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17 July 2018**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 17 July 2018

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

UNIVERSITY OF LONDON BILL [LORDS]

Second Reading opposed and deferred until Tuesday 4 September (Standing Order No. 20).

ROTHERHAM INDEPENDENT REVIEW

Resolved,

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there be laid before this House a Return of a Paper, entitled The Rotherham Independent Review: a review into information passed to the Home Office in connection with allegations of Child Sexual Abuse in Rotherham (1998-2005), volumes I and II, dated 17 July 2018.—
(*Rebecca Harris.*)

Oral Answers to Questions

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

The Secretary of State was asked—

Offshore Wind Sector

1. **Peter Aldous** (Waveney) (Con): What steps he is taking to support growth in the offshore wind sector.
[906485]

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Offshore wind has been a fantastic UK success story. Costs have halved and jobs have been created. In my hon. Friend's constituency, the port of Lowestoft has been a construction base for the Galloper project. It will shortly become the base for East Anglia ONE's 25-year operations and maintenance work. We want to build on that success. Our clean growth strategy said that we could see a further 10 GW of new capacity in the 2020s. There is the opportunity for additional deployment if that is cost-effective.

Peter Aldous: I am grateful to the Secretary of State for that answer and I will be at the opening of the East Anglia One operations and maintenance base on Friday in Lowestoft. Offshore wind, as he said, is bringing significant benefits to coastal communities, though to realise its full potential there is the need to ensure that local people and businesses have every opportunity to take part in the success story. Can he confirm that this will be the Government's No. 1 priority in the forthcoming sector deal?

Greg Clark: My hon. Friend makes an excellent point. I hope that the event later in the week goes well; I am sure it will. He is absolutely right that part of the industrial strategy, in particular the local industrial strategies, is to make sure that the benefits of these investments are available to the local workforce, and I know that he will work very closely with new Anglia local enterprise partnership to ensure that that is the case.

Mary Creagh (Wakefield) (Lab): Britain needs about £22 billion a year of investment in clean energy to meet our legally binding EU renewables targets, but my Committee heard that, according to Bloomberg New Energy Finance, investment has collapsed over the past two years. Given that the Brexit White Paper says that the Government believe that there is no need for a common rulebook on environmental or climate change rules, what confidence can investors in offshore or onshore wind have that the Government will support low-carbon energy if we leave?

Greg Clark: We are very clear in our support for that in the clean growth strategy and, as the hon. Lady can see, in the level of investment that is being made right across the country. It was very clear in the White Paper that followed the Chequers meeting that we had made a commitment to the highest of environmental standards.

Peter Kyle (Hove) (Lab): I recently visited the Rampion offshore wind farm, which is a stunning achievement, supplying enough power for a third of Sussex's needs. Is the Secretary of State also looking at how to expand existing wind farms as well as just building new ones, particularly if it can be done in a way that does not have a visual impact from land?

Greg Clark: The hon. Gentleman makes an excellent point. There is the opportunity, through the auctions that have been so successful, for expansions to come forward and be proposed, but he should also be aware that, given the leadership that we have in this area, we are also leading in replacing blades and turbines when they come to the ends of their life. That is a very important source of jobs that will be available to the exports markets around the world as well.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Offshore wind has an excellent strike price of £57.50 per megawatt-hour, yet this Government's dogma will see consumers locked into paying £20 to £40 more per megawatt-hour for new nuclear. If that was not enough of a hit on family budgets, it has been reported that the Government will use the public purse to let Hitachi off the hook for the cost of any safety breaches at its Wylfa nuclear plant. Is it not time that this Tory Government ended their obsession with outdated, expensive and risky nuclear and put the public and consumers first?

Greg Clark: It is always necessary to have a diverse source of energy supplies, and nuclear has made and does make a big contribution to that: about 20% of our current electricity comes from nuclear. That is very important for households and businesses, including in Scotland. Every new project has to be assessed as value for money for the taxpayer and consumers and that will continue to be a criterion that will be rigorously imposed.

Renewable Power-Generating Companies

2. **Jeff Smith** (Manchester, Withington) (Lab): What his policy is on supporting small and medium-sized renewable power generating companies after the scheduled closure of the feed-in tariff scheme.
[906486]

The Minister for Energy and Clean Growth (Claire Perry):

The hon. Gentleman will know, because there are more than 6,000 installations in Manchester alone, that the feed-in tariff scheme has been hugely successful in attracting investment in small-scale renewable electricity, delivering more than 800,000 installations across the country. Partly as a result of that scheme, costs of the technology have dropped dramatically, but also because of the success of the scheme, it became, as he will know, very unaffordable. I am very aware of the need to set out what the next stage of small-scale renewable investment looks like, and I look forward to doing so shortly.

Jeff Smith: Businesses are very aware of the need too. There are thousands of stakeholders in the renewables industry who need to understand the regulatory framework that they will be operating under when the feed-in tariff ends. The Government promised an update on the approach to small-scale renewables by the end of last year, but we have heard nothing. Will the Minister please tell us today when the feed-in tariff consultation will be published?

Claire Perry: I share entirely the hon. Gentleman's desire for us to get on with it. In fact, I have met many representatives of the sectors. We just have to get the scheme right. We must not create something that causes a bonanza for people who are gaming the system or that puts up bills for consumers. We are very aware of the need to provide certainty for investors, and I look forward to doing so soon.

17. [906503] **Martyn Day** (Linlithgow and East Falkirk) (SNP): Solar power has been shut out of clean power options for three years, and onshore wind vilified. Will the Minister heed the National Infrastructure Commission's recommendations to forgo new nuclear investment in favour of bringing back clean power options for cheap and established renewables?

Claire Perry: I can only refer to the comments of my right hon. Friend the Secretary of State. We want to provide a balanced, secure energy supply that keeps bills down for consumers. That is why we will be investing in nuclear. We have invested in many forms of renewable energy. In fact, we are now leading many parts of the world in that investment, and we will continue to do so.

Dr Alan Whitehead (Southampton, Test) (Lab): Solar PV installations this year will be running at just 2% of their peak rate in 2011. This is certainly due to the downgrading and forthcoming closure of the FIT scheme in March 2019. As the Minister has mentioned, a consultation on FITs has now been promised for a year. It was supposed to have been published by this recess; now it is not. Why is the Minister fiddling about the future of FITs while the solar house burns down?

Claire Perry: Such alliteration, despite such late nights. The hon. Gentleman will know that we have been really successful in pulling forward a huge amount of solar. In fact, solar has contributed enormously to the energy mix over the past few days, as the hon. Gentleman will know. Much of it is not recorded because it sits behind the meter. However, I acknowledge his point. We intend to bring forward a scheme that works, that does not put up bills for consumers and that acknowledges that much of our renewable future will be subsidy-free.

Taylor Review of Modern Working Practices

3. **Alex Norris** (Nottingham North) (Lab/Co-op): What progress he has made on planned consultations on (a) employment status, (b) agency workers and (c) enforcement of employment rights as a result of the recommendations of the Taylor review of modern working practices. [906487]

15. **Jo Stevens** (Cardiff Central) (Lab): What progress he has made on planned consultations on (a) employment status, (b) agency workers and (c) enforcement of employment rights as a result of the recommendations of the Taylor review of modern working practices. [906501]

The Minister for Energy and Clean Growth (Claire Perry): In the Government's response to the review, we committed to take forward recommendations to improve clarity on employment status, boost protections for agency workers and increase state enforcement of basic rights for vulnerable workers. Consultations finished last month, and we have had more than 420 responses. I give huge thanks to all stakeholders who contributed; we will be responding very shortly.

Alex Norris: Insecure work weakens our economy. Last week the Office for National Statistics reported falls in manufacturing and construction output. The past few weeks have been dominated by Ministers worrying about their jobs. When will the Government have a functioning industrial strategy that worries about my constituents' jobs?

Claire Perry: I am sure the hon. Gentleman and his constituents will welcome today's news that we have record employment in the British economy. We totally agree with him that the future of work is good work, which is why we commissioned the Taylor review and want to deal with the challenges of the gig economy. I hope that we will get cross-party support for those vital protections for his constituents and for mine.

Jo Stevens: Rather than simplify employment law, the Taylor review has recommended introducing yet another category of workers, so we will have three tiers with different employment protections. The EU directive on transparent and predictable working that is currently being considered provides an EU-wide definition of workers, clarity and transparency, and the right to a written statement of terms and conditions on day one of employment. Will the Minister confirm that the Government will support the directive, so that it is adopted before 29 March next year?

Claire Perry: Again, I thank all respondents to the consultation, including many high-quality responses from the unions. We will respond to the consultation in due course.

Rachel Reeves (Leeds West) (Lab): One in six workers in our economy is now self-employed. Some are bogusly self-employed—not entitled to the basic protections that we should all expect when we go out to work every day. Matthew Taylor's review into good work was published

more than a year ago. When are the Government going to respond and bring forward legislation to end this abuse?

Claire Perry: The hon. Lady, as always, makes a powerful point. We are taking action by prosecuting companies that are not paying the national minimum wage and we are ensuring that those basic rights are enforced. We want to get this right because this legislation will have to last not just for six months or a year, but for many years as our economy develops.

Justin Madders (Ellesmere Port and Neston) (Lab): I am sure that the whole House will join me in wishing my hon. Friend the Member for North West Durham (Laura Pidcock) all the best during her maternity leave. As we know, the Taylor review failed to offer much protection for those in the gig economy who are pregnant. The Government's earlier Deane review on self-employment made recommendations on equalising maternity allowance, but that was two and a half years ago. Do the Government intend to implement those recommendations?

Claire Perry: I welcome the hon. Gentleman to his position. I was around his constituency on Saturday helping to launch the RSS Sir David Attenborough—what a fine place he represents. He is absolutely right to focus on these basic maternity protections. This Government are continuing to improve paternity and maternity rights. We want to get that right and that will be part of our response.

University Research: Commercialisation

4. **Chris Green** (Bolton West) (Con): What steps he is taking to support the commercialisation of universities' research. [906488]

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): We want the UK to be the place where innovators, researchers and entrepreneurs turn ideas into reality. Our universities have a strong part to play within this, alongside business. That is why we are funding, through United Kingdom Research and Innovation, support for research collaborations between universities and business. We also have the industrial strategy challenge fund, as well as higher education innovation funding and our Connecting Capability funding. All of those will help universities work together with business.

Chris Green: The research partnership that exists between the University of Tokyo and Imperial College London is an excellent example of how the UK can benefit from sharing innovation and technology. What more will my hon. Friend do to ensure that we continue to strengthen academic networks and communities post Brexit?

Mr Gyimah: My hon. Friend makes a very important point. Our research and innovation collaboration is important in what we do with the EU, but also globally in what we do around the world. That is why UKRI has established a new £110 million fund to explore and develop international partnerships with leading science and innovation regions. We will also bring forward an international science strategy in the autumn.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister knows that many people working in our universities—brilliant scientists and innovators—are not

on gold-plated pensions and do not have inherited wealth, like some of his hon. Friends. Will he look at universities in the United States, such as Cornell University, which have different ways of paying and incentivising research on those campuses?

Mr Gyimah: Just focusing on the substance of the hon. Gentleman's question—[*Interruption.*] The reason behind UK Research and Innovation, which brings together all the research agencies in the UK, is that, for the first time, we have a strategic brain to direct UK research so that we can allow innovation and ingenuity to flourish in our universities. That is the best way to create returns that benefit the economy but also the best minds in our country.

Mr Speaker: I am sure that the hon. Member for Huddersfield (Mr Sheerman) did not bellow from a sedentary position like that when, as I referenced recently, he served with great distinction as a local councillor in the 1970s.

Jim Shannon (Strangford) (DUP): I have one of the foremost medical research centres on the border of my constituency at Queen's University Belfast. Will the Minister outline what grants are available to enhance facilities in these world-class research centres?

Mr Gyimah: The hon. Gentleman makes a good point. I am particularly interested in the research that Queen's University Belfast is doing, particularly around areas of cyber-security. I look forward to visiting it in due course. Obviously, UKRI deals with all of the UK and that university will benefit from grants from UKRI too.

British Motor Sector

5. **John Spellar** (Warley) (Lab): What recent discussions he has had with trade union representatives on the future of the British motor sector. [906489]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): On 25 June, I met Unite the union to discuss its views on how Government can best support the UK automotive sector. I met Tony Burke and representatives from the Jaguar Land Rover, Toyota and GKN unions. The Secretary of State and I also speak to the unions regularly through their membership of the Automotive Council.

John Spellar: I thank the Minister for having that meeting, because under Conservative, Labour and even Lib Dem Ministers, Britain rebuilt its motor industry by working closely with industry and the unions. Unfortunately, more recently, ill-considered lurches in policy by the Department for Transport, which are less like the prosperity agenda and the industrial strategy and more like Soviet 10-year plans, are creating deep uncertainty, especially for the diesel sector, where Britain is a world leader. What will the Minister now be doing with unions and companies to get our motor industry policy, across Government, back on track?

Richard Harrington: The Government's "Road to Zero" strategy, which was published last week, made it clear that there is a continuing role for clean diesel

vehicles as we reduce carbon dioxide emissions from UK road transport. It has been generally welcomed by the automotive industry.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): We have seen tremendous investment in the motor industry over the years, not least in Toyota in Derbyshire. What are the Government doing to encourage more investment?

Richard Harrington: My right hon. Friend will be very aware of the number of meetings we have with the automotive industry and of how closely we are working with it on the sector deal. The Automotive Council met only in the past couple of weeks, and that was one of the top things on the agenda for discussion.

Mr Jim Cunningham (Coventry South) (Lab): Some 53% of our exports rely on Europe. What are you doing to protect that market for us?

Mr Speaker: I am doing absolutely nothing on the matter.

Richard Harrington: I hope the hon. Gentleman has read the Chequers agreement and the White Paper. I will be very happy to forward him a copy. It explains how the views and interests of the motor industry are central to how the sector works throughout all countries in the European Union, including us. We will continue in a friction-free way that is very much to the advantage of the automotive industry.

Jack Dromey (Birmingham, Erdington) (Lab): The success of Jaguar Land Rover and the Jaguar plant in my constituency has transformed the lives of thousands in an area of high unemployment. Now JLR is facing the twin challenge of the transition from diesel on the one hand and the threat of Brexit on the other. Does the Minister agree that wide-eyed Brexiteers appear to believe that we can crash out of the European Union with no consequences for jobs, that they are wrong and they are letting down British workers, British industry and Britain?

Richard Harrington: I hope the hon. Gentleman does not think my eyes are too wide. Despite your efforts last week, Mr Speaker, there seems to be a shortage of Members on both sides of the Chamber who have actually read the White Paper. I would be very happy to give one to him.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Moving to electric vehicles should be transformative for our country and our £77 billion car sector, creating new markets and jobs in manufacturing, services, the supply chain and battery recycling. What are the Government doing? Their Faraday challenge does not cover manufacturing or skills, they have ditched renewable energy investment, delayed the £400 million investment in charging infrastructure and allowed the takeover of GKN's world-leading battery technology, and yesterday they voted for a customs plan that will sever automotive supply chains, putting more than 800,000 jobs at risk. Is it not the Government's role to help create high-skilled, high-productivity jobs, not destroy them?

Richard Harrington: I totally agree with the hon. Lady: it is the Government's role to do exactly that. That is why we have the Faraday battery challenge, which

covers skills, and why the Government are putting so much effort into battery technology and clean technology for this country. I am very proud of that. I have seen skills in the automotive industry when I have visited car factories and the schools around them. The number of apprenticeships shows that the Government are totally committed to skills. We have a very bright future with batteries.

Low-Paid Workers

6. **Mike Wood** (Dudley South) (Con): What steps he is taking to ensure that low-paid workers are remunerated appropriately. [906490]

11. **Paul Masterton** (East Renfrewshire) (Con): What steps he is taking to ensure that low-paid workers are remunerated appropriately. [906497]

22. **Ben Bradley** (Mansfield) (Con): What steps he is taking to ensure that low-paid workers are remunerated appropriately. [906509]

The Minister for Energy and Clean Growth (Claire Perry): There used to be those who said it is not possible to have protection for minimum-wage workers and lots of jobs. How wrong they are! Today, thanks to a Conservative Government since 2010, we have record employment, and a full-time worker on the minimum wage is now £3,800 better off thanks to the wage legislation we passed and changes to the income tax personal allowance. Since 2015, we have doubled the budget for enforcing the national minimum wage, and last year we identified a record 15.6 million workers who were not being paid properly for low-paid work.

Mike Wood: Will my right hon. Friend encourage HMRC to investigate proactively employers who are systematically breaching national minimum wage legislation, instead of expecting each worker individually to complain and produce detailed evidence?

Claire Perry: That is absolutely right. Any employer who is not paying the national minimum wage and is breaching the law deserves to be found out and taken to task. That is why HMRC is conducting proactive risk-based analyses, particularly in sectors or areas where there is a high-risk of workers not being paid. In 2016-17, HMRC proactively investigated over 1,400 cases, in which 68,000 workers were being illegally underpaid. That is absolutely outrageous, and penalties have been issued. The work will continue: employers must pay the national minimum and living wage.

Paul Masterton: I thank the Minister for her answer. She highlights that a number of employers are not paying the minimum wage, so what support do the Government intend to give small employers to help ensure that they can pay their employees a fair wage?

Claire Perry: That is an excellent point, and it is quite right that small employers who may struggle with some of this are encouraged to do so. We have taken up to £3,000 off their national insurance contributions bill through the employment allowance. We have cut corporation tax from 28% in 2010 to 19% today, and we reduced business rates to the tune of £2.3 billion in

the 2017 Budget. All that is going into small employers' cash flows, so they can pay their workers what they deserve.

Ben Bradley: The latest figures show that weekly wages in Mansfield are notably—several hundred pounds a week—lower than the national average. Projects such as the Heathrow logistics hub could provide huge opportunities for my constituents, but what support are the Government offering to help low-wage areas such as Mansfield and Warsop attract such high-skill and well-paid jobs?

Claire Perry: I commend my hon. Friend for fighting tirelessly for his constituents. I basically reassure him that, through the industrial strategy—it, of course, sets out our long-term plan to boost productivity and earning power across the country—we are supporting the development of local industrial strategies to drive up productivity, because productivity increases are what drive pay increases.

Stephanie Peacock (Barnsley East) (Lab): Given the Court of Appeal's decision last Friday, will the Government now urgently bring forward legislation to end the uncertainty and to enshrine the right of all workers on all shifts to the national minimum wage, including for careworkers' sleep-ins?

Claire Perry: The hon. Lady makes a powerful point. I know from my own constituents the difficulty that the original decision has provided both for employers and for workers. I am afraid that I cannot answer her question from the Dispatch Box, but I will take it away and write to her.

Mr Dennis Skinner (Bolsover) (Lab): Not only is it true that the number of people on zero-hours contracts is rising at a very high rate, but the Government do not seem to think that it is anything to do with them. There are close on 1 million people on zero-hours contracts—there are 2,000 or 3,000 on one pit site in Shirebrook near Mansfield in my area—and the Government sit idly by. It is only when they talk about the golden future for workers and get stuck in with getting rid of zero-hours contracts that we will believe a word they say.

Claire Perry: I am afraid the hon. Gentleman, despite the rhetoric, is just wrong. I have visited some of the pit areas, and one of the saddest things I ever saw was a former pit engineer who, because of the appalling transport links left as a terrible legacy to the pit areas, was unable to get out of the area and find work. *[Interruption.]* If he would just listen for one second, he would know that many people on zero-hours contracts actually choose that level of flexibility. *[Interruption.]* Well, they do, and the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) should talk to her constituents and find out. However, he is absolutely right that the thing we need to do—*[Interruption.]* Blimey, you must be hell to live with. *[Interruption.]* He must be hell to live with; not you, Mr Speaker, clearly. The hon. Gentleman must be hell to live with. He will know that this Government are determined to drive up wages and standards for working people, because we, not the north London intelligentsia, are the party of working people.

Alison Thewliss (Glasgow Central) (SNP): The lowest-paid workers are young workers, who are not entitled even to the Government's pretend living wage. A 17-year-old is entitled to £3.63 an hour less than a 25-year-old

starting on the same day in the same job. When will this Government end the scandal of state-sponsored age discrimination?

Claire Perry: My understanding is that there have always been differentials for different age groups. We will continue to review this because we are the party that nationally—right across the UK—wants to make sure that productivity and wages increase, rather than using the rhetoric we hear from other Members.

Industrial Strategy

7. **Michelle Donelan** (Chippenham) (Con): What steps his Department has taken to tackle the challenges set out in the industrial strategy. [906492]

13. **Julian Sturdy** (York Outer) (Con): What steps his Department has taken to tackle the challenges set out in the industrial strategy. [906499]

The Minister for Energy and Clean Growth (Claire Perry): Blimey, Mr Speaker, I am getting through them today.

As my right hon. Friend the Secretary of State laid out at the northern powerhouse business summit, the industrial strategy is encouraging innovation across the UK, developing those high-quality jobs and wages we all campaign for. Sector deals are about building long-term partnerships and businesses, and the grand challenges in areas such as clean growth will equip the UK to seize opportunities and be a world leader in the industries of the future.

Michelle Donelan: One of the biggest challenges we face is the STEM skills gap, something that I repeatedly mention in this place, given that Wiltshire is a hub of engineering design and technology. What work is my right hon. Friend doing with the Department for Education to ensure that we are developing the skills needed by businesses?

Claire Perry: I thank my hon. Friend and neighbour for the work that she has successfully done in her constituency promoting the importance of STEM skills. We are working with the Department for Education to grow STEM skills in the UK through initiatives such as T-levels, by investing more than £400 million, and I am particularly keen that that work focuses on harnessing the huge potential of women, a group who are very under-represented in the sector. That is why initiatives such as POWERful Women are so important.

