastic bird life. There were lapwing, curlew, snipe, oyster catchers and partridges. There were also mad March hares boxing. The biodiversity is absolutely spectacular, but it is fragile. If we do not get a good post-Brexit solution for the farming community, those species could collapse in 20 years. If they do, we will not be able to bring them back.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): I must visit the lovely place that the hon. Lady is describing. Does she agree that some of the attributes she mentioned are down to the passion with which rural communities pursue their country sports in those areas?

Helen Goodman: In Teesdale, we have achieved a balance between shooting and hill farming that the community is happy with.

From a farming perspective, the land is extremely marginal. Tenant farmers have an average annual income of about £14,000, which means that, when we change the subsidy regime, we need to bear in mind that their income cannot fall.

Three things matter. The first is the trade regime, about which I think I have asked the Minister 39 times since the Brexit referendum, and I have still have not had a proper answer. As the hon. Member for North Devon (Peter Heaton-Jones) has said, the EU is our biggest market, so we have to be able to continue to sell into Europe. That means staying in a customs union and maintaining the current regulatory standards so we have regulatory alignment. It also means that we do not want the Department for International Trade to negotiate

a flood of cheap lamb imports from New Zealand and Australia. It is DEFRA's responsibility to make it clear that that is a red line.

If we lose our domestic market and do not have our European markets, we will not be able to secure the environmental benefits we want, because farming must be sustainable as a business. One of my constituents has written to me to point out that other World Trade Organisation members have already made a formal complaint about the proposed EU-UK split on agricultural import quotas, so it will be interesting to hear what the Minister has in mind on that.

The second important thing is the support mechanisms, because we obviously do not want to see a cliff edge. A switch to public goods is fine in theory, but it will be fine in practice only if the amount of money paid is sufficient to keep farmers in business. I have already pointed out that people are on low incomes that they cannot afford to see cut; they need to see their incomes rise.

I am worried by the proposed cap on payments to individuals, which is aimed at the landed aristocracy. The only way that Ministers can avoid it is if they start paying tenant farmers directly without—this brings me to my third point—increasing Rural Payments Agency bureaucracy, which is a long-standing problem of which the Department is well aware. Obviously, we do not have a lot of scope for deregulation in the farming community, on animal identification and so forth, because we have to maintain our access to the European market.

5.35 pm

Chris Davies (Brecon and Radnorshire) (Con): It is a pleasure to serve under your chairmanship, Mr Pritchard. I thank my parliamentary neighbour, the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), for proposing the debate.

I think it is fair to say that my constituency is based on agriculture. It is a hill farm constituency that measures 85 miles by 45 miles, and upland hill farms are predominant throughout. Agriculture is the backbone of the constituency, but in GDP terms tourism is now in front of it. However, our tourism industry exists only because of the agriculture industry, and people forget that the two are intertwined, as are many other industries. The upland hill farmers support our vets, garages, shops and so on, so when we talk about upland farms we are also talking about communities.

Farmers in my constituency have many concerns, one of their main ones being—I have already touched on this—that the Welsh Government will take the lead on agriculture outside of a UK-wide framework. We need only consider the lack of a response to bovine tuberculosis in Wales. Only on Sunday I visited a farm that, sadly, after three generations of farming beef, has had to sell all its cattle. They went clear weeks before and have now, sadly, stopped beef farming.

Quarantine units at local shows are another issue. DEFRA has not introduced them in England, but they have been introduced in Wales. Local shows are the lifeblood of communities, yet those communities are being penalised. It is tragic, so thank goodness that Westminster will take—we hope—a take a sensible lead on that.

Three weeks ago the Secretary of State visited the beautiful valley near Painscastle in my constituency. As we came over one of the open common hills, I told him

to look down the valley: it was not designed by an environmentalist based in a London or Cardiff office just two or 20 years ago. That valley is so beautiful because it was designed by farmers over the past 100, 200 and 300 years. Farmers are the best people to run our environment and they should be supported to do that.

I am delighted to say that the Secretary of State made it clear—as I am sure will the Minister again today—that environmental payments, or public payments for public goods, will continue under the “Health and Harmony” consultation. That consultation covers England, but we must not forget that Cardiff Bay has produced nothing to address looking after farmers or to consult them on their future in a post-Brexit world.

The Secretary of State spoke to many senior farmers in a barn from which he could not escape. He gave a very informative talk and answered all their questions on their concerns about the future. Even more importantly, after that visit I took him up the road to Rhosgoch—another village, next to Painscastle—where he met 40 representatives of local young farmers’ clubs, whose futures depend on a post-Brexit agricultural world. My goodness, if hon. Members had seen and heard the positivity in that room, they would not be concerned about a post-Brexit agricultural world.

Ladies and gentlemen—[*Interruption.*] I am sorry, I meant to say “hon. Members”. I was on the stump there—I’ll sell something in a minute! We constantly hear negativity from politicians, academics and the press, but what we are hearing from the agricultural world, including the young agricultural world, is positivity, because of what the Westminster Government are doing and our future in a post-Brexit world. Europe sells more to us than we sell to it, and this country’s farmers have a very positive future.