Julian Sturdy: The Government's commitment to creating a globally competitive technical education system must be applauded, and I hope that they will draw on best practice from establishments and institutions in my constituency, such as York College and Askham Bryan College. Can the Minister update me on discussions she is having directly with businesses about the creation of new institutes of technology, and will she consider rolling them out as quickly as possible?

Claire Perry: My hon. Friend is right: these have to be a collaboration between the Government, business and local decision makers. We will announce in the autumn which institutions will make up the country-wide network, supported by £170 million of funding for the

institutes of technology. As we set out in May, the first pupils will sit the first of the new T-levels in September 2020.

Vernon Coaker (Gedling) (Lab): One of the real challenges for the Government's industrial strategy is how to ensure that investment is rolled out across all the regions and nations of the UK. How, practically, will the industrial strategy ensure that that happens—in particular, in regions that have failed to get the investment they deserve such as the east midlands?

Claire Perry: That is an excellent question, and the proof of all this will be taking our grand aspirations for the UK and making them work locally. I am pleased to tell the hon. Gentleman that we have fantastic local areas, often working cross-party—I am thinking particularly of Teesside and the west midlands—[*Interruption.*] The east midlands; thank you. We have really engaged local leaders and decision makers in pulling that investment through and developing their own local industrial strategies.

Emma Little Pengelly (Belfast South) (DUP): Northern Ireland has an excellent construction industry. Unfortunately, it has been difficult over the past number of years because of the lack of the Northern Ireland Assembly and decision making. Can the Minister outline what discussions have taken place between her Department and Northern Ireland to ensure that Northern Ireland benefits from the new construction sector deal?

Claire Perry: We talk regularly with representatives from Northern Ireland, which is—as the hon. Lady will know—a vital part of the UK. The sector deal that we have done with the construction sector—more than half a billion pounds set out between the Government and industry to drive up the productivity of that sector—of course applies to Northern Ireland. We look forward to seeing productivity increase across the UK.

Steve Double (St Austell and Newquay) (Con): The space sector will play an important role in achieving the aims of the industrial strategy. Will my right hon. Friend the Minister join me in welcoming the agreement signed by Virgin Orbit with Spaceport Cornwall at Farnborough air show yesterday, and will she ensure that the Government continue to work with Spaceport Cornwall to make sure that we have horizontal satellite launch in this country as soon as possible?

Claire Perry: Unlike the Minister for Universities, Science, Research and Innovation, I was unable to enjoy the announcement at Farnborough yesterday, but I agree with my hon. Friend that it is a fantastic announcement. He and Cornwall County Council should celebrate it, and I look forward to visiting Cornwall on Friday, where this topic and many other industries will be addressed.

Chris Elmore (Ogmore) (Lab): One of the challenges but also opportunities for the Government's industrial strategy is working with the devolved Administrations. Can the Minister set out what discussions she has had with the Welsh Government to ensure that the long-term industrial strategy supports industries such as Ford in Bridgend, which employs many hundreds of workers in my constituency?

Claire Perry: Again, that is an excellent point, demonstrating that we are so much stronger when we work together. We all, including my right hon. Friend the Secretary of State, speak to representatives of the devolved Administration on issues such as the auto sector deal and the nuclear sector deal, which was very much a joint effort.

Industrial Strategy: Scotland

8. **Bill Grant** (Ayr, Carrick and Cumnock) (Con): What steps the Government is taking to ensure that Scotland benefits from the modern industrial strategy. [906493]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I am pleased to assure my hon. Friend that our modern industrial strategy continues to deliver strongly for Scotland. The progress in negotiations for a growth deal with Ayrshire demonstrates our commitment to regional growth. Investment in Scotland through the industrial strategy challenge fund includes last month's £13 million for a medicines manufacturing innovation centre in Renfrewshire.

Bill Grant: I thank the Minister for that reply. In November 2017, the Secretary of State announced a review into how Scotland's two Governments can collaborate better on business support. Will he update the House on the progress of that review, and will he reassure me that he will strive to ensure that the industrial strategy and the Scottish Government's business support programmes complement, rather than compete, with each other?

Richard Harrington: I am very pleased to reassure my hon. Friend, who works so hard on this subject, that we continue to work closely with the Scottish Government on many industrial strategy priorities, including our support for innovation and business productivity. Regarding the review, work is under way across government to determine its scope. Clearly, our partnership with the Scottish Government will be essential as that progresses.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Scrapped subsidies for renewables, failure to support the oil and gas sector in its time of need, betrayal over the pledge to invest £1 billion in new carbon capture in Peterhead—now, the Government are seemingly poised to splash £15 billion more of taxpayers' cash on outdated nuclear technology at Hitachi's Wylfa plant. When will we get an industrial strategy that actually works for Scotland?

Richard Harrington: That is not the picture of the oil and gas industry that I know following a visit to Aberdeen, where I saw more investment, more Government support and more support in the area for this Government's industrial strategy. I am a great admirer of the hon. Gentleman normally, but I think he must have read the wrong script for this question.

Small Business Sector

9. **Craig Tracey** (North Warwickshire) (Con): What steps he is taking to support growth in the small business sector. [906494]

16. **Scott Mann** (North Cornwall) (Con): What steps he is taking to support small and medium-sized businesses in the south-west. [906502]

20. **Kevin Foster** (Torbay) (Con): What steps he is taking to support growth in the small business sector. [906507]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): Corporation tax rates will be cut from 19% to 17% in 2020. We have doubled the annual allowance for people investing in knowledge-intensive companies through the enterprise investment scheme, and we are investing over £26 million through Be the Business. The Government's British Business Bank is supporting over 70,000 smaller businesses to access £4.6 billion of finance.

Craig Tracey: Thirty-three jobs have been created and supported in my constituency through the small business loans platform, Funding Circle. What more can we do to encourage small businesses, particularly those that are female-owned, to look at wider ranges of finance options to help them to grow?

Richard Harrington: We want to ensure that all businesses get to know how to use the finance they need, including our 1.2 million women-owned businesses. Alongside the online finance finder and the business bank's finance guide, the business bank is working with partners to understand the representation of women in venture capital firms.

Scott Mann: Some small businesses in Cornwall have seen increases in their business rates. This is against a platform of increased online sales. What discussions is the Department having with the Treasury to ensure fairness in our taxation system?

Richard Harrington: I thank my hon. Friend for that question. Some people would argue that Ministers engage with the Treasury too often on many matters, but we engage with them regularly on this matter. The Chancellor has been clear that we need to find a better way to tax the digital economy. We are making progress on that before considering the implications for the wider tax system, including business rates.

Kevin Foster: Small businesses in Torbay could benefit significantly from a coastal enterprise zone, as part of a town deal for our area. What view does the Minister take of this type of arrangement?

Richard Harrington: I thank my hon. Friend for all the work he has done for Torbay businesses. I understand that the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry), who has responsibility for local growth, recently had a positive meeting with him and representatives from Torbay to discuss their proposals for local economic growth. I encourage Torbay to continue to work with local partners as it develops its plans, including the Heart of the South West local enterprise partnership, which will play a central role in the local industrial strategy for the area.

Ruth George (High Peak) (Lab): Evidence to the Work and Pensions Committee on the operation of the minimum income floor for small businesses under universal credit stated that the percentage of small businesses surviving the first 15 months would fall from 70% to less than 20%. What representations has the Department had with the Department for Work and Pensions to support the growth of enterprise and small businesses?

Richard Harrington: We have many and regular meetings at all levels with the Department for Work and Pensions on that subject, but the hon. Lady is right: starting small businesses is very difficult and it always has been. Some of them survive and some do not, and some go on to be extremely successful larger businesses. She is right to be concerned about the amount of support that government, local and national, give them, and I can assure her that it is at the top of our agenda.

Rachael Maskell (York Central) (Lab/Co-op): There may be a lot of discussion between the Department for Business, Energy and Industrial Strategy and the Treasury, but the reality is that there is no action on business rates. Our retail sector is closing down and 200,000 businesses have been taken to the magistrates court for non-payment, so when will we have a review of business rates and when will we see change?

Richard Harrington: I think that the hon. Lady is misinformed. There has been significant help for small businesses on business rates in previous Budgets and this is being looked at all the time.

Ronnie Cowan (Inverclyde) (SNP): The Scottish Government Budget provided £96 million to deliver the most attractive business rates package in the UK. How long do firms and entrepreneurs have to wait till the UK Government use their industrial strategy, put their money where their mouth is and follow Scotland's lead?

Richard Harrington: The UK Government really do not need to take very many lessons from Scotland on how to help businesses with business rates and every other form of business support. Actually, the working relationship between the two Governments is pretty good and we aim to provide a good business environment for all businesses on both sides of the border.

UK Science Base: Funding

10. **Adam Afriyie** (Windsor) (Con): How much funding his Department has provided to the UK science base in the last 12 months. [906496]

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): The principal research funding route is through UK Research and Innovation, which in 2018 alone accounts for over £6 billion of investment in research and innovation. I am proud that the Conservative Government have overseen the largest increase in scientific research and development funding that we have ever seen in the UK. We are investing an additional £7 billion in R&D by 2022, as a first step in delivering our ambition of increasing the UK's R&D spend to 2.4% of GDP.

Adam Afriyie: As a former shadow Science Minister, I am very conscious of the increases in funding, particularly in cash terms, but I am also acutely conscious that it is not just cash but the availability of talent that matters when it comes to science, innovation and the industrial base. Given the recent concerns around Brexit and everything else, will the Minister reassure me that the availability of highly talented scientists will still be a priority for this Government?

Mr Gyimah: The increase in funding is actually in real terms, but my hon. Friend is absolutely right: to succeed here, we have to be open to ideas and open to talent. He will have seen the recent relaxation in the tier 5 visa restrictions for scientists. We are also investing £900 million in UKRI's flagship future leadership fellowships and a further £350 million for the national academies to expand their prestigious fellowships. When it comes to science, innovation and research, we are open for business.

Daniel Zeichner (Cambridge) (Lab): I am sure that the Minister saw the recent report from the Office for Life Sciences, which showed that R&D investment in the pharmaceutical sector fell from £4.9 billion per annum in 2011 to £4.1 billion in 2016—a decline of £800 million per annum. To what does he attribute that, and given that life sciences are so important, what does he plan to do about it?

Mr Gyimah: I am aware that everyone in the life sciences sector has welcomed the life sciences sector deal. As part of our work to reach 2.4% of our GDP being invested in scientific research by 2027, we will be working with the pharmaceutical industry along with other industries to increase their research investment in the UK.

Carol Monaghan (Glasgow North West) (SNP): When can we expect an announcement of the funding for the next phase of the national quantum technologies programme?

Mr Gyimah: I am very much aware of that and am in discussions with UK Research and Innovation. An announcement will be made very soon.

Sainsbury's-Asda Merger

12. **Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab):** What assessment he has made of the effect of the merger of Sainsbury's and Asda on the employees of those companies. [906498]

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): As far as the Asda-Sainsbury's merger is concerned, my right hon. Friend the Secretary of State has been in close contact with the chief executives of both organisations. They have confirmed that there are no planned store closures as a result of the merger.

Hugh Gaffney: Asda and Sainsbury's combined will have a workforce of 330,000 people. Will the Secretary of State provide any assurance to these workers today that the Government will do everything in their power to stop any job losses or any cuts to pay and conditions? Is this a supermarket deal for workers and customers, or is it one for private profiteer shareholders?

Mr Gyimah: The hon. Gentleman will be aware that the merger is a matter for the companies themselves. They have, however, given an assurance that there are no planned closures and confirmed that Asda will continue to be run from Leeds with its own chief executive officer. The Competition and Markets Authority is looking at other aspects of the merger.

Mr Gregory Campbell (East Londonderry) (DUP): A lot of jobs are sustained by local suppliers to both supermarkets. What opportunities will the Minister take to ensure that that continues, and in fact increases, with the newly formed company?

Mr Gyimah: The potential impact on suppliers and the supply chain is a very valid concern, given the market power that the combined entity will have, which is why my right hon. Friend the Secretary of State wrote to the CMA asking it to look at the impact on the supply chain as part of its ongoing investigation.

Leaving the EU: Services Sector

14. **Wera Hobhouse (Bath) (LD):** What assessment he has made of the effect on the services sector of the Government's negotiating position for leaving the EU agreed on 6 July 2018. [906500]

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The Government are seeking a comprehensive deal on services that will continue to allow our thriving services sector to trade with the rest of the EU, including, for example, through the mutual recognition of professional qualifications and a new economic and regulatory arrangement on financial services.

Wera Hobhouse: The City of London Corporation said of the Brexit White Paper

"the financial and related...services sector will be less able to create jobs, generate tax and support growth"

across the wider economy. What discussions did the Government have with the services sector before the Chequers deal was signed off?

Greg Clark: I and our colleagues in the Treasury have constant discussions with the services sector. It is important that our distinctive financial services sector not be subject to a set of rules in the future that might be very much against its interests. Everyone who knows the City needs to recognise that the flexibility and distinctiveness of our approach must continue.

Rebecca Long Bailey (Salford and Eccles) (Lab): Airbus, Jaguar Land Rover, BMW, Siemens—just a few of the businesses that have recently spoken out about the Government's handling of Brexit. They alone provide thousands of jobs and significant investment in the UK, but the Government's chaos is putting this in jeopardy. The Secretary of State himself was forced to rebuke the flagrant dismissal of his own Front-Bench colleagues, stating that big employers were entitled to be listened to with respect. Would he say that he has now listened to the concerns of business with respect?

Greg Clark: The hon. Lady is absolutely right. Those businesses did speak out. Since the publication of the White Paper, they have also recognised that the zero-friction

proposal made in it merits support and they have committed to advocating for it across the rest of the EU, as I hope that she will.

Rebecca Long Bailey: Well, the CBI and the British Chambers of Commerce have both said they are no clearer on the Government's negotiating position in several key areas, and last night business leaders are reported to have warned the Prime Minister that her customs legislation was not fit for purpose, but the Government pressed ahead, even accepting amendments that their own colleagues state fundamentally undermine the Chequers proposal, and wrecked it, caving in to the hard, no deal Brexiteers. When exactly will the Secretary of State's Government start paying more than lip service to the concerns of business?

Greg Clark: The hon. Lady is wrong. All the organisations she mentioned have given the White Paper and the Chequers proposals a warm welcome. In the Prime Minister's Mansion House speech, we committed to minimising frictions at the border. The proposal now is to have zero friction at the border. That is strongly in the interests of business and allows our successful supply chains to continue to prosper. We need the Opposition to recognise the national interest in having a good deal. Almost everyone in the country wants a good deal negotiated between Britain and the EU. Rather than edging for difference and trying to make political points, she should get behind this excellent suggestion for the country.

Self-employed Workers

18. **Eleanor Smith** (Wolverhampton South West) (Lab): What steps he is taking to ensure that employment law protects and supports self-employed workers. [906504]

The Minister for Energy and Clean Growth (Claire Perry): The hon. Lady will know through her long and distinguished service in various union careers that the challenge of ensuring that all workers, whether employees, workers or self-employed, receive the rights and protections they are entitled to without having to fight for them is at the heart of the Taylor review. I hope that she and her colleagues will welcome the recommendations made.

Eleanor Smith: Like my hon. Friend the Member for Leeds West (Rachel Reeves), I want to draw the Minister's attention to the plight of many self-employed workers in today's modern workforce. More and more people are classed as self-employed, but they have no protection rights. They have no redundancy rights, no pension protections, no sick pay, no holiday pay and no parental leave pay. Why do the Government believe that self-employed people do not deserve the same entitlements as employees?

Claire Perry: I think the hon. Lady probably knows that the Government do not believe that. However, she has identified the real challenge that is out there in the workplace. It is not always clear what status an employee has, and that is something that we must clarify. One of the fundamental points in the Taylor review related to employment status and access to statutory employment rights. I am not ruling out being able to do more for self-employed workers, but at the heart of the review is the need to understand the definitions involved, and to

ensure that people in those categories are given the rights and protections that they deserve and for which the hon. Lady and I have campaigned.

Ellie Reeves (Lewisham West and Penge) (Lab): Companies such as Uber and Pimlico Plumbers wrongly categorise their workforces as self-employed in order to deny them basic rights such as holiday pay and even the national minimum wage. I have heard what the Minister has had to say today, but when will the Government finally clamp down on false self-employment and exploitative practices?

Claire Perry: The hon. Lady will know that we have already made progress. Up to 300,000 workers who are entitled to payslips will now receive them, all workers are given a statement of their terms and conditions from day one, and 1.2 million agency workers are given a breakdown showing who pays them. We know that we must do more, but we want to respond carefully to the hundreds of responses to the Taylor review consultation that we have received, so that we can make the necessary changes and ensure that those practices are stamped out.

Facilitated Customs Arrangement

19. **Angela Smith** (Penistone and Stocksbridge) (Lab): What assessment his Department has made of the effect of the Government's proposed facilitated customs arrangement on UK businesses. [906505]

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The proposed arrangement is a significant advance on the Mansion House speech. Instead of just minimising frictions at the border, it provides for zero frictions. That has been welcomed by businesses generally, including, at the Farnborough air show yesterday, Boeing, which is of course an important investor in the hon. Lady's city.

Angela Smith: I thank the Secretary of State for his answer, but I am somewhat surprised. The Government's White Paper tells us that the facilitated customs arrangement is designed to

"preserve frictionless trade for the majority of UK goods trade, and reduce frictions for UK exporters and importers."

Will the Minister please tell us which goods will be excluded by the arrangement, and what level of friction business can continue to expect?

Greg Clark: We are very clear about the fact that, as has been recognised by businesses up and down the country, the proposal provides for zero frictions at the border. That is very important for advanced manufacturing, which is itself very important in the city that the hon. Lady represents.

Mr Speaker: John Whittingdale—not here.

Topical Questions

T1. [906511] **Ruth George** (High Peak) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Eight months ago I told the House that the aim of our industrial strategy was to

create prosperous communities throughout the country, and since our last questions session we have implemented that strategy across the United Kingdom.

Last month, at the international business festival in Liverpool, we announced £1.3 billion of investment in the next generation of research and innovation talent. I travelled to Trawsfynydd, in north Wales, to launch the nuclear sector deal, which will drive down energy costs for consumers. In Newcastle, as part of the Great Exhibition of the North, we launched our construction sector deal, aiming to cut build time by 50%. At the same time, the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry) was in Grimsby, helping to unveil stage 1 of a landmark town deal.

Just yesterday I was at the Farnborough air show, where the Prime Minister announced £343 million of investment in civil aerospace, and we announced a new era of space flights in the UK, with a vertical satellite launch site at Sutherland and support for the development of horizontal launch sites at Newquay, Snowdonia and Prestwick.

Ruth George: Businesses in my constituency say that they need exactly the same regulations as those that apply in the European Union so that they can continue to compete with competitors for EU custom. What is the Department doing to ensure that, not just now but in the future, there will be no regulatory divergence and no undercutting of British firms?

Greg Clark: A big part of the White Paper is the commitment to a common rulebook. Our sophisticated supply chains allow goods to be sold throughout the European Union, and businesses have made it clear that they want to continue to do that after Brexit, which is why they have welcomed the White Paper so warmly.

T2. [906512] **Peter Aldous** (Waveney) (Con): With the construction sector deal setting out several options to tackle poor payment practices, can the Secretary of State assure me that retention deposit schemes, as proposed in my private Member's Bill, which has significant industry and cross-party support, will be given full consideration and, hopefully, Government backing?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I have met my hon. Friend to discuss his Bill, and we fully understand that the practice of retention has caused problems for the construction industry supply chain. We are fully committed to tackling the issue, but any action we take needs to be robust, proportionate and evidence-based. We have listened and consulted, and we will shortly be publishing the response to a public consultation considering several options including a retention deposit scheme.

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): UK steelmakers are paying up to 50% more for their electricity than their European counterparts, which is reducing their competitiveness on the global stage. Ofgem's targeted charging review is set to exacerbate the situation. What representation has the Minister

made to Ofgem regarding its review and the effect of that review on both the steel sector and energy-intensive industries in the UK?

Richard Harrington: We meet Ofgem very regularly to discuss this and other matters, and we are very aware of the situation. As the hon. Lady knows, I have met many companies in the steel industry and discussed this, and it is very much part of our discussions with Ofgem and others.

T3. [906513] **Sir Edward Leigh** (Gainsborough) (Con): Last night the House of Commons voted to enshrine it in law that if under a facilitated customs arrangement we collect tariffs on behalf of the EU, that should be done on a reciprocal basis. Is it really practical to expect a Croatian border guard to start levying tariffs on our behalf on bottles of wine? Is there the remotest chance that the EU will ever agree to this reciprocal arrangement? Is it not time to return to a free trade deal?

Greg Clark: I think most people in this country want to have an agreement that means that we do not have checks and bureaucracy at the border and that we can continue the success of our businesses. Part of the negotiation that will take place during the summer is to make sure we can deliver that, and I am sure most Members of this House wish the Prime Minister success in that.

T4. [906514] **Mrs Emma Lewell-Buck** (South Shields) (Lab): Earlier this year Health and Safety Executive figures showed that there has been a rise in work-related deaths—up to 144 between 2017 and 2018—and that that is more prevalent among those on bogus self-employment contracts. People have lost their lives; what more will it take for this Government to take some real action against the scourge of bogus self-employment?

Greg Clark: We have been very clear in commissioning the Matthew Taylor report; we have been in advance of any other country in the world in looking to make sure that as the economy changes we preserve the protections we have always insisted on for workers, and the hon. Lady should welcome that.