5.39 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Rwy’n llongyfarch fy Nghyfaill anrhydeddus yr Aelod dros Ddwyrain Caerfyrddin a Dinefwr (Jonathan Edwards) ar sicrhau y ddadl hon. I congratulate my hon. Friend the Member for Carmarthen East and Dinefwr on securing this debate. Dwyfor Meirionnydd is eryri—mountainous and magnificent to the eye. It has been a man-made landscape for hundreds, if not thousands, of years. Livestock husbandry made much of the environment, and taking farmers and families out will unmake it.

Earlier this year, I held a series of events with agricultural societies and farmers unions, which included visits to upland farms in the Trawsfynydd, Abergirw and Cwm Prysor communities of Meirionnydd. Time and again, I heard anxiety for the future and a real fear that the voices of upland farming and upland communities would be lost in the Brexit lobbying cacophony.

Geraint Davies—Geraint Fedw Arian Uchaf of Rhyduchaf—is the chair of the Farmers’ Union of Wales in Meirionnydd. He has a lot to say about Brexit, but I will keep it simple. He tells me that in Wales, we need evidence of a long-term vision for rural communities as a whole, a sense that those communities matter, and an appreciation of their dependency on the rural economy. The single farm payment is spent in local shops and stores. Rural development programme money keeps local contractors in business. There is an interconnectivity to the agricultural economy that is as far-reaching and vulnerable to change as any environmental habitat.

Much is made of the payment for delivery of public goods. Farmers do not need to hear that that is a good thing—most agree—or that a way will be found to conform to World Trade Organisation requirements. They truly need to know not just whether but how a 100% level of public payments for public goods will work. I beg the Minister to respond to that. How will it conform with the WTO regulations?

In the same breath, if agriculture payments are to be used as environmental tools to deliver environmental benefits, we need clarity on the role of grazing livestock and how to manage grasslands to maintain habitats while symbiotically producing meat that inherently meets high-quality welfare standards.

John Lamont: The hon. Lady is making a powerful speech. Many of the issues in my constituency that involve the farming community are exactly the same. In terms of the overall principles of future farming support, does she want a system that simply replicates the current common agricultural policy, that promotes efficient and productive farming, or that focuses on the marginal farms in our country, which I suspect we both have in our constituency? It is important to understand the driving force that she sees as being behind the future CAP.

Liz Saville Roberts: To speak frankly, I would like to see a system that does not result in the upland clearances of farmers. Farmers and their contribution are important to the wildlife, and we should consider the people and their role.

On the significance of grazing, it is important to have an awareness of the impact of under-grazing and over-grazing, local knowledge and the implicit co-operation of the Government, environmental officers and agriculturalists. It goes without saying that such awareness cannot be centrally managed from Westminster; it must be devolved.

Farmers in my constituency are being told to diversify and that they need to look at the sort of animals they produce. Surely, however, we need to acknowledge that only native mountain breeds are suitable for upland environments. It is simply not an option to diversify by crossing with lowland breeds, because large-carcass sheep simply cannot survive the winter, let alone fare well in such environments. At the same time, the small breeds that will flourish in mountain environments have their markets in Europe, and we are yet to find another market for them.

I take this opportunity to call on farmers to speak to each other and to speak out. The Brexit debate has been, and remains, toxic. People have been driven to one side or the other. Frankly, by now, it does not matter how someone voted in the referendum, but what happens now does matter. It is fast becoming clear that individual businesses and communities as a whole are at risk. Wales was sold Brexit on the back of unsubstantiated soundbites. Now is the time to come up with the substance of these promises or to come clean and admit that the risk to Welsh communities is a price Westminster is willing for us to pay.

5.44 pm

Tim Farron (Westmorland and Lonsdale) (LD): It is an honour to serve under your chairmanship, Mr Pritchard. I congratulate and thank the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards). Hill farming is

[*Tim Farron*]

of colossal importance to the United Kingdom. It brings the public benefits of biodiversity and flood prevention, and economic benefits. In my constituency we have the Lake District national park, the Yorkshire Dales national park and South Lakeland, and the Lake District became a world heritage site just 12 months ago. The tourism economy of Cumbria is worth £3 billion a year and 60,000 jobs, all underpinned, as other hon. Members have said, by the work of our farmers to protect and maintain that landscape.

Why are most of our hill farmers involved in hill farming? It is about food production. Some 45% of UK lamb is produced in the uplands, 55% of the UK suckler herd is located in the uplands, and 35% of UK milk is produced in the uplands. Of course, straw and feed grown in the lowlands goes to feed animals in the uplands, so without hill farming, lowland farming would soon go. That should concern and bother us all.

We are often rightly concerned about fuel security, but we think too little about food security. Some 45% of the food we consume today is imported. Twenty years ago, that figure was more like 35%. It is a very worrying trend. The future of hill farming is vital. Providing a future for our uplands must be at the heart of the Government's plan in the agriculture Bill that we look forward to in a few weeks' time.

The ring-fencing and protecting post Brexit of the common agricultural policy budget of £3.8 billion until 2022 is important. I have heard some Government Members talk about that as a long-term commitment, but anyone who thinks four years in farming is long term understands nothing about farming. It does need to be a long-term commitment, and there needs to be a growing, not fixed, budget. The Government must take immediate action on existing payments.

Many hill farmers are coming to the end of their high-level stewardship and entry-level stewardship agreements. A friend of mine, a farmer in the Westmorland part of the Yorkshire dales, comes to the end of his HLS agreement in January 2019. He is not allowed to start an application or have a start date for a countryside stewardship scheme until January 2020, so he has to live for 12 months without a scheme of that kind. Even then, mid-tier countryside stewardship schemes offer little value, and higher tier schemes are frankly unfathomable and incredibly difficult to get through. Many farmers simply do not bother with them. Will the Minister ensure the continuation for hill farmers of HLS and ELS agreements until a new, better and bespoke scheme for the uplands can be introduced? I also suggest that the new scheme has monthly start dates, to ease the workload for the RPA and Natural England.

It looks like the one thing we are sure of in the agriculture Bill is that basic payments will not be part of it. Over the last 40-odd years, we have subsidised food in this country and we have never had a debate about whether we thought that was a good idea, but we can be certain that we will feel it when we stop subsidising food. We can welcome public goods being funded, but we should all take a step back and consider what that might mean for the upland farmer. If we over-commodify every single thing that they do, will we not be in a situation where we see the price of everything and the value of nothing?

I do not really have time to express my concern for the future of young people in hill farming; about how to create incentive schemes to get them in and to allow older farmers to retire with dignity to an affordable home, given the astonishing price of housing in rural areas such as mine. Every £1 invested in farming produces a £7 return. British farming begins in the hills. It has a future only if the uplands have a future.

5.48 pm

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) for bringing this debate. I commend him for his passion for the security of sheep farmers and the industry not simply in his constituency but in the UK as a whole.

I declare an interest as a member of the Ulster Farmers Union, a land owner and a former sheep farmer. The latest available data from 2014 shows some 33.7 million sheep and lambs in the UK, including some 16 million breeding ewes. A large percentage of those sheep can be found in upland and hill areas. In England, 41% of breeding sheep are found in less favoured area farms, and 53% of cattle and sheep holdings are in LFAs in Wales. Some 80% of the sheep population in Northern Ireland are within LFAs, and LFAs in Scotland are home to 91% of breeding ewes, so it is a very important sector for the whole of the United Kingdom of Great Britain and Northern Ireland.

Clearly, the hills and uplands are a vital part of a complex picture and require particular attention. Some 53% of the utilised agricultural area in the UK has been designated as less favoured. That is 5.3 million hectares in Scotland, 2.2 million in England, 1.53 million in Wales and 0.69 million in Northern Ireland. That land is perfect for the hard nature of the sheep industry, and would be inappropriate for any other farming use, so without that industry flourishing it would be unusable.

The National Sheep Association's report on the complementary role of the sheep and upland and hill areas contains incredibly interesting information. I do not have the time to go through it, but I recommend those who have sheep farmers in their area to speak to them and gain a greater understanding of the challenges.

I recently read an article in the press back home that almost half a million lambs leave Northern Ireland for processing south of the border on an annual basis. We are under no illusions that Brexit could massively affect the sheep industry, along with almost every other industry in the UK. The facts are clear that everything that serves to make markets on mainland Europe less attractive indicates difficult times ahead for the sheep industry throughout the UK as a whole. I speak as a Brexiteer—one who supported, and still supports, leaving the EU. I am aware that the Brexit team is working hard to secure the ability for our cross-border sales to continue. Today's debate will certainly serve as yet another reminder of the importance of the EU market to our sheep farmers in Northern Ireland, Wales and the rest of the UK.

I welcome the Prime Minister's dedication to continue the subsidies in agriculture and I do not question that commitment, but I join others in asking for the details of that funding as soon as possible for sheep farmers who farm difficult lands and need to be secure in their hard work and industry. The hon. Member for Westmorland and Lonsdale (Tim Farron) mentioned a four-year plan

for farmers. Farmers have a 10-year plan, a 20-year plan and a 30-year plan, not a four-year one. We need to know what is happening in the long term. The level of support is high in the last common agricultural policy reform package. That must continue if we are to allow our farming sector to thrive.

In Northern Ireland we are dependent on the less favoured areas for our sheep in particular and, to a lesser degree, cattle. That is very important to us in Northern Ireland, where we have a large agri-food sector and depend on exports. The sheep industry has the potential to do more, and that must be encouraged post-Brexit. I have every faith that the Department will continue to support the industry. I will work with the Department as it continues to facilitate the work of sheep farmers, as well as so many other farming industries that are reliant on subsidies to farm what we rely on so much in Northern Ireland and throughout the whole of the United Kingdom.