T6. [906516] **James Cartlidge** (South Suffolk) (Con): In this glorious summer weather, it is easy to forget that this winter our constituents who still use heating oil saw very sharp price rises. Does the Minister therefore agree that not only should our constituents take advantage of this weather to fill up their tanks for what is likely to be a lower price, but we should encourage initiatives like community buying which can also help villages and other communities to buy their heating oil at a lower price?

The Minister for Energy and Clean Growth (Claire Perry): Like me, my hon. Friend has a rural constituency, and many of us live off-grid and are at the mercy of these rises. We know that the market for heating oil does function: it has been reviewed and is considered to be competitive. But my hon. Friend will know that I have also set out an aim that we want to get all new properties built in areas off-grid off fossil-fuel forms of heating by 2025, as that is not only costly but very carbon-producing.

T5. [906515] **Helen Hayes** (Dulwich and West Norwood) (Lab): Participants in multi-level marketing schemes, 75% of whom are women, sign up to the opportunity to earn income flexibly from home, often attracted by outlandish lifestyle claims made on social media. In reality many participants earn no income and many end up in debt. Will the Secretary of State introduce a requirement on MLMs to publish an independently audited annual statement of net average earnings that takes into account the cost of participating as well as income earned, and will he regulate the lifestyle claims made on social media to stop the exploitation of vulnerable people?

Claire Perry: The hon. Lady makes an excellent point, and I would be happy to meet her to discuss this. I am thinking back to the days when we used to go out and try to sell goods from various catalogues and I used to collect the money. That was exploitative then, and I suspect that it is exploitative now. Perhaps she and I should meet; I would be happy to discuss the matter.

T8. [906518] **Luke Hall** (Thornbury and Yate) (Con): The national living wage has given millions of workers up and down our country a pay rise, but there are still some rogue employers who deliberately seek to underpay staff in order to maximise their own profits. What steps is the Minister taking to ensure that full and fair enforcement of the living wage is taking place?

Claire Perry: I refer my hon. Friend to my earlier answer. If a contract is in place, that wage must be paid, and if he has any evidence of systematic underpayment or any level of avoidance, HMRC and the Government want to hear about it.

T7. [906517] **Mr Steve Reed** (Croydon North) (Lab/Co-op): A survey of London businesses by London Councils and the London chamber of commerce has found that a third of apprenticeship levy payers do not expect to use any of their funds over the next 12 months. Does the Minister agree with the all-party parliamentary group on London that unspent funds should be devolved and used to support job skills in London rather than being returned to the Treasury?

Richard Harrington: I can assure the hon. Gentleman that we are having regular meetings with all the business representative bodies and the Department for Education to ensure that levy funds are spent properly, for the purpose for which they are meant and in local areas by the companies that pay the levy.

Martin Vickers (Cleethorpes) (Con): The Secretary of State referred earlier to the visit of his colleague, the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry), to north-east Lincolnshire to sign the Greater Grimsby town deal, which is very welcome and I thank him for his support in achieving that. One of the things that his colleague will have seen is the great opportunity to develop trade through the Humber ports. The Humber local enterprise partnership, the local authority, the Hull and Humber chamber of commerce and local businesses have been working towards the possibility of free port status, post

Brexit. Can the Minister assure them that nothing that comes out of the negotiations will prevent that from happening?

Greg Clark: I am grateful to my hon. Friend for his question, and I am sorry that I was unable to be in Grimsby. I could not be in Newcastle and Grimsby on the same morning, but that does not remove my commitment to visit Cleethorpes and Grimsby, and perhaps the free port proposal is one of the things that we could discuss when I do so.

T9. [906519] **Anna Turley** (Redcar) (Lab/Co-op): Will the Secretary of State update my constituents on the ongoing discussions with his Department to transfer full responsibility for the former SSI steelworks site to the South Tees Development Corporation? Will he also pledge to commit the £200 million needed to regenerate the site, which would bring in 20,000 jobs and enable the Tees Valley to embark on its industrial renaissance?

Greg Clark: I pay tribute to the hon. Lady and other Members who have worked closely with the development corporation. The discussions have been very positive. They have not concluded yet, but I think everyone recognises that there has been great progress and that there is a very good future for that site.

Stephen Kerr (Stirling) (Con): The Stirling city region deal is the perfect opportunity for the industrial strategy to deliver for Scotland. Will Ministers meet me to discuss what resources could be diverted from Victoria Street to Stirling to support the industrial strategy's execution?

Greg Clark: My hon. Friend knows that I am a great champion of devolution and decentralisation, and he makes an intriguing suggestion, which I would be very happy to take up in discussions with him.

Toby Perkins (Chesterfield) (Lab): Many small care agencies face bankruptcy in the light of the Treasury advice on the way in which sleep-ins are paid, which has now been changed by the courts. The Minister for Energy and Clean Growth, the right hon. Member for Devizes (Claire Perry), did not seem to know too much about this, but may I urge her to avail herself of the facts urgently, because many small agencies will go bust if we do not get this right?

Claire Perry: I want to reassure the hon. Gentleman; he is absolutely right. I have had strong representations and visits about this issue in my own constituency. My reluctance to comment on it at the Dispatch Box is because it is legally incredibly complicated, as he knows, and we have just had the freshest possible news about the judgment. We need to take that away, and we will comment on it shortly. I would be very happy to work closely with him on this issue.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Two weeks ago, I and colleagues from across the House, along with hundreds of others, attended a poignant service of remembrance at the Piper Alpha memorial in Aberdeen to mark 30 years since the worst tragedy in offshore oil and gas production. That tragedy claimed 167 lives, and many of those people were from Aberdeenshire.

What are the Government doing, along with the industry, to ensure that UK oil and gas remains the world leader in health and safety practices offshore, so that we can avoid another tragedy such as this?

Claire Perry: Thirty years seems like a long time ago, but this is still the freshest possible knowledge for many people in my hon. Friend's constituency: 167 men, many from a tight area in the north-east of Scotland, perished in the worst offshore disaster we have ever had in the history of our industry. Nothing will ever bring them back, but it was the findings of the Cullen inquiry that drove the changes that have made the UK a world leader in health and safety, and I want to pay tribute to our colleagues in the Health and Safety Executive, because they continue to focus on safety first when it comes to exploiting the resources in the North sea.

Alan Brown (Kilmarnock and Loudoun) (SNP): To avoid double-charging on battery installations, the Government have pledged to amend the Electricity Act 1989 when parliamentary time permits. Instead of a two-day holiday next week, is that change something that the Government could start to look at?

Claire Perry: That will be part of the entire review of how we bring forward the necessary investment in battery technology to support renewable energy intermittency.

Martin Whitfield (East Lothian) (Lab): Will the Minister confirm support for the Civil Nuclear Police Federation in its meeting this summer with his Cabinet colleagues over the proposals to reduce retirement and pension ages for armed officers from 67 to 68 down to 60 to match those of the police?

Richard Harrington: I can confirm that I have been in discussions with the CNPF. I have met the chief constable and the chairman, and I visited the civil nuclear police on site at Sellafield. I am well aware of the issue, and I am in discussions with colleagues at the Treasury and elsewhere.

Several hon. Members *rose*—

Mr Speaker: I always encourage people who are unsuccessful in substantive questions to put a topical if they so wish. It is sometimes difficult to attract their

attention if they are busily studying their electronic devices, but if the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) wishes to participate, now is his opportunity.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC) *indicated dissent.*

Mr Speaker: Such forbearance. We will hear from the hon. Gentleman subsequently. He has had his chance, but he does not want to have a go on this occasion—it is a self-denying ordinance. [*Interruption.*] We know about Mr Sheerman, who is always ready to have a go.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I urge the Secretary of State to visit West Yorkshire to talk to our highly successful textile entrepreneurs? They are not quite gold-plated, but they are not daft and they want to know about frictionless trade. They need to be persuaded, because they do not believe that it is possible after Brexit.

Greg Clark: I am always delighted to go to Yorkshire and to meet industries, including the textiles industry. I hope that the hon. Gentleman will join me so that we can go through the proposals in the White Paper, and the entrepreneurs will see that they will be able to continue to trade free of frictions.

Dr Philippa Whitford (Central Ayrshire) (SNP): Prestwick, with its clear weather, transport links and aerospace park, is one of the frontrunners to be a horizontal-launch spaceport. In 2016, the then Transport Minister said that the Government would no longer be picking spaceport sites, but the narrative around the current grant process seems to be reversing that. Will the Business Secretary clarify who will choose where launch facilities are developed: the space industry or the Government?

Greg Clark: I am surprised that the hon. Lady has not welcomed the fact that the first commercial rocket site in Europe will be in Sutherland in the north of Scotland. We are keen to bring the next wave of innovation, which is horizontal launch, and it is the UK Space Agency, which brings together the expertise that is required, that will advise on the right location for it.

Several hon. Members *rose*—

Mr Speaker: Order. We must now move on.

Electoral Commission Investigation: Vote Leave

12.37 pm

Chuka Umunna (Streatham) (Lab) (*Urgent Question*): To ask the Minister for the Cabinet Office if he will make a statement on the findings of the Electoral Commission's investigation into the conduct of the Vote Leave campaign.

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I am proud to say—[*Interruption.*] Is there something happening as I begin my words, Mr Speaker?

Mr Speaker: No, there is just a general air of excitement.

Chloe Smith: Let us take that and work with it.

I am proud to say that the UK has a clear and robust electoral system, and we should all be proud of the democracy in which we live and work. I place on the record my thanks to all those involved in the electoral community, which works hard at every poll to deliver it within the law such that we can be proud of our democracy.

The Electoral Commission is the independent body that oversees the conduct of elections and referendums and regulates political finance. The commission regularly reports on the running of elections and referendums and conducts thorough investigations into allegations that rules have been breached. Electoral law exists to ensure fair campaigning, and the commission has determined that those rules have been broken. Both Vote Leave and BeLeave have been fined and referred to the police, and it would not be appropriate for the Government to comment on ongoing police investigations.

That electoral rules have been breached is rightly a cause for concern, but that does not mean that the rules themselves were flawed. The Government will continue to work closely with the Electoral Commission, along with many other stakeholders in the electoral system, to protect the integrity, security and effectiveness of referendums and elections. Let me make it clear for the record that we will continue to implement the referendum's result and to make a success of it.

Chuka Umunna: The findings of the Electoral Commission are shocking, and Vote Leave's actions are an affront to our democracy and to the fundamental British value of fair play. The commission's legal counsel described Vote Leave's behaviour as follows:

"Vote Leave has resisted our investigation from the start, including contesting our right as the statutory regulator to open the investigation. It has refused to cooperate, refused our requests to put forward a representative for interview, and forced us to use our legal powers to compel it to provide evidence."

Who do these people think they are? They think they are above the law.

With new facts arising every week, it is well known that there will be no extra £350 million a week for the NHS, and so on. We know Vote Leave's claims turned out to be a fantasy, but we now know it cheated, too, and it is official. Given that there was a four percentage point gap between leave and remain, and given that Vote Leave overspent by just under 8%, does the Minister agree that we cannot say with confidence that this foul play did not impact on the result?

Does the Minister believe that Vote Leave acted in contravention of natural justice and of our democracy in acting in such an obstructive way? What urgent legislation will the Government bring forward to address the Electoral Commission's serious concerns about the enforcement regime for electoral law, which it has raised today?

And who was at the scene of these crimes? Vote Leave was co-led by the current Secretary of State for Environment, Food and Rural Affairs, who co-convened its campaign committee. Where is he? Why is he not here? That committee was charged with overseeing the implementation of a framework that included the way in which fundraising was conducted and donations collected. He, along with the former Foreign Secretary, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), was part of a core group of the committee who met on a daily basis to ensure the campaign was on track. As such, either the Environment Secretary knew what was going on, which is a very serious matter, or, if he did not, how can we have any confidence that he is capable of overseeing his Department? What did he know? The International Trade Secretary, the Transport Secretary and the Brexit Secretary also sat on that committee. What did they know about what was going on?

In short, members of the Cabinet sat in an organisation that has been found to have flouted our democracy. Does all that not demonstrate that we need a full, urgent public inquiry into the leave campaign, given that it calls into question the legitimacy of the entire Brexit process that is preoccupying this House?

Chloe Smith: What this report demonstrates is that we have an electoral regulator that operates to rules that Parliament has set and that has found people in contravention of those rules. The hon. Gentleman asks a number of questions that go severely away from the report and, just to be clear, the report—I am reading from the report's front page—is

"of an investigation in respect of Vote Leave Limited, Mr Darren Grimes, BeLeave, Veterans for Britain".

The report is not in respect of a number of others raised by the hon. Gentleman, and I will therefore not enter into those questions. [*Interruption.*] I simply will not enter into discussion of other named individuals, nor will I enter into discussion of ongoing investigations, whether by the police or by the courts. [HON. MEMBERS: "Why not?"] Do we really need to begin by asking ourselves why the Government should not interfere in independent investigations and police examinations? I cannot believe that the Labour party needs the answer to that question so early in the afternoon.

As I said in my earlier remarks, we are getting on with delivering the result of the referendum. We have very clearly set out why we think that is the right thing to do, and it is fundamentally because we believe in the people's ability to make a choice. That is why we respect the referendum result. Unfortunately, it is clear that the hon. Gentleman does not believe in the people's ability to choose, and I think he argues instead that they should be asked again and again. I do not agree with his arguments but, none the less, I am here today to answer questions on this report by an independent regulator—I am happy to do so within my powers.

Sir Nicholas Soames (Mid Sussex) (Con): On a more general point, does my hon. Friend agree that one of the great glories of this sadly now diminished country

[Sir Nicholas Soames]

was our electoral and democratic system? This example today is gross, and I say to her that if we are to retain the integrity and the trust of the voting public, the whole damn thing needs to be blown and started all over again.

Chloe Smith: I understand the seriousness of that point and the points made earlier by the hon. Member for Streatham (Chuka Umunna), which were similar, but what I would just note is that the rules we are looking at in this report are rules that comprise our democracy. Our democracy comprises having such rules, among some other very important principles. In essence, our democracy is underpinned by the fact that we have such rules. That the rules were broken means that the system is in fact working; that we have a regulator that is able to conduct an investigation is one of the things that marks out the quality of our democracy. That the rules were broken does not actually mean the rules in themselves were flawed. In concluding my answer to my right hon. Friend's question, let me say that Parliament, over the course of many years, has put in place those rules for referendums and for elections. If I heard him correctly, he asked for a wholesale reform of all of those rules. That is a very large undertaking indeed and it goes wider than the report we have before us today. I note that other investigations are ongoing, such as the Information Commissioner's, and that ought to be looked at in the round by Parliament.

Christian Matheson (City of Chester) (Lab): I congratulate my hon. Friend the Member for Streatham (Chuka Umunna) on securing this urgent question and on his introductory remarks. Today's report from the Electoral Commission is a devastating indictment of the official leave campaign's conduct during the referendum, which has been found to be based on cheating and possibly lawbreaking. Financial expenditure was deliberately co-ordinated through what now appears to be nothing more than front organisations, and Vote Leave failed to co-operate with the Electoral Commission inquiry. It showed contempt for the law set by this House, which makes a mockery of claims to "take back control" and displays the breathtaking arrogance of people who clearly believed that the law of the land did not apply to them.

We only got to hear about these activities because of the bravery of whistleblowers. What was the response of those involved? They outed one of the whistleblowers as gay, without his permission, and therefore put him and his family at risk. One of the people responsible for this outing was working as a senior adviser in Downing Street. The Prime Minister refused to sack him, so presumably she supports, or at least excuses, these monstrous actions. Will she now, on the back of this report, dismiss him as an adviser?

Of course, as my hon. Friend has mentioned, senior members of the Government were involved in the Vote Leave campaign. Those include the Secretary of State for Environment, Food and Rural Affairs and the recently departed Foreign Secretary, who is uncharacteristically silent today. Will they now come to the House and explain their role in both the initial scandal and the cover-up? If the leaders of the Vote Leave campaign cannot be trusted to abide by the rules of the referendum, how

can we trust them to abide by the rules of any future election? Indeed, how can we trust them to conduct their ministerial duties with honour, integrity and honesty? So can the Minister tell us whether those leaders of Vote Leave who are now Ministers or who are former Ministers will be referred to the Cabinet Secretary for investigation as to whether they have broken the ministerial code?

Yet again, we have been confronted this week by the chaos this Government have got themselves and the country into, dumping their own Euro civil war on the rest of us and sowing division throughout. We have Brexit extremists at war with their own Prime Minister, and a Government who at every stage have put party before country. Members in this House and the public are entitled to ask how on earth we got here, yet British politics and the British people deserve better than this. We cannot allow cheating and dishonesty to become accepted norms in our political system, so let me ask the Minister: what is her proposal to bring decent honest politics back to the fore? If this Government have not got any, perhaps it is time they moved aside for a Government who have.

Chloe Smith: Given that Labour Front Benchers are so committed to propriety, perhaps they should report themselves to the police for their national spending in the 2015 general election, for which the Labour party was fined by the Electoral Commission in October 2016. They are on thin ice if they think they are able to say that this cuts only one way. It does not.

We have in front of us a report of an investigation in respect of named individuals. I have already said that I am not going to comment on ongoing investigations, and that covers several of the points that the hon. Gentleman just raised. I will say again that the Electoral Commission is an independent organisation and can undertake any investigation that it feels is necessary. Indeed, as you know, Mr Speaker, it can report back to this House through your Committee on the Electoral Commission. That is its governance. The point is that we need to be able to say to the public who are watching this debate that we are getting on with delivering the result of the referendum in which they voted. [Interruption.] I can hear some Opposition Members shouting; perhaps it is that faction of the Labour party that believes in having a second referendum, or perhaps it is that faction of the Labour party that believes in not having one, or perhaps it is that faction of the Labour party that does not know what it believes in. What we believe in is that our independent—[Interruption.]

Mr Speaker: Order. I understand that there is very considerable angst about this matter, and I do want to accommodate colleagues who wish to question the Minister, but her answers must be heard.

Chloe Smith: We have an independent electoral regulator and it has done its work. I applaud it for doing its work and I am pleased that we have a regulator that is able to carry out such investigations into our democracy. That is what our democracy comprises—that we have rules that can be investigated is what makes this a democracy. That is a good thing. As I said before, there are questions that arise from this investigation and from others that are still ongoing. Those ought to be looked at in the round in due course. Where appropriate, the Government will of course come back to the House to do that.

Amber Rudd (Hastings and Rye) (Con): This matters. May I respectfully say to the Minister that she should not let the Government's commitment to delivering on the referendum result obfuscate the real questions that are being raised? This has not come out of the blue; there has been a series of accusations and suggestions, in not only this campaign but others. The protection of the valid confidence that the public need to have in our elections every time is absolutely vital.

Chloe Smith: My right hon. Friend is right. We should all be in agreement that we should be seeking to protect confidence in our democracy. That is precisely the point. The point is that the regulator has carried out this investigation and we should be able to look at its report and understand what it says. That is today's job in hand. After that, there may come things to which we need to return as a House, including various aspects of regulation, which would of course be a matter for Parliament. I made the point earlier that the extent of regulation that we apply to our democracy is quite great. It has been put together by Parliament over many decades. As my right hon. Friend says, this does all matter—absolutely. That is why we should all be prepared to look at the report and the other ongoing investigations and look at such things in the round.

Tommy Sheppard (Edinburgh East) (SNP): The Government are presiding over crisis and chaos as they drag the country towards an exercise in collective self-harm on an unprecedented scale. They are doing that on the back of a campaign that was morally questionable, based as it was on mobilising fear and prejudice, and politically questionable, based as it was on glib half-truths and lies, and we now know that it was a campaign that was organised illegally. The Minister's responses are woefully inadequate. We need to know whether the Government will draw a line between themselves and the people implicated in this illegality. If they do not do so, they will lose any respect and integrity that they have left. I would like an assurance from the Minister, now, that anyone who was involved in working for Vote Leave, or who was on its board, will cease to hold office in Government or cease to be on the Government payroll.

Chloe Smith: For the avoidance of doubt, I am not going to make that commitment today, because a number of questions raised in the report are still subject to ongoing investigations. As I have already pointed out, that is in itself one of the important principles of our democracy and of how the regulation works independently of Government. The short answer is that no, I am not going to give such commitments here today.

Several hon. Members *rose*—

Mr Speaker: Order. There is extensive interest in this subject and I have granted the urgent question for the very simple reason that I have judged it to be urgent, so I am keen to accommodate colleagues. I remind the House, though, that there is a statement to follow and that the debate on the first group of new clauses and amendments to the Trade Bill has to conclude by 3.30 pm. There must be some time for debate on those matters; otherwise, it rather obviates the purpose of the remaining stages. I will call some colleagues, but some colleagues may be disappointed. I shall do my best, and I ask colleagues to help each other.

Sir Christopher Chope (Christchurch) (Con): Will my hon. Friend put the synthetic outrage of remain campaigners into some kind of context by reminding the House that many of those same remain supporters in this House tried to change the Electoral Commission's rules on referendums to enable the then Government to breach the purdah rules? Fortunately, that attempt by that Government was thwarted by this House. Many of those remainers would have liked to have a relaxed purdah arrangement.

Chloe Smith: My hon. Friend's point reminds us that, as I said earlier, there are arguments on this issue that cut both ways. He highlights how he sees an example of an infraction in another direction. I simply return to the point that we in the Government are getting on with implementing the result of the referendum. We think that is the correct response to retain the people's trust in our democracy. As has already been said, that matters.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I do not think there is any moral equivalence between Members in this House attempting to change the law and organisations outside this House breaking it. Today, we found out that Vote Leave did break electoral law. Our democracy is fragile, and we have a responsibility to protect it and not take it for granted. How can we look the next generation in the eye and tell them to have faith in British politics when we know that false claims have been made, that the rules have been broken, that there has been international and foreign interference, and that the legitimacy of the most important vote in a generation has been undermined so profoundly?