I fully support the case put forward by the hon. Member for Carmarthen East and Dinefwr and by other hon. Members who have spoken. I look forward to the Minister outlining how his Department will fully support our sheep farmers throughout the United Kingdom of Great Britain and Northern Ireland.

5.52 pm

Pete Wishart (Perth and North Perthshire) (SNP): I congratulate the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) on securing this important debate. We are in the agricultural show season, when the public directly interface with our wonderful rural life and environment. I had the great pleasure of being at the Royal Highland show last week. I know the Secretary of State was there. I am not sure whether the Minister was there; he can let us know when he speaks. We saw the great interest in agricultural issues, and it was great for the Scottish Affairs Committee to come face to face with so many of our agricultural producers, growers and farmers at a roundtable.

Upland farmers are the backbone of the rural economy. Without their work, upland and highland constituencies such as mine would simply be abandoned. The value of hill farming and crofting cannot be measured by kilos of beef or lamb alone; they make a hugely significant contribution to thriving communities and flourishing environments. That contribution can be difficult to quantify. It is all about the maintenance of our upland environment, with all its iconic wildlife and landscapes. As we have heard, it is about the preservation of the social fabric in our more remote rural areas, and it is the cornerstone of both the local and national economies. But it is all in the margins, socially and, in particular, financially.

Without financial support payments, farming could simply disappear from large parts of Scotland. Less favoured areas make up 85% of farmland in Scotland, compared with 17% of farmland in England—and we make up more than a third of the landmass of the United Kingdom, so that is an awful lot of land. We are therefore a sector that is more dependent on support. Without it, so many places in Scotland would return to scrubland and weeds. That is now a real risk. Brexit uncertainty threatens to undermine confidence among all those involved in traditional hill farming. We need a

post-Brexit package of co-ordinated policy measures to secure the long-term viability of hill and upland farming and crofting businesses.

The UK Government's clueless Brexit has caused serious uncertainty about the economic viability of Scotland's agricultural sector, given how valuable the EU is to the industry. Subsidy payments are immensely important to Scotland and account for about two thirds of total net farm income. Between 2014 and 2020, Scotland will receive €4.6 billion from the EU, which is equivalent to about £500 million per annum, representing 16.5% of the UK's common agricultural policy allocation.

We do not know what will happen when things change. We have heard about plans for subsidies to somehow follow environmental improvements, or this vague suggestion of success. What we do know is that in 2022, payments as we currently understand them will come to a halt, and sectors such as upland farming will be disproportionately hit. We also have no idea how the devolved Administrations will be funded. We have heard talk of per capita payments, or payments subject to the Barnett formula, but we have crunched the figures: the better outcome of the two would be the Barnett formula, but Scotland would still lose some £2 billion of CAP funding that would need to be replaced. That is because of Scotland's higher concentration of farmers and crofters. We have no clue what the Government's plans are, post 2022. Hopefully that will become more apparent in the agriculture Bill.

Meanwhile, in Scotland, we cannot wait. The Scottish Government have put in place a plan that will offset the worst of the chaotic cluelessness that underpins the UK Government's approach to Brexit. We want to keep support in place beyond 2022, and the Scottish Government have announced a deal for Scottish farmers that would give them some sort of security until 2024. That five-year transition period would give a two-year period of stability in which we continue to adhere to EU rules, and a second phase of transition in which amendments could be made to payment schemes to simplify and improve issues around livestock inspections and farm mapping.

Scotland has the only plan in the UK to deal with the ravages of Brexit, but Scotland is not responsible for the UK's Brexit. We did not vote for it and we did not want it. Indeed, this Government are doing all they can to lock us out of their plans. We heard from the hon. Member for Carmarthen East and Dinefwr about the plans for the power grab. Is it not unusual that all the powers that have been grabbed from Scotland and taken by the Westminster Government are on animal welfare or agriculture? The idea of trying to secure a UK single market is, for us, a creation of the UK superstate, administered centrally from Westminster, and the devolved Governments are to be locked out.

Finally, what about the EU convergence uplift payments that Scotland was supposed to get? All that money was earned in Scotland. We enabled the UK Government to qualify for a £190 million payment, yet Scotland has secured only £30 million of that back. When are we going to see that money? Agriculture and upland farming are vital to Scotland. We need to hear solid plans for what the Government will do as we leave the EU.

5.58 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to serve under your chairmanship, Mr Pritchard. We have had a very interesting debate, and I congratulate the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) on introducing it. It is vital that we tease out where we are going on these important matters. We have had contributions from my hon. Friend the Member for Bishop Auckland (Helen Goodman), and the hon. Members for North Devon (Peter Heaton-Jones), for Brecon and Radnorshire (Chris Davies), for Dwyfor Meirionnydd (Liz Saville Roberts), for Westmorland and Lonsdale (Tim Farron) and for Strangford (Jim Shannon), as well as from the Scottish National party spokesman, the hon. Member for Perth and North Perthshire (Pete Wishart).