Chloe Smith: The answer to the hon. Lady's question is that because we have an investigation, we can look voters in the eye and say that where rules have been broken, punishments follow. That is what the report says.

Dr Sarah Wollaston (Totnes) (Con): The reality is that punishments are not following. We are talking about deliberate cheating and this money going to a firm that used highly sophisticated targeted Facebook advertising. In a quote since removed from the Aggregate IQ website, Vote Leave campaign director Dominic Cummings said: "We couldn't have done it without them."

That is Dominic Cummings, who will not appear before Select Committees, having claimed during the campaign that he wanted to restore the sovereignty of Parliament. He runs away from accountability himself. Consequences must follow. We cannot have confidence that the referendum was secure, and it should be rerun.

Chloe Smith: The report is clear that consequences do follow. The Electoral Commission has issued fines and referred both Vote Leave and the BeLeave founder to the police. That is what I refer to when I say that consequences and punishments are following.

Mr Pat McFadden (Wolverhampton South East) (Lab): I reported the leave campaign's intentions to both the Electoral Commission and the police two-and-a-half years ago, and four months before the referendum itself. In February 2016, the hon. Member for Wycombe (Mr Baker), who was then a leading figure in the leave campaign, wrote to colleagues saying:

"It is open to the Vote Leave family to create separate legal entities, each of which could spend £700,000: Vote Leave will be able to spend as much money as is necessary to win the referendum."

[Mr Pat McFadden]

The Electoral Commission's rules are specifically designed to stop this kind of thing. It says that we should

“stop people getting around the spending limits by coordinating several campaigns at the same time.”

We have now established that spending limits were broken by the leave campaign precisely through separate legal entities following a common plan to get around the rules. Why is it that when such intent was reported four months before the referendum, it has taken two-and-a-half years to get to this conclusion? What does it say about the integrity of this result? Is it not ironic that the so-called people's revolt against the elite was conspiring from the get-go to get around the rules with limitless money from goodness knows what source? Does the Minister not agree that this needs to be fully investigated to cleanse the cloud that has been cast over our democracy by these findings?

Chloe Smith: It is exactly the case that allegations of impropriety should be investigated. As I have said a number of times, it is that that means we have a robust democracy. I hear the right hon. Gentleman's story. In part, I think it ends with this investigation. An investigation has been carried out, and it should be welcomed that it has been carried out and that it has found a result. If, on the other hand, his points are about the efficacy of the Electoral Commission—I think he was driving at the fact that it took two and half years—then that is a matter for Parliament. The Electoral Commission is accountable to Parliament through your Committee, Mr Speaker. It is indeed an independent regulator of Government, as it should be, and it is accountable to Parliament for how it conducts investigations and indeed whether it does so quickly enough.

Anna Soubry (Broxtowe) (Con): Mr Speaker, it will not have escaped your notice, and I know that it will not have escaped the Minister's notice, that one of the most respected Members of this House, my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames), has, in condemning what has occurred in the leave campaign, gone so far as to call for a re-running of the referendum. These are serious matters. They go to the heart of government and, of course, to the heart of democracy and the trust that people must have in the democratic process. There are concerns not only about the overspend, but about the source of the money. The evidence is mounting. It is clearly there that another country—let us be honest, it is Russia—exercised its influence to undermine this country's democracy and indeed this country's security as it has a long history of doing. I say to the Minister that this is not a party political matter. It is nothing to do with delivering Brexit; it is about democracy. Can she give us an assurance that this Government will take these very important matters extremely seriously and act now on them?

Chloe Smith: I absolutely can give the assurance that the Government take these matters extremely seriously. That is the very point here. The very point here is that we have a precious democracy that demands our protection, and that is what we do by having an Electoral Commission, an independent regulator, that can make such investigations, publish them, expose the points of that investigation to scrutiny, and be held accountable in its turn by Parliament.

Then it is for Parliament to consider whether, in the round, amendments might need to be made to the rules against which the regulator does that. That is the landscape that we are looking at here.

Tom Brake (Carshalton and Wallington) (LD): Vote Leave was a deeply dishonest campaign with deeply dishonest slogans and a cast of right-wingers who were prepared to go to any length to achieve their ideological endgame, and now we know that they cheated and broke the law. Can the Minister confirm whether the right hon. Members for Surrey Heath (Michael Gove) and for Uxbridge and South Ruislip (Boris Johnson) and others involved will be jointly liable for the Vote Leave fine? Can she also confirm that of course this strengthens immeasurably the case for there to be a final say on the deal and a chance to exit from Brexit?

Chloe Smith: No, I am not in a position to comment on individuals. I have already said that very, very clearly. What I will say again for the benefit of the Liberal Democrat party is that we will be delivering the referendum result and we do not intend to hold a second referendum.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I regret the atmosphere in which this urgent question is taking place. I have just spent nine months sitting on the Independent Commission on Referendums under University College London's Constitution Unit looking at what is wrong with the rules on referendums, and looking specifically at financing. A member of the Opposition party also sat on that commission. We have looked at the use of public funding, spending limits and transparency, and there is a common concern that our regulation does not fit the purpose that we would like in a modern democracy. May I recommend to my hon. Friend the Minister that she reads this report cover to cover and takes on board our recommendations for new regulations and new legislation to try to improve this area, which, after all, is a very important part of our democracy these days?

Chloe Smith: I have begun to read that report and I welcome its thoughtfulness about how referendums fit into the rest of our election landscape. I look forward to more discussions with my right hon. Friend and her colleagues on it.

Mr Speaker: These are extremely serious matters. That said, we do need much shorter questions if we are to have a chance of accommodating some colleagues—[*Interruption.*]—and shorter answers as well. We will have to move on in a quarter of an hour or so.

Mr David Lammy (Tottenham) (Lab): We have in our democracy clear rules so that we do not exercise, or see the exercise, of undue influence. For that reason, certainly in the last decade, we have had two elections declared void—in South Thanet and Oldham East and Saddleworth. Can the Minister confirm whether the Government can declare this referendum void on the basis of the evidence that we have been provided with by the Electoral Commission? If not, given that this was an advisory referendum by this Parliament, can she bring forward a vote in this Parliament to declare this referendum void?

Chloe Smith: No, the Government will not be bringing forward such a proposal.

Sir Desmond Swayne (New Forest West) (Con): Let the law take its course. By what factor did the Government and the other remain campaigns outspend the leave campaigns? It was 2:1, was it not?

Chloe Smith: My right hon. Friend reminds us that there are designated lead campaigners in referendums. The subject matter of this report is in part how leave campaigners interacted with other campaigners. The virtue of having this report is that it allows us to examine spending—it brings spending into the light. It is about transparency of spending, as is, of course, the rest of the apparatus of what we do to regulate elections. This is an examination of allegations rather than the whole dataset. Again, my right hon. Friend reminds us that there are people who feel that these arguments cut both ways.

Pete Wishart (Perth and North Perthshire) (SNP): A £60,000 fine is peanuts to these people. Found guilty, they could not care less and instead defiantly lash out. For these Brexiters, and all the UK parties, our electoral laws are an optional extra and fines but a mere electoral expense. When will we get serious about our electoral laws, because no one and no political party takes them seriously? It is time to review the whole useless, ineffective system. When will the Minister do it? ‘

Chloe Smith: I am sorry if the hon. Gentleman thinks that his political party does not take these rules seriously; we do.

David T. C. Davies (Monmouth) (Con): Will my hon. Friend confirm that the faux outrage that we are hearing today from Members from all parts of this House, some of whom have now left, is nothing to do with a breach of the rules by the leave campaign? It is to do with the fact that they lost; they are not representing the people. They lost that referendum despite the fact that they themselves overspent by millions of pounds.

Chloe Smith: I came here today to try to respond to the subject matter of the report, but also very clearly to lay on the record again that the people in this country want us to get on with delivering the result, rather than to go back over it.

Mr Ben Bradshaw (Exeter) (Lab): The Government propose legislation. The Electoral Commission has made specific recommendations to the Government about what they need to do. Will the Minister do it?

Chloe Smith: I think that the right hon. Gentleman is referring to the Electoral Commission's earlier report on digital campaigning, which I am considering very carefully. As I said earlier, there are a number of issues to look at in the round. There are other ongoing reports and investigations such as that of the Information Commissioner, which last week produced a progress report, but not its final report. As the right hon. Gentleman knows from his experience in government, it is important to look at those things together, and that is what the Government will do.

Henry Smith (Crawley) (Con): Will my hon. Friend confirm that the Government, in the run-up to the EU membership referendum, spent over £9.25 million on a taxpayer-funded leaflet advocating that we remain members of the European Union?

Chloe Smith: It is the case that such a leaflet was produced, and that was because the Government recognise the importance of the public being informed ahead of a referendum. Again, I think that the debate—even on that leaflet—has been had. The point is that we should now get on and implement the result.

Ms Angela Eagle (Wallasey) (Lab): I feel slightly sorry for the Minister, because she has been sent to defend the indefensible. Given her complacent demeanour today and her complete lack of acknowledgement about how serious this issue is, can she tell us quite how big a scandal would have to be before she actually reacted to it appropriately?

Chloe Smith: I am sorry that the hon. Lady has felt the need to get quite so personal. I am not complacent. If she had been listening carefully, she would have heard me say that these issues are very, very serious. I am also saying that the Government respect the work of an independent regulator and do not comment on its ongoing investigations, but will wish to look in the round at the results of all the ongoing investigations.

Sir Edward Leigh (Gainsborough) (Con): Have the Government received any representations from the Labour Front Bench to rerun the referendum?

Chloe Smith: Not at the last count. I believe that there were 60-odd individuals who did want to do so, but I am not sure whether they are on or off the Front Bench at this time.

Caroline Lucas (Brighton, Pavilion) (Green): The Government's response to electoral fraud is shockingly, obscenely complacent. In trying to give some impression that she is taking this matter seriously, could the Minister agree to three really simple things? First, the fines should be unlimited, because £20,000 is pitiful; it is a tap on the wrist. Secondly, campaigns should declare their expenditure online in real time so that they cannot overspend in this way. Thirdly, does she agree that we need a digital bill of rights so that we can clear up the data harvesting that has been taking place on an industrial scale by organisations such as Facebook?

Chloe Smith: I welcome the hon. Lady's policy suggestions as a contribution to this point. If she will forgive me, she underlines exactly what I have been saying—that we need to look at a number of these issues in the round. For example, her last point does not at all come from the report before us today; it comes from the Information Commissioner's work.

Simon Hoare (North Dorset) (Con): This is undoubtedly a very shoddy affair. In hindsight and on reflection, the referendum campaign—on either side of the argument—was not our finest hour in democratic activity. Would the Minister take the point about the reporting of expenditure in real time, as was mentioned by the hon. Member for Brighton, Pavilion (Caroline Lucas)? Reporting after the event leads to the sort of situation that we have at the moment. If we do not address this matter of real-time reporting, the shysters and the snake-oil salesmen who seek to undermine our democracy will have won.

Chloe Smith: I welcome that as a policy consideration that ought to be looked at in the round alongside the results of a number of ongoing investigations. I would just return to the core point, which is that we have these rules in place. It is these rules that buttress our democracy and that mean that we have an independent democracy where sanctions follow misdemeanours, and that is what the report tells us today.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): If the Minister will not talk about the specifics of this case, will she address a very simple general question? Can she envisage any level of corruption so gross that it would ever invalidate any referendum?

Chloe Smith: I am really not in a position to answer the question. The hon. Gentleman tries to tempt me with a yes or a no or a very simple question, but this is not a simple matter. There are a number of reports across a number of different investigations with a number of elements that are still ongoing. It is for that reason that I have come here and tried to be very clear, in a way I hope is understood by parliamentarians, that I cannot prejudge the investigations of independent bodies. *[Interruption.]* If you would bear with me for one second, Mr Speaker, I will offer a thought to the House. Those who have looked at election regulation over time—including many Members of this House who served here for some decades—have not seen fit to place in those election rules the idea that a result can be invalidated. I am simply stating the current law. That concept does not yet exist in our law. It would be a new concept, as it has not yet been seen fit to be put in place by Parliament.

Mary Robinson (Cheadle) (Con): Transparency is hugely important. I know that investigations are ongoing, but following this report does my hon. Friend agree that all investigations into our elections and the running of our democracy generally must be conducted in a way that is thorough, transparent and that people have faith in?

Chloe Smith: Yes, I do. That is exactly my view. Investigations should also be done by an independent organisation that is given the space and time to conclude its work.

Lisa Nandy (Wigan) (Lab): I never thought that I would see the day when a Government Minister would come to this House and seek to downplay one of the most serious attacks on our democracy in history. This is not just about overspending, as important as that is. This is about dark money, foreign interference in our democracy and serious misuse of data. The Government must commit to a full, police-led investigation of all aspects of this matter. I suspect that I know why the Minister will not commit to that; there are at least four sitting members of her Cabinet who are not here today, but who served on the campaign committee for the organisation in question. That is even more reason why the Government must now stand up for our democracy and against its abuse.

Chloe Smith: The hon. Lady is quite seriously misrepresenting my words. What I have said today is that these are very serious matters. I have agreed with all right hon. and hon. Members around the House who

say that this matters and that it is serious. That is precisely my point. The hon. Lady went on to say that this matter ought to be the subject of a police investigation. It is. Individuals from this investigation are also being investigated by the police. The hon. Lady also said that this is—

Several hon. Members *rose*—

Mr Speaker: Order. Please resume your seat, Minister. I say two things. First, Members should not stand up while an answer is being given; that is not the right way in which to operate in the Chamber. Secondly, may I very politely say that the Minister could help herself by giving somewhat pithier answers? It would be most unfortunate if people thought that long answers were preventing other people from having the chance to ask a question. A short answer, not a disquisition, is required. Minister, we are grateful.

Chloe Smith: I shall leave that one there and wait for the next question.

Alison McGovern (Wirral South) (Lab): The Minister's own words are that this cuts both ways, but I do not think that that is the case. The Electoral Commission has been absolutely clear. It did all it could, but it lacks power to do more. Will the Minister correct herself? This does not cut both ways, does it? As my hon. Friend the Member for Wigan (Lisa Nandy) said, this is one of the worst, most despicable abuses of electoral law that we have seen in the lifetime of this House.

Chloe Smith: The hon. Lady raises an important point about the powers of the Electoral Commission that has been put forward in its reports—for example, on digital campaigning. As I have said, the Government will be looking at those issues in the round.

Neil Gray (Airdrie and Shotts) (SNP): First, Scottish Tory dark money; now, the Electoral Commission showing that the leave campaign broke the law. We have these rules for a reason—to stop people buying our democracy—and yet the Minister appears complacent about that. So what confidence can our constituents have not only in the referendum result, but in the former and current Government Ministers who were involved in the running of Vote Leave?

Chloe Smith: I will say it again: the issues in the report are extremely serious. It is right that they have been investigated. The Government are not going to comment on individuals or organisations that are subject to ongoing investigations. We hope that those investigations will be speedily concluded. We believe that that is a way to give further confidence to our constituents in this referendum and in other elections.

Julie Elliott (Sunderland Central) (Lab): In the light of what the Electoral Commission has said today—and, indeed, the evidence that has been given to the Digital, Culture, Media and Sport Committee, on which I serve, that has clearly proved that this referendum was won by cheating—will the Minister do what the Government should be doing, call this referendum null and void, and protect British democracy?

Chloe Smith: No, we will not be re-running the referendum; we will be continuing to deliver its result. However, the hon. Lady reminds us that her Select Committee—an organ of this Parliament—is also conducting an ongoing investigation into fake news. There is another part of the larger set of issues that I am referring to that I want us to be able to look at together.

Liam Byrne (Birmingham, Hodge Hill) (Lab): This House is the guardian of free and fair elections. It is now clear that this referendum result was corrupt because it was bought, quite possibly with Russian money. Which Minister will now ask the Director of Public Prosecutions to consider a joint enterprise prosecution so that it is not just the staff of these campaigns that are prosecuted but the governing minds as well?

Chloe Smith: The police have already received references from this investigation, and I think that stands for itself.

Ms Karen Buck (Westminster North) (Lab): Does the Minister understand that the anger is because we are not discussing a parish council election or a local authority by-election, but a matter that goes to the heart of the most important political and constitutional arrangement that has happened in most of our political lifetimes? Does she recognise that the scale of the fines being imposed is derisory, not just in terms of the overspend but the size of the prize that the leave campaign cheated to obtain?

Chloe Smith: I entirely understand the points that Members have come to the House today to make. I am simply acknowledging that there are broader issues than only those in this report that need to be looked at together to continue to maintain confidence in our democracy. For the record, though, I think that any election, parish council or otherwise, is important and deserves its security.

Emma Reynolds (Wolverhampton North East) (Lab): Today, Darren Grimes of BeLeave has accused the Electoral Commission on Twitter of putting him through hell by seeking

“to justify this by saying that I failed a box ticking exercise”.

Can the Minister confirm that what has happened here is much, much more serious than that? The Electoral Commission has found that Vote Leave broke the law,

that it cheated during this referendum, and that it had undermined our democracy. What are the Government now going to do about that?

Chloe Smith: Certainly, what is in this report today is very, very serious. Consequences follow for those organisations that are named in it.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The issue of the lack of transparency on social media political advertising is a problem for every democratic country. In the US, there are moves to prohibit anonymous advertising whereby social media platforms have to publish who pays for the adverts. Is this something that the British Government are considering?

Chloe Smith: Yes, it is. In response to a report by the Committee on Standards in Public Life, we will shortly bring forward a consultation on ensuring that there are imprints on digital campaigning material just as much as there would be on paper. I think that is important.

Stella Creasy (Walthamstow) (Lab/Co-op): The Minister confirms that there is now an ongoing police investigation as a result of this report. Does she not therefore think it is right that all those who could potentially be part of that police investigation recuse themselves from Government until it is concluded? Surely law-makers should not be law-breakers.

Chloe Smith: It is not for me to confirm a police investigation—it is for the Electoral Commission. It is not for me to comment on what ought to be in a police investigation—it is for the independent regulator. I think that distinction is quite important.

Several hon. Members *rose*—

Mr Speaker: Order. I am very sorry to disappoint remaining colleagues, but the House is heavily constrained for time. Perhaps I can give advance notice, in respect of the statement that is about to be delivered, that the exchanges on it will need to be extremely brief. We have a live debate on the Trade Bill, and the votes on the first group of amendments have to be at 3.30 pm, so extended exchanges on the statement will not happen today.

Combat Air Strategy

1.24 pm

The Secretary of State for Defence (Gavin Williamson):

On 21 February, I informed the House that the Ministry of Defence would produce a strategy for the combat air sector. Development of the strategy has drawn heavily on expertise from across defence, wider government, academia, think-tanks, industry, and international partners. Defence of the United Kingdom, protection of our people and our contribution to securing the rules-based international order requires us to deter adversaries by having the capability and the will to use decisive force to deliver our defence, foreign policy and economic objectives.

The threats we face are evolving and increasing ever more rapidly. World-class combat air capability allows us to maintain control of the air both at home and around the world. The United Kingdom's combat air sector provides the capability to underpin our ability to keep Britain safe and act around the globe. It also makes a significant contribution to the United Kingdom's economy and to our international influence. The UK is a global leader in combat air, with cutting-edge military capability underpinned by world-class industrial and technical know-how. That is why we are creating Tempest.

The UK combat air sector has an annual turnover of over £6 billion and directly supports over 18,000 highly skilled jobs across the UK. It supports over 100,000 jobs in the supply chain and more than 2,000 companies across the UK. The UK is the world's second-largest exporter of defence equipment, with defence aerospace representing over 80% of the value of these exports. This is a position that I and, I am sure, the whole House wish to protect going forward.

We are at the heart of a number of key international programmes, including F-35—the largest defence programme in the world. Our position was secured through world-leading intellectual property, understanding, innovation and industrial capability. As we leave the European Union, we will continue to seek partnerships across Europe and beyond to deliver UK, European and global security. To do this, we must retain access to our proud industrial base. The UK's combat air sector is therefore critical to the UK's prosperity and to our ability to deliver the best capability to the frontline to deter and act against the threats that we face.

The future of the UK's combat air sector, however, is not assured. There has been a gap between major combat air development programmes, and a clear indication of future UK military requirements is required to stimulate and deliver the research and development investment that is needed. The strategy defines a clear way ahead to preserve our national advantage and maintain choice in how it is delivered.

We will work with wider government, industry and international partners to deliver the strategy by taking the following steps. We will invest in upgrading Typhoon to maintain its world-class capabilities for the coming decades. The MOD will provide investment in key UK design and engineering skills as a means to generate UK intellectual property by the implementation of the future combat air system technology initiative. The initiative was established by the 2015 strategic defence and security review and builds on recent UK technology

investment. We will work together to achieve a more open and sustainable industrial base that invests in its own future, partners internationally and breaks the cycle of increasing cost and length of time to introduce new fighter aircraft.

The UK will work quickly and openly with allies to build on or establish new partnerships to define future requirements and how they can be delivered in a mutually beneficial manner. By preserving our ability to maintain operational advantage and freedom of action, the strategy will ensure we have greater choice in how we deliver future capabilities and are able to maximise the economic and strategic benefits of future combat air acquisition programmes.

In the 100th year of the Royal Air Force, this strategy demonstrates that we can achieve anything. Britain is a world leader not only with our armed forces but in the fighting machines we can produce. The strategy demonstrates that Britain will retain its world leadership in this sector, by having the greatest fighter aircraft of any nation in the world. I commend this statement to the House.

1.30 pm

Nia Griffith (Llanelli) (Lab): I thank the Secretary of State for his statement and for advance sight of it. May I pay tribute to the former Defence Procurement Minister, the hon. Member for Aberconwy (Guto Bebb), who was forced to resign last night for supporting the Prime Minister's position on Brexit?

Our aerospace and defence sectors are truly world leading and are vital to our security and national prosperity. We welcome the publication of the combat air strategy, but might it not have been better to publish an overarching defence industrial strategy to give the wider industry the certainty it requires? If the Secretary of State's Department will not do that, will it publish a land strategy sometime in the near future?

A key aspect of the combat air strategy is the creation of a project to consider how to deliver next-generation capability. I am not quite sure how the Government adopted the name "Team Tempest", but it seems apt this week. The Secretary of State has been clear that the future approach hinges on international collaboration, so what discussion has he had with allies about this project? Has he considered the impact that partnering with non-NATO nations could have on our interoperability?

This strategy has been published at a time of great uncertainty in the aerospace industry about the impact of Brexit. Does the Secretary of State agree with the assessment of the industry, the trade body ADS and Members from across the House that the UK must be in a customs union to guarantee the industry's future success?

The Secretary of State said that he wants to see the Tempest fly alongside the Typhoons and the F-35s. Will he confirm how many F-35s the Government plan to buy, in what timeframe and which variant they will be?

Rumours abound that the UK's future airborne warning and control system capability will be gifted to a company without competition, just as the mechanised infantry vehicle was. Does the Secretary of State agree that that would be a hypocritical approach, when his defence industrial policy refresh emphasised the importance of competition? Can he confirm that there will be an open competition for the UK's future AWACS capability?

Members from across the House, our industrial partners and our allies are all eagerly awaiting the publication of the modernising defence programme. We were told that we would get the headlines before last week's NATO summit, and then we were told that it would be out before the summer recess. In the light of the Government's proposed new parliamentary timetable, will it be tomorrow or Thursday?

Gavin Williamson: I, too, pay tribute to my hon. Friend the Member for Aberconwy (Guto Bebb), who served with great distinction as Defence Procurement Minister and was instrumental in securing the order of the future frigates programme from Australia, which benefits many people and adds to the prosperity of this nation.

The hon. Lady proposes a defence industrial strategy. We have looked at a national shipbuilding strategy and at combat air, and we will look at the concept of developing a land strategy. We want to ensure that whatever we do in defence adds to the prosperity of our nation. That is why we welcome the report by my hon. Friend the Member for Ludlow (Mr Dunne), which highlights the importance of defence in creating jobs and economic growth.

We should look not just to Europe in forming partnerships with other nations. For far too long, we have been bound by the thought that we can look only to other European Union nations. Now is the time to look to the whole globe, see what other nations we can partner with and build strong new alliances. We have strong military links and deep connections with many nations. We are confident that, because of our world-leading position in combat air, many nations will want to work with us. I do not believe that we should be in the customs union, and that is the Government's policy. I do not believe for one minute that being outside the customs union will in any way restrict our ability to deliver Tempest.

Finally, on the modernising defence programme, as I said just the other week, we intend to update the House before the recess.

Dr Julian Lewis (New Forest East) (Con): The combat air strategy signals the Secretary of State's commitment to the importance of conventional armed forces in the future. How is his combat ground strategy going in persuading the Treasury to pay for it?

Gavin Williamson: There is always great value in heavy armour. In the combat air strategy, we highlight an exciting future. We highlight the fact that we are willing to embrace new technologies and fuse them with traditional jet fighters. We are ensuring we are able to bring new technologies such as drones and artificial intelligence on to platforms to make sure that the Royal Air Force has the cutting-edge capabilities it needs to keep Britain safe.

Stewart Malcolm McDonald (Glasgow South) (SNP): I, too, thank the Secretary of State for advance sight of his statement and pay tribute to the resigning hon. Member for Aberconwy (Guto Bebb). The Scottish National party broadly welcomes the new strategy, but one overarching question is, where on earth is the money coming from? Surely the £20 billion funding gap in the procurement budget will drag many of the aspirations in the strategy to the ground.

May I ask the Secretary of State about spreading the economic benefit around the UK? What will the benefit be to Scotland? Admittedly, it has a small industrial sector in this area—shipbuilding is much bigger—but I certainly hope this is better than the national shipbuilding strategy.

Will the Secretary of State ensure that the currency projections are much better? As the National Audit Office pointed out, his Department has been getting them wrong by as much as 25% in some cases.

How will this strategy complement the modernising defence programme? Where on earth is that programme? The House may rise on Thursday, and I would not dream of robbing the Secretary of State of his moment in the sun at the Dispatch Box. Will he ensure it is not sneaked out in a written statement, so he does not avoid scrutiny?

Gavin Williamson: I hope to avoid the many problems relating to currency projections by ensuring this new fighter is built in Britain. It is a great advantage to have the pound sterling. How do we bring the benefits to Scotland and every other part of the United Kingdom? Some 2,000 companies across the United Kingdom benefit from combat air. We are happy to have discussions with the devolved institutions about how to encourage them and work with them to build their industrial base for combat air.

This is a great opportunity for the whole of the UK. We are a world leader in this sector: other countries turn to us for leadership. That is what we are providing; that is what we will deliver, and we will provide the jobs and prosperity that come with it.

Mr Mark Francois (Rayleigh and Wickford) (Con): I very much welcome this statement, in which the Secretary of State mentioned the Typhoon. From memory, we are contracted to buy about 160 across three tranches. When the older tranche 1 aircraft retire, rather than sell them off, will he consider keeping them as a war reserve to provide mass for our Royal Air Force if we are ever involved in a peer-on-peer conflict?

Gavin Williamson: My right hon. Friend actually makes a very valid point about our ability to maintain the mass of aircraft. I want to pay tribute to Sir Stephen Hillier, the Chief of the Air Staff, who has driven forward so much of the Tempest project, as well as driving forward the utility of the Typhoon aircraft. We will certainly be looking at that to make sure we maintain the utility and mass of the Typhoon force.

Ruth Smeeth (Stoke-on-Trent North) (Lab): On 17 November 2017, we had a debate in the House about the need for a defence aerospace industrial strategy. This combat air strategy is one step forward, but it does not talk about sovereign skills in terms of the need for a training platform. May we have a serious conversation about what is going to happen at Brough?

Gavin Williamson: We listened very carefully to the hon. Lady in calling for a combat air strategy, and we have answered by providing one. We are aiming to look at all the different aspects of how we actually provide all the different areas of combat air. On fighter jets, Tempest is obviously one of the most important and significant

[Gavin Williamson]

investments that we will be making, but we will look at all the different aspects, along with our industrial partners, BAE Systems.

Leo Docherty (Aldershot) (Con): I congratulate the Secretary of State on the statement, and I thank him for choosing to make the announcement yesterday at the opening day of the Farnborough international air show. From what he has seen at Farnborough, does the Secretary of State agree with me that Farnborough is the beating heart of the British aerospace defence and aviation industry, and that it will surely play a leading role in turning the vision of a combat air strategy into a reality?

Gavin Williamson: My hon. Friend very much represents the beating heart of the aviation industry. In the 110 years since the first manned flights took off from Farnborough and the 70 years since the creation of the Farnborough air show, Farnborough has really been at its heart. What has been so useful over the past few days has been engaging with international partners, and the fact is that they are so keen to work with the Royal Air Force and our industrial base to start making this project a reality.

Graham P. Jones (Hyndburn) (Lab): I welcome the combat air strategy, but does the Secretary of State agree with my constituent Andrew Moxham, who wrote to me yesterday to ask how on earth the UK alone can afford this project? This can only be delivered as part of a collaboration—preferably a European collaboration, as with the Typhoon—and it will also require export orders. Britain alone cannot afford this project.

Gavin Williamson: I remember that in one of the first questions I was asked as Secretary of State for Defence, the hon. Gentleman demanded a combat air strategy and called for this type of investment and leadership, but when we actually deliver it, he starts saying that we need to be looking to others. We can lead: we have always led in this field, and we have the world's greatest technology. To show such leaderships means that other nations will come and be part of the project, and that is part of the dialogue we are having.

Mr Philip Dunne (Ludlow) (Con): May I add my congratulations to my right hon. Friend for driving the combat air strategy through the Department, alongside Air Command? It is a very exciting moment to be at the outset of a new combat air programme, but will he elaborate on what he thinks it will do for the defence industrial landscape of this country for generations to come?

Gavin Williamson: Had we not taken the decision to do this, as we have done, we would have been putting in jeopardy many tens of thousands of jobs not just in the north-west, but right across the country. That is why we have to make this investment and why we have to show world leadership. We must continue to invest in the technology, the science and the skills in order to keep that world leadership role and to continue to benefit from the exports and the wealth that this industry creates.

Mrs Madeleine Moon (Bridgend) (Lab): I welcome the statement and the combat air strategy, but I say to the Secretary of State that it is deeply worrying how often we have gone to America to buy our fighters. Will we be looking to British industry to provide the AWACS aircraft, because these advance warning aircraft should be British-made and British-built?

Gavin Williamson: We always look at how we can do the very best for delivering for British industry, and at how to make sure that we have the capabilities that the Royal Air Force, the Royal Navy and the British Army need to do their job.

Alan Mak (Havant) (Con): Havant-based Lockheed Martin has worked successfully with my right hon. Friend's Department to deliver the new F-35 jet. Will he ensure that the new combat air strategy benefits the south coast, and will he come and join me in meeting those involved in the F-35 programme?

Gavin Williamson: Over the past few days, I have had the privilege of having discussions with the chief executive of Lockheed Martin. Lockheed Martin is an important industrial partner for us, providing a great number of jobs and a great deal of investment in the United Kingdom. I would certainly be happy to join my hon. Friend on such a visit.

Alex Chalk (Cheltenham) (Con): I warmly welcome my right hon. Friend's commitment to Britain's future air defence, but will he say a little about affordability? It is important that we have cutting-edge units, but it is equally important that we have sufficient room in the budget to buy enough of them.

Gavin Williamson: Absolutely. We need to be able to build mass into our air force, as well as exquisite technology. One of the key changes we want is rapidly to reduce the amount of time it takes to develop the new airframe. With the F-35, we saw that go on for far too long, and we need to reduce that period. I would like to see Tempest flying in the first half of the next decade, and we should bring forward the technology and give this project the inspiration and the drive to make it a reality as quickly as possible.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): France and Germany are already co-operating on a sixth-generation fighter, so although this strategy is welcome, we are playing catch-up. Will the Secretary of State set out whether this will be an allied, NATO, European or transatlantic project, and how will workshare benefit aerospace businesses, including those in Plymouth?

Gavin Williamson: This is going to be a global project. One thing I would say is that Britain is a nation that actually has fifth-generation fighters and has the industrial expertise to develop new generation fighters. France or Germany do not have that expertise; we do, and we have that leadership role. We do not want to limit our sights just to European partners, but to open this up to the globe, working with partners with whom we have not worked in the past and bringing the benefits to our allies that are global allies.

Several hon. Members *rose*—

Mr Speaker: Order. The hon. Member for Nuneaton (Mr Jones) was looking uncontrollably excited, to the extent that I was mildly worried about his circumstances, but we must hear from the fellow.

Mr Marcus Jones (Nuneaton) (Con): It is very good of you to think of my welfare, Mr Speaker.

I welcome my right hon. Friend's announcement. Many of my constituents work in the defence aerospace sector. Will he say how this fits in with the Government's industrial strategy, and what does it mean for skills and for securing the jobs that currently exist and for creating new jobs in our great defence sector?

Gavin Williamson: This is about securing those jobs and those skills not just for the next decade, but for the decade from 2040 onwards. My hon. Friend makes an important point, because this is part of our wider industrial strategy. Defence leads: for every £1 that is invested in defence, £4 is generated. We spend 2% of our GDP on defence, yet it accounts for 8% of our economy. It is vital for the prosperity of Britain to continue to invest in defence.

Wes Streeting (Ilford North) (Lab): The UK's defence aerospace industry is vital for the future of our economy, providing higher-quality, high-skilled jobs up and down the country. What does it say about this Government's ability to protect those jobs and that industry when one of the Secretary of State's own Ministers resigns over the Government's shambolic handling of Brexit negotiations? What are the implications of that shambolic handling not just for his Department and the industries it is supposed to champion, but for every other sector of our economy?

Gavin Williamson: Britain has been a world leader in this sector, and we continue to be a world leader in this sector. We continue to deliver the jobs and prosperity that are absolutely vital and on which so many of our constituents depend. That is what Tempest is about, and that is what we are delivering. We are going to make sure that the Royal Air Force has the finest, the greatest and the most technologically advanced fighter jet to ensure Britain continues to remain safe.

Eddie Hughes (Walsall North) (Con): I understand that directed energy weapons use concentrated bursts of microwave or particle beam energy to inflict damage. Does the Secretary of State agree that the intention to equip the Tempest with that sort of weaponry signals our intent to be at the forefront of aircraft technology for some considerable time?

Gavin Williamson: What is absolutely critical is that we embrace these new technologies and we lead the world in using these technologies on the new platforms that we introduce for the RAF and the other services. By leading in terms of the defence of the UK, we end

up leading the world, and that creates new opportunities for British industry to export. This is a massive vote of confidence in Britain, by industry—by Leonardo, BAE Systems, Rolls-Royce and MBDA. They are saying that they want to invest in Britain, British skills and British technology because they believe in this country.

Mr Jim Cunningham (Coventry South) (Lab): I have worked in the defence industry. In fact, I worked at Rolls-Royce and a lot of people there probably welcome this statement. So that we can all welcome the statement, will the Secretary of State tell us who will fund it, how it will be funded and who are these new partners he is thinking about outside of Europe? If he is thinking about the United States, I am sure that many people in the defence industry will tell him that we always come off second best when we are up against them.

Gavin Williamson: We are looking at a range of different international partners. We see this as an opportunity to offer something that is different and alternative to the offerings that the United States has traditionally brought forward. We see this as an opportunity to collaborate with new nations that have not usually been involved in such collaborations before. The initial indications are exceptionally positive.

Julian Knight (Solihull) (Con): This is a very heartening announcement, especially given the recent centenary of our fantastic Royal Air Force. My right hon. Friend mentioned the potential for lucrative defence sales downstream from this announcement. When we leave the EU, what partners does he envisage us having as, in trading terms, we spread our wings?

Gavin Williamson: My hon. Friend makes an important point: we do need to spread our wings. Before the recent order placed by Australia for future frigates—the new Hunter class Type 26 frigates—Opposition Members said that we would not be able to sell ships to any other nation, and we have proved them wrong. Naysayers on the Opposition Front Bench constantly want to talk down Britain: we want to talk up Britain. Industry, and not just British industry, wants to invest in our technology and our capabilities.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): It would be churlish and mean-spirited not to acknowledge that there is much that is very good in the Secretary of State's statement. However, does he agree that a no-deal Brexit would hamper his well-intentioned idea of working with European partners?

Gavin Williamson: We are seeing a massive vote of confidence in British technology, in the Royal Air Force and in our leadership in the world. Four major companies—not just British companies—will invest in this technology and I have no doubt that it will, in the expression used by my hon. Friend the Member for Solihull (Julian Knight), spread its wings and be a great success.

Points of Order

1.53 pm

Sir Nicholas Soames (Mid Sussex) (Con): On a point of order, Mr Speaker. The Government have said, in a more than usually bovine announcement, that they intend to adjourn the House on Thursday. You are the guardian of the rights of Back Benchers. This decision will bring opprobrium on the whole House. There is important Back-Bench business on Monday and Tuesday and questions on local government and health and social care. What advice can you give the Leader of the House to rescind this idiotic and bad new announcement?

Mr Speaker: I am grateful to the right hon. Gentleman, who expresses himself with his characteristic clarity but—if I may say so—uncharacteristic force, which the House will have noted. Needless to say, I take what he said and the passion he feels about the matter—as someone who has served in the House without interruption for 35 years—extremely seriously. Standing Order No. 25 provides that motions for the Adjournment of the House for a specified period and moved by a Minister are put forthwith—that is to say, without debate. It would have been possible for the Government to table a Business of the House motion overriding the Standing Order, but they have not done so.

If a Minister moves motion 13 on the Order Paper this evening, the Chair will be obliged to put the question without debate. If the Chair's opinion on the voices is challenged, a Division would be deferred until tomorrow. As ever, it would be up to Members whether to vote for or against the proposition. Salvation lies in Members' hands.

I add, merely by way of information and in the name of transparency, that no indication of this intention on the part of the Government was communicated to me in advance. I am not complaining about that; I simply want to make it clear to people who might think, "Oh, the Speaker must have been aware of and in on this", that that was not and is not the case.

Sir Christopher Chope (Christchurch) (Con): Further to that point of order, Mr Speaker. You may be aware, and colleagues certainly will, that a strong rumour is going round to the effect that the Government will not move motion 13 this evening. Surely it would be courteous for the Government to indicate now whether it is their intention to move the motion or that they have responded to the concerns expressed and will withdraw it. Why can we not know that now, rather than it being left until later?

Mr Speaker: I tend to take the view that clarity and the resolution of uncertainty are always desirable. I do not know whether a decision on the matter has been made. What I would say to the hon. Gentleman is that if a decision has been made, it should be communicated to the House first, rather than to the media. If a decision has not been made, it is very much to be hoped that it soon will be.

Bambos Charalambous (Enfield, Southgate) (Lab): On a point of order, Mr Speaker. On Thursday, during the Backbench debate on forced adoption, I got some facts wrong in the story of my constituent, Ms Jean

Robertson Molloy. She was in fact living in New Zealand in 1963, not the United Kingdom, when she became pregnant and went to live in Australia. There she had a baby daughter which she reluctantly gave up for adoption, following advice and pressure from others. Can you advise on how I may set the record straight?

Mr Speaker: The hon. Gentleman has achieved his own salvation. He has courteously and properly done so. He has put the facts on the record, and I thank him.

Graham P. Jones (Hyndburn) (Lab): On a point of order, Mr Speaker. On your advice about a deferred Division, is there any clarity on when the result would be announced?

Mr Speaker: It would be announced as soon as possible after the conclusion of the vote. It is reasonable to suppose, if there were a deferred Division tomorrow and on the assumption that the ballot closed at 2 pm, that we would have an announcement of the result pretty shortly thereafter. I must emphasise that we do not yet know whether there will be such a deferred Division, but a result would be declared shortly thereafter. If the hon. Gentleman is worried that by 4, 5 or 6 o'clock tomorrow he still would not know the answer, his brow need no longer be furrowed on that account.

Nick Boles (Grantham and Stamford) (Con): Further to that point of order, Mr Speaker. The Government are currently engaged in the most important set of negotiations in this country's peacetime. It seems to me extraordinary that they should want to bring Parliament into disrepute by sending us scuttling back to our constituencies and suspending our deliberations several days early. You have explained that this is something that they can properly propose and that should that motion be opposed this evening, there would be a vote. Is there any way that we can secure a debate so that we, as Members of Parliament, can consider properly whether this is a measure that we would want to support?

Mr Speaker: I am grateful to the hon. Gentleman. Off the top of my head, I am not aware that there is a means by which to secure a debate, other than Members deciding that they regard consideration of the matter as an emergency. If they regard it as a matter of emergency, there is a means by which people can seek to bring such a matter to the attention of the House using the Standing Order with which the hon. Gentleman, who is both knowledgeable and perspicacious, will himself be closely familiar. I offer no guarantee that it would be regarded as an emergency matter, but he very specifically asked whether there were any other means by which to secure a debate. That is the only one, given the time constraints and the proximity to recess, that occurs to me. There is always scope for urgent questions, but that is not the same as having a debate. I hope that that is as helpful an answer as the facts allow me to provide.

Grahame Morris (Easington) (Lab): On a point of order, Mr Speaker. I received a reply from the Minister for Disabled People, Health and Work, the hon. Member for Truro and Falmouth (Sarah Newton), to parliamentary question 156404, which confirmed that an automatic insulin pump could be considered an aid in relation to the awarding of points for personal independence payments.

However, when I raised the Minister's answer with Atos, the independent assessment service, Barrie McKillop, the Atos clinical director, stated that its stance is correct. He said:

"as it stands, I feel that you have been given an incorrect response by DWP".

Mr Speaker, there appears to be a discrepancy between what the Minister is saying and the response from the organisation responsible for implementing the policy. The question of who is correct could have serious implications for a constituent of mine, who I believe is being unfairly denied access to PIP. Who actually has the final say on what the policy is in practice?

Mr Speaker: I thank the hon. Gentleman for his point of order. All Members of this House, including Ministers, are responsible for the veracity of what they say in and to it. Insofar as the hon. Gentleman is concerned that he should have redress in respect of this matter, it seems to me there are, in the approach to the recess, only two avenues open to him. One is for him to table a written question. He will be aware of his entitlement to put named day questions, that is to say questions that receive a more urgent response. The other option is for him to seek to persuade me that the matter warrants an urgent question on the Floor of the House between now and when the House goes into recess, in which he would have an opportunity directly to engage with a departmental Minister on this matter.

Mr Laurence Robertson (Tewkesbury) (Con): On a point of order of which I gave you notice some hours ago, Mr Speaker. In 1975, Short money was introduced for Opposition parties to carry out their parliamentary duties. In 2006, a change was made and representative money was introduced for Members of those parties who do not take their seats in this House and therefore do not partake in the work of this House. I understand that one particular party, namely Sinn Féin, has claimed over £1 million since that date to provide them with expenses for a job they patently do not do. Mr Speaker, I wonder what your view on that is and whether you could advise me on how that may be challenged.