I will keep my remarks very short, so that the Minister has plenty of time to respond. We have heard about the contribution that the uplands make to agriculture through lamb and beef, so I will not repeat those points. I want to look at some of the environmental issues, and I am indebted to the National Farmers Union, the Royal Society for the Protection of Birds, the National Trust, the Countryside Alliance, and Compassion in World Farming, which have all written to me about the debate.

If we look at the figures about the contribution that the uplands make to the environment, approximately one quarter of the total area of English and Welsh woodlands is in the uplands. The largest remaining tracts of semi-natural habitats in England and Wales are found in the uplands. The uplands are home to 53% of England's and 40% of Wales' sites of special scientific interest. The uplands are home to many rare animals and birds, as my hon. Friend the Member for Bishop Auckland made clear. They are the source of 70% of our drinking water. Last but not least, they are a store of 40% of England's and 80% of Wales' soil carbon. I could go on about the importance of the national parks, and how they put something in the order of £1.78 billion into England and about £205 million into Wales.

Given that contribution, which has shaped our natural environment, I ask the Minister what else we could ask from the farmers who look after the uplands. How could they work any harder to provide that public benefit and earn the money that they deserve? What could they do that they are not already doing?

In response to the hon. Member for Brecon and Radnorshire (Chris Davies), the idea that we will renegotiate the devolution settlement is somewhat ambitious and dangerous, because we have a clear relationship. This is a devolved responsibility. One of my Welsh colleagues could respond to the debate, because this is about Wales and Scotland, as well as England. These are devolved matters.

In conclusion, I ask the Minister to respond to those two points. What else could we expect these people to do? They already start at a huge deficit. Some argue it is £14,000, and some that it is as much as £16,000 or £17,000. What else could they do to earn more money? The second question is: how does this impact on the devolution settlement?

6.1 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): It is a pleasure to serve under your chairmanship, Mr Pritchard. I congratulate the hon. Member for

Carmarthen East and Dinefwr (Jonathan Edwards) on securing this important debate on upland farming after we leave the European Union.

The uplands have some of our most beautiful landscapes. Some 12% of land in England is in the upland areas, but it constitutes 75% of the world's heather moorland. Some 70% of our upland areas are in national parks. The uplands are also home to important, vibrant rural communities. The hon. Member for Carmarthen East and Dinefwr discussed the position in Wales and the importance of the uplands to rural communities there, and I agree with him on that.

The truth is that future agriculture policy will be devolved. Wales, Scotland and Northern Ireland already have some, albeit limited, scope within EU schemes to design their own approaches; we have been clear that we want them to have as much freedom as possible to design schemes and approaches that work for their own agriculture. We want them to have more freedom than they have now under EU schemes.

Mr Geoffrey Cox (Torrige and West Devon) (Con): Might I put in a plea on behalf of Dartmoor farmers, whom I met recently? The one thing that matters most to them is that they are involved and consulted closely in designing whatever schemes come forward from Brexit. In that context, may I commend to the Minister the Dartmoor Farming Futures initiative? It is having conspicuous success in uniting farmers throughout the Dartmoor area in designing outcomes, including livestock numbers, and turning out and taking off dates. It is a model scheme. In considering how upland farming support should go forward, I urge him to look at that scheme closely.

George Eustice: I can reassure my hon. and learned Friend that I have already looked at that scheme; I visited it two years ago. The Dartmoor Farming Futures project can show us the way, and it is something that we can learn from. It has been developed as a pilot, as a bit of a derogation from existing EU rules. As we think about future policies, we are keen to work out how we can tailor them to an individual area and focus more on outcomes, rather than processes and inputs.

Neil Parish (Tiverton and Honiton) (Con): Further to the point made by my hon. and learned Friend the Member for Torrige and West Devon (Mr Cox), we are making a bespoke arrangement for the future. The Dartmoor scheme has huge amounts to recommend it, but in the meantime, many of our stewardship schemes will run out before we can set up the new schemes, so is it not a good idea to run the existing systems on for a couple of years, and pick up a bespoke arrangement when we are ready? Otherwise, many of these schemes will fall, and instead of getting more environmental benefits, we might get fewer. I am very concerned about that.

George Eustice: I was going to come back to that. We will be absolutely certain that the existing countryside stewardship schemes will run on and be funded. Some of the agreements will outlive our membership of the European Union; they will continue to be funded until we have successor schemes in place.

Neil Parish: Will they run on even if they have run out?

George Eustice: We will ensure that we have the new schemes in place by the time those agreements start to run out.

As I said, this area is devolved. It is recognised by everyone that there will be a need for some UK frameworks, particularly when it comes to delivering international obligations such as our obligations to the World Trade Organisation, which I will return to, but also in ensuring integrity in the UK single market. We are taking two approaches. There will be areas where things may be reserved—for instance, where they are directly attributable to international trade and international agreements that we have entered into. There will be others where we can construct frameworks through memorandums of understanding. There is already a lot of quite detailed work being done in that space.

The hon. Member for Carmarthen East and Dinefwr asked about our working with the Welsh Government. I reassure him that we are in regular dialogue with Ministers from across the devolved Administrations and that, at an official level, there has been incredibly close working on developing, for instance, the statutory instruments that we all need to bring forward in our various legislatures under the European Union (Withdrawal) Bill. There is a lot of close working on that. We have also done some quite detailed work on what future frameworks would look like, looking policy line by policy line at where we think a memorandum of understanding would work, what we think can be fully devolved and what we think should be reserved. That work is at an advanced stage.

We should be positive here. We can look forward to a future where we all have far more power. Under current schemes, we are told the minimum and maximum width of a hedge, what width a gateway is allowed to be, what types of crops someone can grow and whether they can claim that a cabbage is the same as a cauliflower or winter wheat is the same as spring wheat.

The hon. Member for Westmorland and Lonsdale (Tim Farron) raised the issue of the frustrations regarding countryside stewardship schemes. I agree with him. Farmers should be able to enrol on those schemes in any month of the year, but get this: we used to be able to do that, under the old schemes. The European Commission proposed that we change to a common commencement date for everyone. The UK opposed that vociferously, but the EU ignored us. As a result, we have an administrative nightmare, trying to put all these schemes in place on the same start date. We can leave all that behind and no longer fret about disallowance risks.

We had a consultation earlier this year on future agricultural policy, in particular as it relates to England. We have had over 44,000 responses. We are clear that there will be an agriculture Bill in this Session of Parliament, but we have also made a few other things clear. In our manifesto, we committed to keeping the budget the same in cash terms for the duration of this Parliament, out until 2022. We were clear in our manifesto that we would replace the common agricultural policy with the future funded scheme, to be rolled out thereafter.

We have also been clear that we think we can spend the money better, focusing it on the delivery of public goods and environmental outcomes, rather than on arbitrary payments based on how much land people own or control, which clearly makes no sense if we are seeking coherent policy. Finally, we have been clear that we recognise that there is quite a lot of dependency on

the basic payment scheme and area-based payments. We will make changes gradually, over an agricultural transition period running for a number of years. We have invited suggestions on that in our consultation.

Ben Lake (Ceredigion) (PC): Before the Minister moves away from discussing the funding arrangements, could he assure me that, in designing a future funding arrangement, the Government will look at ensuring there is a period of similar length—perhaps five or seven years? That gives certainty to farmers that a shorter period simply would not.

George Eustice: There have been a number of representations about how long that period should be. Most people have suggested that somewhere in the region of five years or possibly a little bit more makes sense. As the Secretary of State has indicated for illustrative purposes, something in the ballpark of five years seems to make sense and seems to be where the consensus is.

We also recognise that we need to help businesses prepare during the transition. We recognise that we may need to take account of the less favoured area status of some areas, particularly the more financially vulnerable upland areas, and of the impact on those rural communities. We are certainly willing to do that, and we flagged the potential need for it in our consultation.

However, there is more than one way to approach this. We could continue with something similar to what we have now, but a number of organisations representing upland interests have actually said to me that they see great opportunities in the principles and the approach that we advocate. For instance, the Uplands Alliance told us that it was very keen to move to a system of payment for the delivery of public goods. It makes a powerful point, because at the moment the uplands, and particularly the moorlands, get less area payment because they are deemed to be disadvantaged areas on less productive land. That could not be more upside down.

In fact, they potentially have the opportunity to deliver more by way of public goods, in terms of public access, flood mitigation, carbon sequestration, peat bog restoration or improvements in water quality. There are many opportunities for the uplands to deliver those public goods, and several people are starting to say that, if we are serious about payment for the delivery of public goods, they see a vibrant, profitable model for upland farming.

We also set out, in an annexe attached to our consultation, ideas about the type or flavour of the options that we might offer. We have about 30 years of experience in various environmental land management schemes. For instance, even in the current schemes there are options for enclosed rough grazing, the management of moorland, the protection of native breeds and the shepherding supplement. We also have grants for stonewall protection, hedgerow restoration, the maintenance of weather-proof traditional farm buildings in remote locations and haymaking. There are many options within those existing schemes, and we have a lot of experience of making them work.

I will turn to some of the points made by hon. Members. The sheep sector is very important for Wales. There are 10 million sheep—around 30% of the UK total—and some 14,000 holdings with sheep, many of which

[*George Eustice*]

are in disadvantaged areas. It will be for the Welsh Government to design a policy that works for their own farmers and their own circumstances. The hon. Member for Carmarthen East and Dinefwr mentioned how closely we are working with the Welsh Government. As I pointed out earlier, very detailed working is going on. My hon. Friend the Member for North Devon (Peter Heaton-Jones) highlighted some of the great work being done on Exmoor, and I very much agree with him. I visited the mires project, run by South West Water and other local partners on Exmoor, and some innovative policy thinking is going on there.