Mr Speaker: I am very grateful to the hon. Gentleman. I do not think it is a point of order. It has to be said that that does not put the hon. Gentleman in a particularly

exclusive category, as most attempted points of order are in fact more attempted than points, if I may say so. What I would say to him by way of response, and I appreciate the sincerity with which he raises the issue as a former Chair of the Northern Ireland Affairs Committee, is as follows. Money akin to Short money, representative money, is paid to Opposition parties represented by Members who have chosen not to take their seats in respect of costs incurred exclusively in relation to the party's representative business. That was, as I suspect the hon. Gentleman knows, decided by the House in November 2005. I had no role in that matter, other than as a Member of the House. I had no greater role than anyone else. As the Speaker, I have no role in changing that arrangement or, alternatively, upholding it. It is the property, if I may say so, of the House. If the hon. Gentleman has concerns about the administration of this arrangement, or about the fact of payment or particular payments, he should direct his concerns to the Accounting Officer of the House who, as I am sure Members will know, is also the Clerk of the House. I well understand the hon. Gentleman's unhappiness on this matter, but he should communicate with the Accounting Officer about it.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): On a point of order, Mr Speaker. Following on from the point raised by the hon. Member for Grantham and Stamford (Nick Boles) on the recess, this is meant to be the UK Parliament but it slavishly follows the English school holidays in its recesses. Do you know of any people so cruel in all of Europe, Mr Speaker, who keep their children in school until the middle of July, a month after midsummer? Indeed, should we not follow the Scottish example and have earlier recesses? I think the temperature in July is affecting Government minds.

Mr Speaker: That is a debatable matter, but the point of view the hon. Gentleman expresses is one that he is known to adhere to and which he loses few opportunities to express, as the cheeky smile on his face readily testifies he knows.

If there are no further points of order and the appetite has been satisfied at least for now, we will come to the 10-minute rule motion for which the hon. Member for Clacton (Giles Watling) has been so patiently waiting. I hope and anticipate a thespian performance by the hon. Gentleman.

Anti-loitering Devices (Regulation)

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

2.6 pm

Giles Watling (Clacton) (Con): I beg to move,

That leave be given to bring in a Bill to prohibit the use of certain anti-loitering devices without a licence; and for connected purposes.

In introducing this Bill, I would like to make it clear that I am seeking to regulate the use of sonic anti-loitering devices, more commonly known as mosquitos, rather than ban their use entirely. As colleagues may know, these devices, which have also been referred to as anti-teenager alarms, teenager repellents or ultrasonic teenage deterrents, make a pulsing sound, which I am told sounds something like an alarm buzzing in one's ears. My daughters tell me it is like a prolonged beep, akin to tinnitus. I also understand that this sound, which for the technically minded emanates at 17 kHz or less, can, according to the manufacturer, only be heard by people under the age of about 25. It is apparently exceedingly annoying after a short period of time—just like listening to certain Members of this House. [*Laughter.*] There are no firm figures for how many of these devices there are nationally, although the manufacturer claims to have sold thousands.

These devices are as widespread as they are ingenious, but they concern me for several reasons. First, in 2010, an investigation by the Council of Europe found that this device was “degrading and discriminatory” to youngsters and should be banned because it “violates legislation prohibiting torture”.

Secondly, I am uneasy about any device that willingly markets itself as a teenager repellent. Surely, we should never seek to repel our young people. They, as Whitney Houston said, are our future. Youth unemployment is at its lowest level since 2010, with 43,000 fewer young people unemployed in the first quarter of this year. Teenagers in England are now more likely to go to university than ever before. People aged 16 to 24 also accounted for 54% of apprenticeship starts in 2016-17, meaning that young people are currently responsible for around 265,000 apprenticeship starts per year.

Given those statistics, I would ask why we would ever want to repel or discriminate against our young people. On the contrary, the contributions of young people should be celebrated and cherished. Above all, we should never discriminate against anyone, let alone our young people. Yet that is what we are doing with these devices.

Of course, some young people are involved in antisocial behaviour, and I do accept that antisocial behaviour is a problem. This problem has impacted on my local area. There was an example in Walton-on-the-Naze recently when several beach huts were razed to the ground—the beach huts contained explosive canisters. This attack was not fair on residents, beach hut owners or the emergency services who had to deal with this dangerous incident, so I fully condemn this antisocial behaviour, as I would condemn it anywhere else. However, while antisocial behaviour is indeed a problem locally and nationally, I do not believe that these devices are an effective solution, as they simply move perpetrators to a different location while inadvertently targeting young people who may not be doing anything wrong in the

first place. Not only are these devices discriminatory, as I mentioned, but they do not deal with the issue of antisocial behaviour, because they simply move it to other areas. That is my second concern about the devices.

My third concern is that these devices can be heard by people who are older than 25, because people as old as 40 can detect sound at frequencies up to 18 kHz. At the start of my speech, I mentioned that mosquito devices operate at 17 kHz, which demonstrates that the manufacturer's assertion that the devices can be heard only by young people is clearly incorrect. That relates to my fourth concern, which stems from the work of Professor Timothy Leighton of the Institute of Sound and Vibration Research. He concluded that the people who use these devices neglect: the effect on very young children, babies, and animals; the effect on children with pre-existing conditions that make them especially sensitive, such as autism; the effects, both mental and physical, on children who cannot avoid long-term exposure, because of where they live or the school to which they go; and the lack of research to understand the potential effects of these sounds on individuals who cannot hear them.

Professor Leighton's work therefore suggests that the effects of these devices are not properly understood. That is concerning given that 40% of young people regularly come across them, and 41% of young respondents to a Scottish survey experienced health effects or discomfort after encountering a device. According to those Scottish respondents, that included headaches or migraines, ear problems, tinnitus, dizziness, nausea and anxiety or panic. We have not even touched upon the potential effect on wildlife and animal habitats, or the fact that in Ireland, Dublin City Council has just removed these devices from all their buildings, because their use constitutes an assault under Irish law. Consequently, any use of a mosquito device in Ireland will now be fully investigated by the police.

What is more, and is perhaps most interesting, is that 75% of young people said that they would just put up with the irritating noise and go where they want, when they want, and do what they want. There we have my fourth and final concern: not only do these devices discriminate, but we do not fully understand their effect, and there is a suggestion that they may cause health problems even in people who cannot hear them. In addition, the devices are not even successful in preventing antisocial behaviour, since they do not necessarily stop those intending to do harm from entering a certain public space. Consequently, we are excluding innocent young people from public space for no reason at all. That is what we are doing: we are excluding them from railway and bus stations, shops, schools, and spaces in their town centres.

I am not going to argue that the use of these devices should be better regulated just because they are ineffective, but I will argue that their use should be better regulated because they are ineffective, discriminatory and potentially hazardous to health. On the other hand, I believe that in certain circumstances these devices could legitimately be used, such as for warehouses, business premises, railway lines, industrial estates and electricity pylons—places where nobody should be in the first place. If the owners of such locations wish to use these devices, they should be able to do so, but they must be used responsibly.

That brings me on to the proposals contained in the Bill. It will make the use of mosquito devices illegal if an adequate licence has not been obtained. These licences will be administered by the relevant local authority, which will undertake the necessary due diligence and determine whether there is a public need and a guarantee of public safety before any of these devices are installed anywhere. The Bill will also ensure that local authorities take account of people who may be inadvertently affected by these devices, such as residents who have no say when their neighbour puts one of them up. To illustrate that point further, I heard only this morning about a family in Devon who are living through hell because a mosquito device has been installed by their neighbour. There are reports that the children from this family have been hospitalised and left housebound.

These devices need to be used responsibly. They need to be regulated, and that is what my Bill will do. Moreover, the Bill will introduce a quicker resolution mechanism for noise complaints associated with these devices. Currently, the only method of redress is to hope for a co-operative neighbour or to complain to the local environmental health office, but this may not produce the desired results quickly, or at all. I do not believe that it is fair for members of the public to be exposed to these devices without adequate control.

Some would argue that as a Conservative, I should be against unnecessary regulation, and indeed I am, but this regulation is not unnecessary. The regulation of these devices is firmly in the public interest, and I hope that colleagues will agree with me that this Bill should make progress today. Finally, it was pointed out to me by a Clacton councillor recently that these devices are effective—but then so are scatter guns.

Question put and agreed to.

Ordered,

That Giles Watling, Tim Loughton, Will Quince, Ruth Smeeth, Bob Stewart, Mr Alister Jack, Bill Grant, Ben Bradley, Stephen Kerr, Gillian Keegan and Faisal Rashid present the Bill.

Giles Watling accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 251).

Trade Bill (Programme) (No. 3)

Motion made, and Question proposed,

That the Order of 9 January 2018 (Trade Bill (Programme)), as amended on 17 January 2018, (Programme) be varied as follows:

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

(2) Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.

(3) The proceedings (so far as not previously concluded) shall be brought to a conclusion at the times specified in the second column of the Table.

Table	
Proceedings	Time for conclusion of proceedings
New Clauses, new Schedules and amendments relating to scrutiny of proposed international trade agreements, or to scrutiny of the making of regulations	3.30 pm on the day on which proceedings on Consideration are commenced
New clauses, new Schedules and amendments relating to devolution	5.00 pm on that day
New clauses, new Schedules and amendments relating to the Trade Remedies Authority; remaining new clauses, new Schedules and amendments; remaining proceedings on Consideration	6.00 pm on that day

(4) Any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion at 6.00 pm on that day.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00 pm on that day.—(*George Hollingbery.*)

Mr Speaker: I welcome the Minister for Trade Policy, the hon. Member for Meon Valley (George Hollingbery), to the Front Bench.

Mr Kenneth Clarke (Rushcliffe) (Con) *rose*—

Mr Speaker: There is no indication of anybody else wishing to speak. I call Mr Kenneth Clarke.

2.17 pm

Mr Kenneth Clarke: I realise that the convention has arisen recently that these programme motions are put forward and go through on the nod, with no intervention by the Opposition, so I wish briefly to register my opposition to these extraordinarily stringent timetable motions, which are becoming the custom. With respect, I think that today's timetable motion is almost as absurd as yesterday's, when, as we all saw, an enormous number of historic issues were being debated with people being given a two-minute limit on their speeches, if they were fortunate enough to be drawn.

Today, we have another important Bill and the timetable is extremely stringent. It does not even allocate a number of hours to each section of the Bill; it just sets a time so that nobody can be late for dinner. The result is that the important amendments— including, for example, that tabled by my right hon. Friend the Member for Broxtowe (Anna Soubry) on the single market—have to be fitted

[Mr Kenneth Clarke]

into an hour between 5 o'clock and 6 o'clock, or as much of that hour as is left after any Divisions have taken place. It is grouped with a huge number of other significant policy amendments, and I really think someone must protest about this.

It is not that long ago—I am not reminiscing as an old veteran; we do not have to go back much more than about 10 or 15 years—that this House was much more powerful in holding Governments of all kinds to account, and time was one of its principal weapons. We had fewer votes across parties and against Governments, but we had the ability in unguillotined Bills to use time, which obliged the Government, who wanted their business, to come back and make responses. The Eurosceptics and the Maastricht rebels made brilliant use of time to extend the Government's difficulties and try to extract concessions.

We are in danger of making that all dead. It is not as though the House has a compelling amount of public business that it is desperately anxious to fit in. Every day, we spend our time discussing motherhood and apple pie Bills that have no significant opposition and that are all very worthy, or we have general debates on important matters almost without limit of time and with either no vote or no vote of confidence. Indeed, we even had a brief patch when Opposition Supply days were being treated with contempt and the House was being allowed to pass motions criticising the Government that were dismissed as having no legal effect.

Now, legislation does have legal effect, but it is obvious that the moment we have an important Bill, like yesterday and today, the Government are anxious that the House of Commons have no opportunity to talk about it and limited opportunities to vote on it and that it be got out of the way as quickly as possible. I really think that this convention needs to be challenged. This is a debating Chamber. It is one of the most important ways we hold the Government to account, and whatever our views on the subjects that we are about to debate—the stronger they are on either side, the more this applies—Members should start challenging this scandalous abuse of the House that tries to minimise dissent, votes and opinions of all kinds.

Mr Speaker: I am very grateful to the right hon. and learned Gentleman for contributing to what looks like being a brief exchange. Of course, the time available is not a matter for me. As he knows, the House must decide upon that. I say to him and the House, however, that although I cannot influence the time available for debate, on the matter of votes, the Speaker will do everything possible to facilitate votes that Members wish to have. That is what people would expect. As far as the Chair is concerned, no attempt to avoid that will work. People need to be clear about that.

Question put and agreed to.

Trade Bill

[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; Third Report of the International Trade Committee, Trade Remedies Authority, HC 743, and the Government response, HC 1424; and oral evidence taken before the International Trade Committee on 29 November 2017, on the Trade Bill, HC 603-i.*]

Consideration of Bill, not amended in the Public Bill Committee

New Clause 12

REPORT ON PROPOSED FREE TRADE AGREEMENT

“(1) This section applies (subject to subsection (2)) where the United Kingdom has authenticated a free trade agreement (‘the proposed agreement’), if—

- (a) the other party (or each other party) and the European Union were signatories to a free trade agreement immediately before exit day, or
- (b) where the proposed agreement is authenticated by the United Kingdom before exit day, the other party (or each other party) and the European Union are signatories to a free trade agreement on the day the proposed agreement is authenticated by the United Kingdom.

(2) This section applies only if the proposed agreement is not binding on the United Kingdom as a matter of international law unless it is ratified by the United Kingdom.

(3) Before the United Kingdom ratifies the proposed agreement, a Minister of the Crown must lay before Parliament a report which gives details of, and explains the reasons for, any significant differences between—

- (a) the trade-related provisions of the proposed agreement, and
- (b) the trade-related provisions of the existing free trade agreement.

(4) Subsection (3) does not apply if a report in relation to the proposed agreement has been laid before Parliament under section (Report to be laid with regulations under section 2(1))(2).

(5) The duty imposed by subsection (3) applies only at a time when regulations may be made under section 2(1) (see section 2(8)).

(6) In this section a reference to authenticating a free trade agreement is a reference to doing an act which establishes the text of the agreement as authentic and definitive as a matter of international law.

(7) In this section—

‘the existing free trade agreement’ means the free trade agreement referred to in subsection (1)(a) or (b);

the ‘trade-related provisions’ of a free trade agreement are the provisions of the agreement that mainly relate to trade.”—(*George Hollingbery.*)

This new clause requires a Minister to lay a report before Parliament before the UK ratifies a new free trade agreement with a country that (before exit day) had a free trade agreement with the EU. The report must explain any significant differences between the proposed new agreement and the existing agreement with the EU. The duty to lay a report does not apply if a report on the agreement has already been laid under the new clause in amendment NC14. In addition, amendment NC13 provides that the reporting requirement does not apply if a Minister takes the view that, exceptionally, the agreement should be ratified without the reporting requirement being met.

Brought up, and read the First time.

Mr Speaker: In calling the Minister to move the new clause—he is one of the most courteous Members of the House and therefore it may seem almost unnecessary to say this—I simply ask, not least in the light of what the Father of the House has just said, that he recognise that, although of course he must set out the Government’s position, possibly on a miscellany of different matters, we are short of time and that others wish to speak. In all propriety, if this debate is to be meaningful, they must be able to do so.

2.22 pm

The Minister for Trade Policy (George Hollingbery): I beg to move, That the clause be read a Second time.

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

Government new clause 13.

Government new clause 14.

New clause 3—*Free trade agreements: Parliamentary scrutiny and consent*—

“(1) The Secretary of State shall not commence negotiations relating to a free trade agreement unless—

- (a) a Minister of the Crown has laid before Parliament a sustainability impact assessment conducted by a credible body independent of government following consultation with—
 - (i) each devolved authority,
 - (ii) public bodies, businesses, trade unions and non-governmental organisations which, in the opinion of the Minister, have a relevant interest, and
 - (iii) the public,
 and the assessment shall include both qualitative and quantitative assessments of the potential impacts of the proposed trade agreement, including social, economic, environmental, gender, human rights, labour, development and regional impacts,
- (b) a Minister of the Crown has laid before Parliament a draft of a negotiating mandate relating to the proposed trade agreement, setting out—
 - (i) all fields and sectors to be included in the proposed negotiations,
 - (ii) the principles to underpin the proposed negotiations,
 - (iii) any limits on the proposed negotiations, and
 - (iv) the desired outcomes from the proposed negotiations, and
- (c) the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out a proposed negotiating mandate and authorising the Secretary of State to enter negotiations on the proposed trade agreement on the basis of that mandate, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons.

(2) The United Kingdom may not become a signatory to a free trade agreement unless—

- (a) during the course of the negotiations, the text of the trade agreement as so far agreed or consolidated has been made publicly available within ten working days of the close of each negotiating round,
- (b) between each round of negotiations, all documents relating to the negotiations have been made available for scrutiny by select committees in both Houses of Parliament,
- (c) upon conclusion of the negotiations, the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out the text of the trade agreement as negotiated and

authorising the Secretary of State to sign the proposed agreement, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons, and

- (d) the text of the trade agreement includes provision for a review of the operation and impacts of the agreement no later than ten years after the day on which the agreement comes into force.”

This new clause would ensure that all new free trade agreements are subject to parliamentary scrutiny and consent.

New clause 6—*Regulations: Parliamentary procedure*—

“(1) If the Secretary of State considers it appropriate to proceed with the making of regulations of a type which fall under section 2(4A)(a) or (b)), he or she must lay before Parliament—

- (a) a draft of the regulations, and
- (b) an explanatory document.
- (2) The explanatory document must—
 - (a) explain under which power or powers in this Act the provision contained in the regulations is made;
 - (b) introduce and give reasons for the provision;
 - (c) identify and give reasons for—
 - (i) any functions of legislating conferred by the regulations; and
 - (ii) the procedural requirements attaching to the exercise of those functions;
 - (d) contain a recommendation by the Secretary of State as to which of the following should apply in relation to the making of regulations pursuant to the draft regulations—
 - (i) the negative resolution procedure (see subsection (6)) or
 - (ii) the affirmative resolution procedure (see subsection (7)); and
 - (e) give a reason for the Secretary of State’s recommendation.

(3) Where the Secretary of State’s recommendation under subsection (2)(d) is that the negative resolution procedure should apply, that procedure shall apply unless, within the 20-day period, either House of Parliament requires that the affirmative resolution procedure shall apply, in which case that procedure shall apply.

(4) For the purposes of this paragraph a House of Parliament shall be taken to have required a procedure within the 20-day period if—

- (a) that House resolves within that period that that procedure shall apply; or
- (b) in a case not falling within subsection (4)(a), a committee of that House charged with reporting on the draft regulations has recommended within that period that that procedure should apply and the House has not by resolution rejected that recommendation within that period.

(5) In this section the ‘20-day period’ means, for each House of Parliament, the period of 20 days on which that House sits, beginning with the day on which the draft regulations were laid before Parliament under subsection (1).

(6) For the purposes of this section, the ‘negative resolution procedure’ in relation to the making of regulations pursuant to a draft of the regulations laid under subsection (1) is as follows—

- (a) the Secretary of State may make regulations in the terms of the draft regulations subject to the following provisions of this subsection;
- (b) the Secretary of State may not make regulations in the terms of the draft regulations if either House of Parliament so resolves within the 40-day period;

- (c) for the purposes of this paragraph regulations are made in the terms of the draft regulations if they contain no material changes to the provisions of the draft regulations; and
- (d) in this subsection the ‘40-day period’ means, for each House of Parliament, the period of 40 days on which that House sits, beginning with the day on which the draft regulations were laid before Parliament under subsection (1).

(7) For the purposes of this section the ‘affirmative resolution procedure’ in relation to the making of regulations pursuant to a draft of the regulations being laid under subsection (1) is as follows—

- (a) the Secretary of State must have regard to—
 - (i) any representations;
 - (ii) any resolution of either House of Parliament; and
 - (iii) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations, made during the 40-day period with regard to the draft regulations;
- (b) if, after the expiry of the 40-day period, the Secretary of State wishes to make regulations in the terms of the draft, he must lay before Parliament a statement—
 - (i) stating whether any representations were made under subsection (7)(a)(i); and
 - (ii) if any representations were so made, giving details of them;
- (c) the Secretary of State may after the laying of such a statement make regulations in the terms of the draft if they are approved by a resolution of each House of Parliament;
- (d) if, after the expiry of the 40-day period, the Secretary of State wishes to make regulations consisting of a version of the draft regulations with material changes, he must lay before Parliament—
 - (i) revised draft regulations; and
 - (ii) a statement giving details of—
 - (a) any representations made under subsection (7)(a)(i); and
 - (b) the revisions proposed;
- (e) the Secretary of State may, after laying revised draft regulations and a statement under sub-paragraph (d), make regulations in the terms of the revised draft if they are approved by a resolution of each House of Parliament;
- (f) for the purposes of sub-paragraph (e) regulations are made in the terms of the draft regulations if they contain no material changes to the provisions of the draft regulations; and
- (g) in this paragraph the ‘40-day period’ has the meaning given by subsection (6)(d).

(8) The provisions of this section shall apply to all agreements for which regulations would be of a type which falls under section 2(4A)(a) or (b)), notwithstanding that they constitute retained EU law and may be governed by the provisions of the European Union (Withdrawal) Act 2018 or any other legislation with regard to Parliamentary scrutiny of regulations under this Act.”

This new clause would set up a triage and scrutiny system under the control of Parliament for determining how Orders under Clause 2 will be dealt with, in circumstances when the new UK FTA or international trade agreement is not in the same terms as the existing EU FTA or international trade agreement.

New clause 16—Transparency in trade negotiations—

“(1) The Secretary of State shall not make regulations under section 2(1) of this Act for the implementation of an international trade agreement (subject to sections 2(3) and 2(4)) unless the condition in subsection (2) of this section has been complied with.