The hon. Member for Bishop Auckland (Helen Goodman) raised a number of issues relating to trade. I do not accept that we need a customs union, but we need a customs agreement. That is exactly what the Government seek—a comprehensive, bold free trade agreement with no tariffs and agreed customs arrangements. I do not agree that we need absolute uniformity on regulations. It is possible for us to recognise equivalence, since our starting point is that we are departing the single market; we are not a country with a very different regulatory tradition.

The hon. Lady also asked about the WTO. We believe that we should treat this as technical rectification, and we are working with the European Union to split our WTO schedules, both on tariff-rate quotas and aggregate market support, which is the ceiling on market support and subsidies that can be paid to farmers. Those will simply be divided based on historical use, which we do not believe will provide us with any problems.

Finally, on future trade deals with other countries, we have been crystal clear that we have standards and values that we will not abandon, and we will not abandon or compromise our standards in pursuit of a trade deal.

Jonathan Edwards: Will the Minister confirm that, if the Government do not seek the endorsement of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly on our trade policy, we will effectively have a situation in which those three constituent parts of the UK will have less power and influence over our trade policy than Wallonia has over trade policy at EU level?

George Eustice: I do not really think that that is the case. At the moment, none of us have much influence over trade policy, because it is decided by the European Union. I know that my colleagues in the Department for International Trade are working closely with colleagues in the devolved Administrations to work out a sensible approach to our future trade agreements.

My hon. Friend the Member for Brecon and Radnorshire (Chris Davies) is passionate about farmers in his constituency and made the important point that we need to carry farmers with us on this journey. I agree that we cannot deliver the outcomes that we seek without the support of farmers to deliver them.

We have had a good and comprehensive debate covering many issues, with powerful contributions from Members from every single part of the UK. I believe that these are exciting times as we face the future. We should see this as an opportunity, not a threat.

Question put and agreed to.

Resolved,

That this House has considered the future of upland farming after the UK leaves the EU.

6.15 pm

Sitting adjourned.

Written Statements

Tuesday 26 June 2018

CABINET OFFICE

Members' Correspondence: 2017

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): I am today publishing a report on the performance of Departments

and Agencies on handling correspondence from Members and Peers during the calendar year 2017. Details are set out in the table below. Correspondence statistics for 2016 can be found on 11 July 2017, Volume 627 (HCWS35).

Departmental figures are based on substantive replies unless otherwise indicated. The footnotes to the table provide general background information on how the figures have been compiled.

Correspondence from MP/Peers to Ministers and Agency Executives 2017 ⁽¹⁾

Department or Agency	Target set for reply (working days)	Number of letters received	% of replies within target
Attorney General's office	20	202	98%
Department for Business, Energy and Industrial Strategy	15	4032	65%
Insolvency Service	15	33	100%
Land Registry	15	87	93%
Companies House	10	44	98%
Cabinet Office	15	682	93%
Charity Commission	15	181	71%
Ministry of Housing, Communities and Local Government	15	8060	46%
Planning Inspectorate	10	127	25%
Crown Prosecution Service	20	270	70%
Department for Digital Culture, Media and Sport	20	4112	89%
National Archives	20	21	100%
Ministry of Defence	20	2588	96%
Department for Education	15	7671	57%
Department for Environment, Food and Rural Affairs	15	5563	71%
Animal and Plant Health Agency	15	38	98%
Rural Payments Agency	15	157	70%
Department for Exiting the European Union	20	2884	73%
Food Standards Agency (*)			
(*) FSA Ministers replies	20	35	91%
(*) FSA Chair/CE replies	20	43	58%
Foreign and Commonwealth Office	20	6420	87%
Government Legal Department	10	10	100%
Department of Health and Social Care	18	12627	91%
Medicines and Healthcare Products Regulatory Agency	20	35	97%
Public Health England	18	80	98%
Home Office	15	5977	54%
UK Visas and Immigration/Immigration Enforcement/Border Force	20	39369	83%
Her Majesty's Passport Office	20	2235	91%
Department for International Development	15	1423	93%
Department for International Trade	15	913	77%
Ministry of Justice	15	2539	88%
HM Courts Service and Tribunals Service (*)			
(*) Where Ministers replied	15	656	94%
(*) Where CEO replied	15	348	96%
Her Majesty's Prison and Probation Service (*)			
(*) Where Ministers replied	15	888	81%
(*) Where CEO replied	10	297	92%
Office of the Public Guardian (*)			
(*) Where Ministers replied	15	45	93%
(*) Where CEO replied	10	44	93%

Correspondence from MP/Peers to Ministers and Agency Executives 2017 ⁽¹⁾

Department or Agency	Target set for reply (working days)	Number of letters received	% of replies within target
Northern Ireland Office	15	527	83%
Office for Standards in Education, Children's Services and Skills	15	229	80%
Office of Gas and Electricity Markets	15	209	97%
Office of the Leader of the House of Commons	15	192	94%
Office of the Leader of the House of Lords	15	15	100%
Office of Rail and Road	20	45	76%
OFWAT (Water Services Regulation Authority)	15	29	72%
Scotland Office	15	70	73%
Serious Fraud Office	20	45	93%
Department for Transport	20	6294	80%
Driver and Vehicle Licensing Agency	7	1877	99%
Driver and Vehicle Standards Agency	10	190	100%
Maritime and Coastguard Agency	10	15	100%
HM Treasury	15	6489	77%
HM Revenue and Customs (*)			
(*) Where Ministers replied	15	1068	60%
(*) Where CEO replied	15	5775	84%
Valuation Office Agency ⁽²⁾	15	686	49%
Wales Office	15	87	86%
Department for Work and Pensions	20	11168	88%
Health and Safety Executive	15	87	100%
Human Resources	15	50	100%
Director General	15	2140	83%

(1) Departments and Agencies which received 10 MPs/Peers letters or fewer are not shown in this table. Holding or interim replies are not included unless otherwise indicated. The report does not include correspondence considered as Freedom of Information requests.

(2) The Valuation Office Agency is an executive agency, sponsored by HM Revenue & Customs.

[HCWS798]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Affordable Housing

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Our record on the provision of social housing is a strong one with over 378,000 affordable homes delivered since 2010. This included 273,000 homes for rent, and over 10,400 council homes built between 2010-11 and 2016-17, up from 2,920 over the previous 13 years.

The Government are committed to increasing support for more social housing. I am delighted to announce the launch of bidding for two flagship social housing programmes—additional funding for the affordable homes programme and an increase in housing revenue account borrowing. Together these will release over £2.6 billion of additional investment in those parts of the country where the need is greatest to help local authorities and housing associations build the homes that their communities need. Eligibility for this funding will be determined by the difference between private and social rents in local areas.

Today's announcement confirms that £1.67 billion will be spent on delivering 23,000 additional affordable homes outside of London and could lever in total investment by housing associations and councils of up to £3.5 billion.

This investment will help those who are struggling most, by delivering at least 12,500 homes for social rent in areas of the country where the difference between private and social rents are above average.

This announcement completes the allocation of the £9 billion affordable homes programme which will deliver at least 250,000 affordable homes by March 2022. At the spring statement we confirmed an additional £1.67 billion for London.

The Government are also committed to a step change in council house building. I am today launching bidding for the £1 billion housing revenue account borrowing programme, announced by the Chancellor of the Exchequer at autumn Budget. We need a stronger, more diverse housing market, and this additional borrowing programme recognises the vital role that local authorities can play in building new homes to meet local needs. The additional borrowing will be split equally between London and the rest of the country, and at least £500 million will be available to London boroughs with London boroughs also eligible to bid for further funding from the remaining £500 million.

By opening up bidding, local authorities in areas where private sector rents are higher will be able to borrow more for new housing development between 2019-20 and 2021-22. Local authorities will have flexibility to consider the bidding routes most suited to their needs: additional borrowing only, or additional borrowing to be used alongside either unspent right to buy receipts or affordable homes programme grant.

I want to see eligible local authorities bidding into the programme, demonstrating their ambition and appetite

to build new council homes, and showing how the sector can contribute to tackling the country's housing needs. The additional borrowing programme will help to support the delivery of a new generation of council houses to fix our broken housing market.

I am placing a copy of the affordable homes programme addendum and the "Additional Housing Revenue Account Borrowing Programme: Prospectus for local authorities outside London" in the Library of the House.

This statement has also been made in the House of Lords.

[HCWS797]

TRANSPORT

Airports: National Policy Statement

The Secretary of State for Transport (Chris Grayling):

On Monday the House of Commons debated the proposed airports national policy statement which I laid before Parliament on 5 June. Following the approval of the statement by the House, I am pleased to inform the House that I am today designating it as a national policy statement under the provisions of section 5(1) of the Planning Act 2008, and have arranged for publication as required by section 5(9)(a) of that Act.

The designation of the airports national policy statement marks a significant step forward. It provides the primary basis for decision making on development consent applications for a north-west runway at Heathrow airport, clarifying what is required to enable the development of much needed additional airport capacity that is essential

for trade and economic growth, while setting clear requirements to mitigate the impacts on local communities and the environment.

The next step is for applicants to develop their plans, and then carry out further public consultation as required under the Act. Any application for development consent will of course be considered carefully and with an open mind based on the evidence provided, including through a public examination by the independent planning inspectorate, before a final decision is made.

[HCWS796]

WORK AND PENSIONS

Private Pensions

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): Further to the Protecting Defined Benefit Pension Schemes White Paper published in March this year, the Government are today announcing the publication of a consultation to gather views on enhancing TPR's powers. Proposals include higher fines and criminal offences for wilful and/or reckless behaviour that puts pension schemes at risk, as well as new powers to enable the regulator to intervene. The package aims to balance protection for pensions while not imposing unnecessary regulations on business.

We are seeking views on our proposals before we move to implement them at: <https://getinvolved.dwp.gov.uk>. The consultation will be online from today and will run until 21 August 2018.

[HCWS795]

ORAL ANSWERS

Tuesday 26 June 2018

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