(2) The condition is that the Secretary of State has provided to Members of both Houses of Parliament any information specified in subsection (3) relating to the agreement, within seven days of any meeting to which subsection (3)(a) applies.

- (3) The information is—
 - (a) minutes of any meeting, whether formal or informal, between a representative of the United Kingdom and a representative of any other signatory state to discuss the agreement;
 - (b) any points of divergence between the terms of the proposed agreement between the United Kingdom and the other signatory (or each other signatory) and the terms of the agreement in place before exit day between the European Union and the other signatory (or each other signatory), that were discussed at the meeting; and
 - (c) measures that the Secretary of State considers will be necessary in consequence of any points of divergence under paragraph (b) of this subsection.

(4) The Secretary of State may specify conditions under which the information shall be made available under subsection (2).”

This new clause would require the Secretary of State to give MPs and Peers access to details of negotiations towards trade agreements with third countries if and when third countries seek changes to existing bilateral trade deals which the UK currently has through the EU.

New clause 20—Approval of negotiating mandates (devolved authorities)—

“(1) No negotiation towards an agreement that falls within section 2(2) shall take place unless—

- (a) a draft negotiating mandate in respect of that agreement has been laid before—
 - (i) a committee including representatives from each devolved authority and constituted for the purpose of considering the draft, and
 - (ii) each devolved legislature,
- and
- (b) the draft negotiating mandate has been approved by resolution of—
 - (i) the committee constituted under (1)(a)(i) and
 - (ii) each devolved legislature.

(2) The committee in (1) shall be called the ‘Joint Ministerial Committee on Trade’ (‘JMCT’) and—

- (a) may not approve a draft mandate other than by consensus,
- (b) shall have the power to make its own standing orders,
- (c) may include a Minister of the Crown or representative thereof,
- (d) may be consulted on a draft mandate before it is finalised (but in such a case must also approve the finalised version), and
- (e) shall only include a representative of a devolved authority if that representative has been appointed by the relevant devolved executive.

(3) The ‘devolved legislatures’ are—

- (a) the Scottish Parliament,
- (b) the Welsh Assembly, and
- (c) the Northern Ireland Assembly.

(4) The devolved legislatures shall approve the draft mandate according to their own standing orders.

(5) If the negotiating mandate changes substantively during the process of negotiations then negotiations shall not proceed until the revised mandate has been approved by the JMCT.

(6) Each person who is—

- (a) a member of the JMCT, or
- (b) a Minister of the Crown

must co-operate with every other person who is within subsection (a), or (b) in any activity that relates to the drafting of a negotiating mandate as referred to in subsection (1).

(7) In particular, the duty imposed by subsection (6) requires a person—

- (a) to engage constructively, actively, and on an ongoing basis in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared; and
 - (b) to have regard to representations by any member of the JMCT or of a devolved executive in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared.
- (8) The ‘devolved executives’ are—
- (a) the Scottish Government,
 - (b) the Welsh Government, and
 - (c) the Northern Ireland Executive.”

This new clause would ensure that any negotiating mandate is first approved by the devolved legislatures and creates a joint ministerial committee to encourage co-operation between the devolved administrations and the UK Government in drafting the negotiating mandates. It imposes a duty of co-operation on all parties in the preparation of the negotiating mandate.

New clause 22—Right of devolved legislatures to scrutinise trade negotiations—

“(1) A Minister of the Crown shall provide a devolved authority with such information relating to an agreement falling within section 2(2) as is reasonably necessary for the purpose of subjecting that agreement to scrutiny in relation to—

- (a) all areas of that devolved authority’s competence; and
 - (b) anything falling outside an area of that devolved authority’s competence but having an impact within the territory over which that devolved authority presides.
- (2) The information in (1)—
- (a) shall be provided at the request of a devolved authority;
 - (b) may relate to international trade agreements at any stage of development including—
 - (i) before negotiations begin,
 - (ii) during negotiations,
 - (iii) after negotiations have been completed.

(3) An appropriate authority shall not rely on Part II of the Freedom of Information Act 2000 in relation to a request made under this section.

(4) If information requested by a devolved authority would fall within Part II of the Freedom of Information Act 2000, a Minister of the Crown may provide it exclusively to a committee of the relevant devolved legislature.

(5) A Minister of the Crown shall adhere to any reasonable time limit placed by a devolved authority on the provision of information under this section.”

This new clause would ensure that the devolved legislatures will have sufficient information to effectively scrutinise trade agreements and negotiations, without compromising negotiations or sensitive information.

New clause 23—Devolved consent—

“(1) No agreement that falls within section 2(2) shall be ratified without the consent of the devolved legislatures to any parts of that agreement that fall within subsection (3) of this section.

- (2) The ‘devolved legislatures’ are—
- (a) the Scottish Parliament,
 - (b) the Welsh Assembly, and
 - (c) the Northern Ireland Assembly.
- (3) The parts of an agreement to which the devolved legislatures must consent are—
- (a) any part concerning an issue that falls within the competence of a relevant devolved authority as defined in paragraph 7 of Schedule 1, and
 - (b) any part concerning an issue not falling within subsection (3)(a) but having an impact within the territory over which the relevant devolved authority presides.”

This new clause would create a right for the devolved legislatures to approve those aspects of an ITA that fall within their competence.

New clause 24—Review of international trade agreements (devolved authorities)—

“(1) No agreement that falls within section 2(2) of this Act shall be ratified unless it complies with subsection (2) of this section.

(2) An agreement that falls within section 2(2) shall include a clause which provides for that agreement to be—

- (a) submitted for review by the appropriate bodies after five years from the date of ratification,
- (b) submitted for review by the appropriate bodies every five years after the first review, and
- (c) ended or amended based on the outcome of the reviews in subsections (2)(a) or (2)(b),

without sanction under the agreement.

(3) For the purposes of (2) the ‘appropriate bodies’ are—

- (a) the UK Parliament,
- (b) the Scottish Parliament,
- (c) the Welsh Assembly, and
- (d) the Northern Ireland Assembly.

(4) The appropriate bodies shall determine the procedure for the review in subsection (2) according to their own standing orders.

(5) Each international trade agreement shall be submitted to a review by the appropriate bodies according to the terms in subsection (2).

(6) A Minister of the Crown shall have regard to any representations made by an appropriate body resulting from a review undertaken under this section.”

This new clause would provide for Parliament and the devolved legislatures to review a trade agreement every five years and for the UK to bring an end to that trade agreement based on the outcome of those reviews without sanction under the agreement.

Government amendments 36 and 37.

Amendment 6, in clause 2, page 2, line 20, at end insert “, and”.

This amendment would provide that the Henry VIII provisions in Clause 2 may only be used when a new UK free trade agreement is in the same terms as an existing EU free trade agreement.

Government amendments 38 and 39.

Amendment 7, in clause 2, page 2, line 29, at end insert “, and”.

This amendment would provide that the Henry VIII provisions in Clause 2 may only be used when a new UK international trade agreement is in the same terms as an existing EU international trade agreement.

Amendment 8, in clause 2, page 2, line 29, at end insert—

“(4A) In circumstances where—

- (a) a free trade agreement in respect of which regulations are to be made does not make the same provision, subject only to necessary changes in terminology, as a free trade agreement referred to in subsection (3)(a) or (b); or
- (b) an international trade agreement in respect of which regulations are to be made does not make the same provision, subject only to necessary changes in terminology, as an international trade agreement referred to in subsection (4)(a) or (b);

an appropriate authority must not make regulations under subsection (1) unless the requirements of section [Regulations: Parliamentary procedure] have been met.”

Government amendment 42.

Amendment 19, in clause 2, page 2, line 40, at end insert—

- “(a) No regulations may be made under subsection (1) in respect of a free trade agreement unless the text of that agreement has been subject to consultation prior to its ratification by Parliament, in line with any guidance or code of practice on consultations issued by Her Majesty’s Government.
- (a) A consultation under paragraph (a) shall actively seek the views of—
- (i) Scottish Ministers,
 - (ii) Welsh Ministers,
 - (iii) a Northern Ireland department,
 - (iv) representatives of businesses and trade unions in sectors which, in the opinion of the Secretary of State, are likely to be affected by the proposed free trade agreement, and
 - (v) any other person or organisation which appears to the Secretary of State to be representative of interests affected by the proposed free trade agreement, including local authorities.”

This amendment would require the Government to have published the text of each UK free trade agreement and opened it to consultation with business, trade unions, the devolved administrations and other parties prior to its ratification.

Government amendment 4.

Amendment 9, in schedule 2, page 12, line 5, after “2(1)” insert

“(unless the regulations are of a type which fall under section 2(4A)(a) or (b))”.

This amendment is consequential on NC6.

Amendment 2, in schedule 2, page 12, line 6, at end insert—

“(1A) A statutory instrument containing regulations of a Minister of the Crown under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Government amendments 71 to 74.

Amendment 10, in schedule 2, page 12, line 20, at end insert

“(unless the regulations are of a type which fall under section 2(4A)(a) or (b))”.

This amendment is consequential on NC6.

Government amendments 75 and 79.

George Hollingbery: I am delighted to tell you, Mr Speaker, that I can accord with your wishes and those of my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke).

The Government have been consistently clear that the priority for the UK’s existing trade relationships as we leave the EU is continuity. Our partner countries are clear on that, too, and this Bill is about continuity. Specifically, clause 2 creates a power to help with the implementation of obligations of the trade agreements that we are seeking to transition into UK-only agreements as we leave the EU. I recognise that Members are seeking reassurance that the Government will be transparent about the content of these transitioned agreements and about what might need to change to deliver this continuity, which we have championed for so long.

Indeed, I understand the purpose of the new clause 6 and the associated amendments, tabled in the names of my hon. Friends the Members for Huntingdon (Mr Djanogly), for Wimbledon (Stephen Hammond)

and for Bromley and Chislehurst (Robert Neill). My predecessor, my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), and I held constructive discussions with my hon. Friend the Member for Huntingdon to ascertain how best we could help that transparency. As a result, the Government have tabled new clauses 12 to 14 and amendments 4, 36 to 39, 42, 71 to 75 and 79. I will now explain them in a little detail.

New clause 12 and the associated Government amendments will place a duty on Ministers to lay a report in both Houses of Parliament. This report will explain any changes made to the continuity agreements when compared with the existing EU third country agreements. The report will be laid in Parliament before the continuity agreements are ratified or at least 10 Commons sitting days before any implementing regulations are laid under clause 2, whichever comes first. We want these reports to be as helpful as possible. That is why they will signpost any significant changes being made, to ensure that existing trade agreements can function effectively in the UK-only context. Implementing regulations made under clause 2 will also now be subject to the affirmative resolution process, which will further enhance parliamentary scrutiny. I have also committed that, for each statutory instrument made under the clause 2 power, the accompanying explanatory memorandum will be explicit in referencing which of the changes identified in the report it plays a part in implementing.

With amendments 44 to 47, we are reducing from five years to three years the length of the period for which the implementing power can be used. The period will be renewable by agreement in both Houses of Parliament.

I hope that my hon. Friend the Member for Huntingdon agrees that these amendments address the spirit of the issues he was seeking clarity on and provide enhanced parliamentary scrutiny.

Bill Esterson (Sefton Central) (Lab): We raised concerns in Committee about the Government’s power grab in the Bill. For 40 years, we have subcontracted our responsibility for trade agreements to the EU, while scrutiny has been delivered through the European Parliament and by our own European Scrutiny Committee, yet the Government are not proposing any equivalent scrutiny processes for agreements that will replace those we currently have through our membership of the EU. This lack of scrutiny is a major issue, and we raised the concerns of business, trade unions, civil society, consumers and many more in Committee.

The Labour party submitted a series of amendments in Committee that embodied a full process of parliamentary scrutiny and extra-parliamentary consultation. The Government responded by saying that the new UK agreements would just roll over the terms of existing EU agreements and would thus need no process of scrutiny, having already been scrutinised.

Greg Hands (Chelsea and Fulham) (Con): Does the hon. Gentleman not accept that we are dealing with existing EU agreements that have already been scrutinised in both Houses of Parliament and that in many cases have already been in effect for a long time—in some cases, decades? It is important to have the ability to scrutinise the agreements if they have changed, but

in general I think that he is barking up the wrong tree in alleging that this is an attempt to avoid parliamentary scrutiny.

Bill Esterson: The former Minister should have waited, because he anticipated my remarks: the Government's delegated powers memorandum told a different story. Paragraph 46 noted that the new UK agreements would not just be legally distinct but could include "substantial amendments, including new obligations".

In other words, these will not just be roll-overs; they will be new treaties that can introduce wholly new terms of trade between the UK and our trading partners—terms that will be binding on us for years to come.

Government new clause 12 is confirmation that Labour was right to identify the problem here. It will require a report to be laid before Parliament before the ratification of any free trade agreement that will highlight and explain any significant differences between the new agreement and the corresponding EU agreement on which the new agreement is based. It is disappointing, therefore, to see this concession wiped out immediately by Government new clause 13, which will allow them to sidestep the obligation to lay such a report. It will also allow the Government to ratify new agreements without having produced the report in question. Government new clause 14 picks up the same point prior to implementation, but by this time the trade agreement will already have been ratified.

We will support new clause 12, but if the Government really mean what they say, they should withdraw new clause 13. We will also support new clause 3, which pays us the compliment of replicating the amendments that we tabled in Committee and which sets out the scrutiny process that should be adopted for new trade agreements.

2.30 pm

The Government have already started work towards new agreements to replace existing EU agreements in their trade working groups. Talks are under way behind closed doors to determine what our new trading arrangements might be, but we have no information whatsoever about what is being discussed or where the new terms might come into play. I commend new clause 16, tabled by my hon. Friend the Member for Swansea West (Geraint Davies), which calls on the Government to start providing some information about what is going on in those meetings. The Minister would do well to accept it as a friendly amendment.

Our amendment 19 addresses the lack of proper consultation. The Government's alienation of the business community has been quite remarkable. Businesses will be relieved that we no longer have a Foreign Secretary whose policy was to "f*** business", but they remain deeply concerned that we still have an International Trade Secretary who is not prepared to take an informed approach to the development of international trade agreements, on which they and the rest of our country will depend.

Mr Jim Cunningham (Coventry South) (Lab): My hon. Friend has just raised a serious issue. There is a great deal of concern among businesses and trade union organisations, which fear that the Government are trying to slip things through without proper scrutiny. Does my hon. Friend agree that that is the nub of the problem?

Bill Esterson: My hon. Friend is absolutely right. Following the Committee, six major business organisations—the CBI, the British Chambers of Commerce, the Engineering Employers Federation, the International Chamber of Commerce, the Institute of Directors and the Federation of Small Businesses—took the unprecedented step of issuing a joint statement with the TUC, Unite, the Trade Justice Movement, the Consumers Association, or Which?, and other industry bodies, calling for a proper model of consultation and scrutiny to govern the UK's policy-making process in future.

The Secretary of State delivered his statement to the House yesterday, telling us about future plans for a more transparent and inclusive UK trade policy, but at the same time reminding us that the future process would not apply to the Bill or the agreements that correspond to our existing EU agreements. That is why our amendment 19 is so important: it provides for proper consultation on any substantive new elements in the 40 trade agreements that we need to replace the EU's existing trade deals. The involvement of the widest possible group of stakeholders is essential if we are to ensure that the new trade agreements are properly designed to give our businesses, consumers, workers and public services what they need.

We argued in Committee that any regulations made under the Bill should be subject to the affirmative procedure in Parliament, not the negative procedure, as originally stipulated in schedule 2. I am pleased to see that the Government have agreed that we were right to insist on parliamentary accountability, as their amendment 75 provides that any regulations made under clause 2(1) will indeed be subject to the affirmative procedure. That is not the further extension to which the Minister referred; it is entirely new, and it removes the need for the triage and scrutiny system proposed in new clause 6. However, it leaves any regulations to be made under clause 1(1), in relation to the World Trade Organisation's Government procurement agreement, subject to the negative procedure. The Minister did not explain the logic behind that, and I should like him to do so, especially given that amendment 32 will grant the Government the power to extend the disciplines of the GPA to new bodies if they so choose, not just to renamed or merged Government entities.

Worse still, Government amendment 34 will introduce what is effectively a further Henry VIII clause, in that it will grant the Government the power under clause 1

"to modify retained direct EU legislation"

in respect of GPA implementation. Members should note that that is a power in perpetuity, as there is no sunset clause in relation to clause 1. In Committee, we argued for the removal of all Henry VIII powers from the Bill, and we support the further attempt to limit those powers in amendments 6 and 7, tabled by the hon. Member for Huntingdon (Mr Djanogly).

The Government have told us:

"Retained direct EU legislation will operate in a different way to both primary and secondary legislation",

with

"unique status within the domestic hierarchy."

The European Union (Withdrawal) Act 2018 distinguishes between "minor" and "principal" types of retained direct EU legislation precisely so that Parliament can apply more rigorous powers of scrutiny to the more

[*Bill Esterson*]

important elements. A modification of principal retained direct EU legislation, as envisaged in amendment 34, could therefore have a constitutional significance analogous to that of modifying primary legislation. Introducing to the Bill what is effectively yet another Henry VIII power, with no sunset clause to limit its future application, is a serious challenge to parliamentary democracy, and the Minister has not explained why the House should countenance such a move.

New clause 23 would give the devolved Administrations the right to veto a trade agreement before ratification. I simply point out that international agreements are a competence of the UK Government under the devolution settlement, which is why we will not support that proposal.

In his statement yesterday, the Secretary of State recognised the problems that are caused when Governments sign off trade deals that do not have public legitimacy. However, he has failed to follow the logic of his own statement in respect of the 40 agreements that we need to replace our existing EU deals. Even given the Government's concessions, the Bill is still woefully lacking in transparency and scrutiny, and such a democratic deficit needs to be addressed. As the CBI representative asked us during the Committee, "If not now, when?"

Gillian Keegan (Chichester) (Con): Thank you, Mr Speaker, for giving me the opportunity to speak in the debate.

I served on the Committee, and it is clear to me that we should pass the Bill in order to build the legal foundations that we need to support global trade by ensuring that existing trade agreements via the EU can continue, providing access to overseas procurement opportunities—an important market worth £1.3 trillion—and protecting our business from unfair practices via the new Trade Remedies Authority.

There is much debate about the shape of the future trading relationship between the European Union and the United Kingdom, but the Bill is required for every situation that our country will face as we leave the EU. It seeks to ensure that we will continue to enjoy the benefits of trade deals that the EU has done with more than 40 countries around the world. There is, however, an inherent assumption that the UK will reach agreement on the terms on which we continue trading with our biggest partner, the European Union. Any "no deal" scenario is likely to have an impact on how rules of origin are calculated in the trade agreements.

This is complex stuff. I think we all understand that we are making big decisions that will have an impact on businesses—both large multinationals and small and medium-sized enterprises—which export to or import from the EU. As someone who has worked in car manufacturing, financial services and technology for nearly 30 years, I am unfortunately burdened with some knowledge of how all this works and of the operating models that have emerged over the last 40 years, making many industries, such as car manufacturing, finally competitive. In the real world there is no such thing as a hard or a soft Brexit; there are just degrees of risk. The Prime Minister is seeking a low-risk Brexit in her Chequers White Paper—one that involves listening to businesses that have built highly integrated supply chains, such as Rolls-Royce in my constituency.

Of course it is possible to find examples of car parts coming from outside the EU without a problem, but the question is one of both scale and financial impact. Only a business will have a truly accurate view on this, but it is safe to assume that introducing costs will have a negative impact on businesses large and small throughout the country. They will want to avoid going back to the days when supply chains were not highly integrated and efficient. They will need to hold stocks in warehouses or lorry parks. I am probably the only person in the House of Commons who has sat in customs waiting to rescue a stranded part while a car production line lay idle. Delays are quite simply the difference between profit and loss. The same applies to agricultural goods. We have a thriving growers' business in Chichester, and export more than £1 billion of perishable goods to the EU every year. Customs delays and perishable goods are two words that do not belong in the same sentence. That is why I completely support the pragmatic approach to goods set out in the Chequers White Paper and I believe it will also enable us to make future international trade agreements as envisaged in this Bill.

But as well as achieving these outcomes, we have to respect the referendum result. The British people voted to end freedom of movement and to get back control of their borders, laws and money. We can all have views on whether a better deal could be negotiated. These are views, not facts. However, I cannot help thinking that if we had been offered a deal a few years ago that ended free movement, stopped future payments to the EU, continued frictionless trade, and regained control over our fisheries and farming policies with no hard border in Northern Ireland, we would have readily agreed; in fact, we would have bitten the EU's hand off.

Every successful negotiation requires compromise, and perhaps the Rolling Stones express our current predicament best in one of their greatest songs: "You can't always get what you want, but sometimes you can get what you need."

Several hon. Members *rose*—

Mr Speaker: Order. In calling in a moment the hon. Member for Brighton, Pavilion (Caroline Lucas), principally to speak to her new clause and in the knowledge that she is a celebrated and award-winning parliamentarian, I feel that I can say with total confidence that she will require no longer than five minutes to make her case.

Caroline Lucas (Brighton, Pavilion) (Green): Indeed, I do rise to speak to new clause 3, which is in my name and signed by more than 50 Members of the House from four different parties, and I give notice that I would like to move it when it comes to the votes.

This amendment essentially seeks to remedy the Bill's failure to provide for a proper role for parliamentarians in the scrutiny and approval of trade agreements. At present, trade agreements can be negotiated, or renegotiated as is likely to be the case with many of the existing EU trade deals covered by this Bill, entirely under royal prerogative powers, essentially giving the Government free rein to decide when and with whom to start negotiations, to set their own priorities and objectives, to conduct the negotiations in great secrecy, and to conclude the deal without any meaningful parliamentary scrutiny. That not only sidelines Members of this House,

but it prevents valuable input by civil society organisations and the wider public. This Bill is supposed to help implement an independent trade policy following withdrawal from the EU, but it does nothing to put in place the kind of scrutiny and approval framework that should be required for an accountable trade policy in a modern democratic country. And this is the only legislative opportunity we are likely to have to put such a framework in place.

In his statement yesterday, the Secretary of State for International Trade once again sought to make a distinction between replacements for existing EU trade deals and future trade deals, but the fact is that effective parliamentary scrutiny and approval is needed for both, for it is increasingly clear that, contrary to the hope of Ministers, it is not going to be a simple case of transitioning, or “rolling over,” existing EU trade deals. Some or all of the countries in question are not simply going to be content to continue with the existing arrangements, and Ministers will have little choice but to negotiate a replacement deal. So while yesterday’s statement by the Secretary of State must be welcomed for its clear, if somewhat overdue, recognition of the current democratic deficit in the making of trade deals and the need to correct that if we are to have a modern, transparent and accountable trade policy, it needs to be applied much more fully and more extensively.

Unfortunately, the package of proposals set out yesterday falls well short of what is required, both because it does not apply to the existing EU trade deals covered by this Bill and because it does not go far enough. For example, it is welcome that the Secretary of State proposes a process for Ministers to set out their ambitions before embarking on a new set of negotiations, including scoping assessments, and the commitment to publish impact assessments is also a step forward, but the reality is that recent impact assessments by the Government on trade have focused purely on the impact for exporters, without taking into account at all the wider economic impacts, let alone social, environmental, gender and regional impacts and the effects on workers’ rights. So we need to see a much stronger commitment to transparency.

Most significantly of all, the Secretary of State’s proposals fail to give Parliament meaningful oversight of new trade deals. For that to happen, Members of this House need a guaranteed vote on the deal that emerges from the negotiations. Without that, all the other measures proposed by the Secretary of State yesterday risk being little more than window-dressing.

The Secretary of State contends that the Constitutional Reform and Governance Act 2010 is all that is needed. However, that process is an utterly inadequate rubber stamp: it gives Parliament a right to say whether a new trade deal should or should not be ratified, but does not enable Parliament to propose modifications. Moreover, as we know to our detriment time and again, Ministers can and do simply overrule Parliament and ratify the trade deal despite Parliament’s objections. In contrast, Members of both the European Parliament and the US Congress get an automatic vote. If this issue is about taking back control, why do we not take back some control in this Chamber and make sure we get the same kind of vote that other legislatures with whom we will be negotiating do?

Trade deals are not simply commercial negotiations; they are public policy negotiations and should be treated as such. Transparency, scrutiny and parliamentary approval should be embraced, not treated as a risk.

Mr Mark Prisk (Hertford and Stortford) (Con): The hon. Lady’s new clause says the impact assessment should include

“both qualitative and quantitative assessments”.

Can she give an example?

2.45 pm

Caroline Lucas: A qualitative impact would be the impact on the environment, for example. We want to know not just the economic quantity of the impacts in terms of how much trade gain we are going to get out of a negotiation, but the qualitative impact on the public policy areas that I am talking about. We cannot quantify necessarily the impact of a trade deal on our own environmental standards, but we can say whether qualitatively those standards are going to be degraded. That is why we need both those terms: we want to know the quantitative and the qualitative impacts. They are separate, and it is not that difficult to see the difference.

New clause 3 sets out the kind of framework we need. Before commencing the negotiation of a trade agreement, Ministers must bring before Parliament at the very least a sustainability impact assessment conducted by a credible independent body, covering not just the potential economic impacts, but the social and environmental ones. The devolved authorities, businesses, trade unions and the public must be consulted about the potential agreement, as is required in the US. If the decision is to go ahead, Parliament would be required to give its consent to a mandate for the negotiations, setting guidelines and boundaries, a process based on the Danish model. The Government would conduct negotiations transparently, releasing texts before and after each negotiating round, building upon the procedure in the EU and following practices common in other areas of international negotiation, such as climate talks.

My amendment is a very basic and simple one. It is asking for things that are common in many other countries around the world, and saying that we should do the same.

Mr Jonathan Djanogly (Huntingdon) (Con): We are clearly in a very much better situation now with this Bill’s regulation scrutiny provisions than after the Second Reading in this House, and on that basis my recommendation will be that hon. Members do not vote for my new clause 6 or my amendments 6, 7, 8, 9 and 10, but that they vote for the alternative Government amendments, new clauses 12, 13 and 14 and all their tabled amendments to clause 2. If the Government amendments pass, Henry VIII will have been banished from this Bill and a sensible compromise scrutiny system will have been inserted. The Government have listened and done the right thing and we should support them for that, but there are still issues, so let me explain my thinking.

This Bill applies to around 40 existing EU trade-related agreements involving some 70-plus third countries. This actually also includes some agreements that are concluded but are still due to be implemented, which I shall call collectively FTAs. It is estimated that 10 of the UK’s

[Mr Jonathan Djanogly]

top 50 export markets are served by these EU FTAs, accounting for 35% of UK trade. I can therefore understand why the Government are keen for the UK to adopt these FTAs post Brexit, or “roll them over” in the terminology used by Ministers. In addition, I understand the practicalities of the situation: the Government have limited negotiating capacity and the idea of dealing with all of these 70 third countries and starting deals from scratch is undoubtedly unrealistic in the immediate term. Indeed, the average time for negotiating an FTA is seven years and the recent Canada deal took more like 15 years. So I understand that there is a lot at stake here for the UK, and I appreciate that the International Trade Department is under a lot of pressure to deliver.

Having said that, I do not think that the Department has covered itself in glory in its handling of these roll-overs. To start, I would make the point that we have been given a wall of silence. The International Trade Committee back in March asked the then Minister to prioritise these negotiations more, to publish a detailed timetable of the work-streams involved, to produce a risk register identifying clearly the agreements concerned and to have contingency plans even for where third countries have only given an assent in principle. It took the Government until 15 May to respond to the Committee report, and to call their response bland and non-committal would be an understatement. In the meantime, various leaks and rumours have been appearing, maintaining that some of the negotiations with third countries have not been going quite according to plan and that the EU has not been as helpful as the Ministers had originally thought it might be. This would include the EU telling us that it will not ask its FTA trade partners to allow the UK to benefit from their existing deals until the UK signs the final legal text of the Brexit deal. That could leave us with only a few months up to next March in which to negotiate the roll-overs.

Given all this, I have some sympathy with new clause 16, tabled by the hon. Member for Swansea West (Geraint Davies), which demands further details of the status of these proposed roll-over deals, and the Minister should acknowledge the frustration on this that is shared by everyone outside his own Department. We have received vague assurances from the Department that the roll-over discussions are going according to plan and that everything will be all right on the night. We are also being told that the Government need to have this legislation in place so that they can action the roll-overs, and that they need the regulatory powers to make this happen quickly if need be, including in the situation of our Brexiting with a no-deal scenario.

I am trying to show that the Government have asked for sweeping Henry VIII powers while keeping people pretty much in the dark as to what they might be needed for, and while providing little hard evidence of what has been achieved to date. Of course, UK business has also been crying out to know where we stand as regards these important overseas markets. I hope that the Government are right and that the roll-overs will take place as planned with no or few changes, but that does not mean that it would be acceptable that any material changes to the deals should just be waved through by Ministers without any parliamentary scrutiny. For instance, let us say that one of the EU third countries with which

we wish to roll over a deal says, “Yes, we agree that you can roll over, but let’s face it, you are a market of only 50 million people rather than 500 million, so we’ll agree to roll over, but only on condition that we also get 50,000 visas a year.” Under the Bill, that could be pushed through by Ministers on a negative order with no scrutiny at all. By the way, I do not see this as a remain argument or a leave argument; I see that as simply wrong. If Brexit is about returning power to Parliament, it is surely not about then just giving Ministers sweeping new powers, not least in a scenario where so little information has been given to hon. Members.

The Government have been maintaining that they wish to use these powers to roll over existing EU deals before possibly coming back to renegotiate substantive deals with the same countries, which would be subject to a scrutiny process yet to be proposed. However, I do not see why these same powers should not be capable of being used again after roll-over to make further changes to the same FTA during the five-year period—a sunset period which, with a possible further five-year extension, is in my opinion much too long.

All those reasons led me to think that we have a real problem with these provisions and I therefore tabled my amendments, looking for a triage and scrutiny system. However, since tabling the amendments, I have had an ongoing dialogue with Ministers, including my right hon. Friend the Member for Chelsea and Fulham (Greg Hands) and more recently the Minister for Trade Policy, my hon. Friend the Member for Meon Valley (George Hollingbery). Discussions have been courteous and positive, and I am pleased to say that the Government have listened and tabled their own amendments—I think more than 40 of them—to clause 2.

This will mean that the first proposed statutory instruments related to an FTA will need to be laid not less than 10 sitting days after the issuing by a Minister of an explanatory report. The changes proposed in the report will then be cross-referred to in the related SI’s explanatory memorandum. Further, it is now proposed that all related SIs will be subject to the affirmative procedure, however material or immaterial they may be. This effectively takes away any need for sifting provisions. Finally, the sunset period is proposed to be cut from five to three years, plus up to a possible further three years following an affirmative resolution.

Vicky Ford (Chelmsford) (Con): I have received many hundreds of emails from my constituents asking me to support my hon. Friend’s amendments in order to bring more transparency to the trade process. Can he confirm that the amendments that the Government have tabled today will meet their requests? I have had four times as many emails on this as I had on the White Paper.

Mr Djanogly: Yes, the approach that has now been adopted is, I believe, a fair one, subject to some ironing out that might need to be done in the other place. Yes, it is a good deal for my hon. Friend’s constituents.

After no little discussion over the last few months, I think that the position is now very much improved. Let us keep in mind that a single FTA might have many SIs attached to it, so to have the report laid 10 sitting days in advance of the first SI, setting out all the changes in the proposed deal that will need to be considered, should be more transparent than just attaching a period

for scrutiny to the SIs themselves. Furthermore, attaching the 10 sitting days' time delay to the report will allow any comments that people wish to make to be made before the SI is laid, which is more effective from a review point of view.

I am concerned that these powers could be used multiple times on the same FTA—say, if different trading terms were agreed a couple of years after roll-over. I understand that this is not the Government's intention and I believe that the effect of these Government amendments would be to prevent that, unless the proposed changes came within the scope of the initial report. However, if they did not come within the scope of the report, Ministers should be required to provide a further report. Clarification on this point, perhaps today from the Minister or in the other place, would be appropriate.

I note the insertion of a provision in new clause 13 saying that Ministers should not have to prepare a report on the proposed FTA in exceptional cases. Apparently the Constitutional Reform and Governance Act 2010 contains a similar provision. The Minister has assured me that this provision is unlikely ever to be used, and that if it was, a report would still need to be prepared and there would still be a need for an affirmative resolution. Again, I hope that the Minister will refer to this in his closing remarks.

A further issue is the need to confirm that the scrutiny provisions to be used on these FTAs will be those set out in this Trade Bill and not those in the European Union (Withdrawal) Act 2018. This is provided for in my new clause 6. From discussions with the Minister, I understand that he has been advised that all regulations relating to rolled over EU FTAs will necessarily need to be dealt with under the terms of this Bill, but again, clarification would be helpful.

Yesterday we debated the Taxation (Cross-border Trade) Bill, which itself contains its own powers to make orders. Although other colleagues have been focusing on that Bill, I remain concerned that the scrutiny system in today's Bill ties in with that Bill. This is relevant because aspects of an FTA, which are customs related, will be dealt with by yesterday's taxation Bill rather than by today's Bill. The regulation provisions may therefore need to work in sync.

All hon. Members from both sides of the House have been involved in this, and I thank those who have supported my amendments. The outcome has not been a victory for any Brexit faction; it has been Parliament that has won this debate in upholding its right to review the actions of the Executive. Having said that, I would point out that more than 40 Government amendments were received within the last week. As welcome as they were, and while the principle of them is agreed, the details deserve a review by the other place. I have mentioned the interconnectivity between this Bill and the taxation Bill, and these would be good topics for further review.

Stewart Hosie (Dundee East) (SNP): I should like to speak to new clause 20, which is in my name and those of my hon. Friends. I shall also speak to new clauses 22, 23 and 24 and make brief reference to new clause 21. New clauses 20 to 24 combined are an attempt to provide and further strengthen a comprehensive framework for future trade negotiations. This is to ensure that the devolved nations are respected, consulted and fully

engaged in trade deals, and that their voices and national interests are properly reflected in trade deals, from determining the negotiating mandate right through to reviewing progress on deals after ratification and implementation.

That is important because although the UK devolution Acts grant Westminster full power over international trade, the domestic impact of many trade agreements extends beyond the competence of Westminster. The devolved Administrations have responsibility for a broad range of policy issues including health, education, agriculture and the environment, and many modern trade agreements include provisions with the potential to lower environmental standards, open up public services to privatisation, expand intellectual property rights or risk increasing the cost of medicines. Those agreements can encroach on the devolved Administrations' policy space, restricting their ability to make public policy in those areas. That is something that none of us wants to see.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): My hon. Friend is making an important point, and he is not asking to reinvent the wheel. In Canada, the International Trade Committee heard evidence from John Weekes, who is an ambassador to the World Trade Organisation and also a Canadian negotiator. He said that squaring off the provinces of Canada, though adding to complexity, made for better trade deals and a more harmonious Canada. Canada is obviously more interested in keeping itself together than the current United Kingdom is.

Stewart Hosie: My hon. Friend the Chair of the International Trade Committee makes an important point. We have already seen the impact of sub-state Parliaments in Europe on previous European trade deal discussions. Indeed, my hon. Friend is right that we have seen the impact of provincial governments in Canada, and we would do well to take that on board here. In a sense, that is what my new clauses are about.

New clause 20 sets the role of the devolved Administrations in helping to approve the negotiating mandate. It suggests that a joint ministerial committee on trade be set up with representatives from all the devolved Administrations, that that committee be required to reach consensus on any draft negotiating mandate, and that it be revisited if the mandate changes during the negotiations. New clause 20 also requires that the consent of the Scottish Parliament and the other devolved Administrations be secured specifically for areas under devolved control that may be affected by a trade deal. That is not a veto, as the Labour Front-Bench team would describe it; it represents responsibility for the areas that the devolved Governments have responsibility for. In short, new clause 20 ensures that any negotiating mandate is first approved by the devolved legislatures and that a joint ministerial committee is created to co-operate and agree the mandate.

3 pm

New clause 21 lays out the process to include the devolved nations during negotiations, which would happen by ensuring that a negotiator from each of the nations would be on the UK negotiating team for each deal. New clause 22 ensures that Members of the Scottish

Parliament and of the other Administrations should be given the legal right to see negotiating texts and scrutinise the negotiations from the perspective of the impact they might have on devolved competences. I welcome what the Secretary of State for International Trade said yesterday about sharing information, but I got the impression that he would not go as far as new clause 22 seeks. However, the change is necessary so that the devolved Administrations can actually see what the real impact on their competences might be.

New clause 23 creates a right for the devolved legislatures to approve those aspects of a trade deal that fall within their competence. Again, that is not a veto; it is responsibility for the things that they do. New clause 24 lays out that a trade agreement should be reviewed every five years by the UK Government, who should have the power to propose changes or even withdraw from it if necessary. The devolved Administrations should have an input and be able to propose changes and make recommendations to the UK Government. If we want the public to have confidence in our trade arrangements and if we want them to believe that trade agreements will benefit everyone in all the nations of the UK, we must ensure that proper structures are in place to include, formally and on a statutory basis, representatives from all the Administrations.

I will finish with why we want to make these changes. The Secretary of State said yesterday that he hoped soon to be able to announce the countries with which he wanted to start negotiating. When the dust has settled on Brexit in a year or two, I hope that he can come back to the Dispatch Box and announce a fantastic deal with a new third country. He may well say, “We’re going to sell hundreds of millions of pounds’ worth of new Nissan cars from Sunderland.” Brilliant. However, if the quid pro quo is that the third country wants to sell soft fruit to the UK or have access to UK fishing waters—nothing wrong with that if that is the deal that is cut—even if there is a massive net economic gain to the UK, it would be a good deal for the north-east of England and a bad deal for the north-east of Scotland.

It is not seeking a veto or anything unusual to ask that the devolved Administrations be involved on a statutory basis. It is common sense to have equality and equity so that the devolved Administrations can have an input on a statutory basis throughout the process to ensure that the national interests of Scotland, Wales and Northern Ireland are as protected as the interests of the UK as a whole.

I am conscious that time is short. I hope to press new clause 20 to a vote and then we can move on to the other groups of amendments as quickly as possible.

Several hon. Members *rose*—

Mr Speaker: Order. We are very constrained for time, and I know that the hon. Member for Gloucester (Richard Graham)—great diplomat of international renown that he is—will not absorb the House’s attention for more than five minutes, but we will savour those five minutes.

Richard Graham (Gloucester) (Con): Thank you, Mr Speaker. I welcome the Minister’s announcement that today’s debate is about continuity and transparency, but the truth is that it is laced with a cocktail of amendments with very different agendas. The two most popular agendas represent attempts to lock us into

either the or a customs union, as in new clause 5, or to secure a customs union were the negotiations to fail to secure frictionless FTAs, which is in new clause 18. That would be the clearest invitation to the European Union to refuse those negotiations. The third one—*[Interruption.]* Be patient.

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker.

Mr Speaker: I hope it is a point of order, not a point of frustration.

Geraint Davies: The hon. Gentleman is referring to new clause 18, which is in the next group. We have limited time and he is talking about the wrong section of the Bill.

Mr Speaker: Forgive me; because I was engaged in discussions at the Chair, I did not notice that. The hon. Member for Gloucester (Richard Graham) must focus with razorlike precision on the matters in this group. If he does not wish to do so, he must wait until we are discussing another group. If he can find a way of delicately relating his concerns to the group with which we are dealing, rather than one with which we are not, that would be in order.

Richard Graham: Thank you, Mr Speaker. If the hon. Member for Swansea West (Geraint Davies) had waited but two seconds, he would have realised that I was precisely there with my third illustration of today’s agendas: the attempts to avoid free trade agreements altogether, of which new clause 3 is the most striking example, or to scrutinise them to death, as set out in new clause 20.

I wish to linger on new clause 3. It may appear to those outside this House that it contains reasonable requirements. It states that Ministers of the Crown should lay a draft of the negotiating mandate, setting out fields, sectors, principles, limits and desired outcomes of agreements that may well be an exact and absolute rollover of existing agreements that were negotiated decades ago. The truth is that this is the “we do not want any free trade agreements” clause. It would frankly be absurd to pretend that we could ever get anything done, given the requirement to ensure that

“between each round of negotiations”

of some 40 agreements

“all documents relating to the negotiations have been made available for scrutiny by select committees”,

unnamed and unnumbered. Those who drafted that new clause would clearly have been against the anti-corn laws of 1832 and against Adam Smith’s “The Wealth of Nations”. They would be against this country actually receiving anything at all in trade, specifically if we manufactured or produced it here in this country. Micro-management would run riot, and it would mean the end of all free trade agreements for all time. I therefore completely reject that approach.

My second point is that what we are talking about tonight ultimately comes down to difficult decisions about what type of nation we want to be when we leave the European Union. It has always been clear to me that if we are to leave the EU, we cannot stay in the or a customs union. It is bizarre that some Opposition Members do not see that our inability to decide our trade preferences,

particularly with the poorer nations of the world that are currently disfavoured under the common external tariff regime, could not be significantly improved by having our own free trade agreements.

The next point—the right hon. Member for Twickenham (Sir Vince Cable) is a classic example of this particular school of thought—is that we will not be able to negotiate effective free trade agreements on our own once we have left the European Union and the customs union. I urge all those in this House who believe that to look closely at the potential of the Trans-Pacific Partnership and the warm interest from all those involved in that complicated and important agreement in an area of vital growth to the world. The opportunity for us there is significant. We should not listen to those who put up new clauses that would get rid of free trade agreements forever, and we should seize the opportunities that leaving the customs union will offer us if we are to leave the European Union, which we are.

Geraint Davies: I will be brief. The Trade Bill is of course the latest part of the Brexit fantasy built on the illusion that the trade we lose from the EU will be made up by the US and, in particular in this Bill, by the continuation, without any change, of the existing 14% of our trade with third countries. We know from Donald Trump that we cannot rely on the US. This is about whether we can rely on the 70 countries and 40 agreements to deliver the 14% of our trade in the same way, and the simple fact is that, rather than negotiating as team EU, any country now looking to negotiate against the UK alone is bound to want a new agreement, because we are a much weaker party.

That is why, in speaking to new clause 16, I simply ask that MPs have information about the countries that ask for changes in those agreements. The current Minister and previous Ministers have claimed that no one is asking for any changes, but we already know that both Chile and South Korea are asking for such changes. This is about transparency and scrutiny.

As it stands, the Trade Bill gives Ministers the power to amend domestic law to match any new trading arrangements, so we are talking about Ministers having the right, behind closed doors, to change standards, to change tariffs, to change human rights, to enable visas, to change environmental protections, to undermine public health and to change workers' rights. [*Interruption.*] There is a bit of heckling, but the reality is that in bilateral trade agreements if Ministers decide there will be different standards, rights and protections, that may be permitted without the scrutiny of this House. Indeed, tribunals and mechanisms like the investor-state dispute system could be introduced behind closed doors. All new clause 16 says is that there should be scrutiny of that.

Charlie Elphicke (Dover) (Ind): Will the hon. Gentleman give way?

Geraint Davies: There is no time for me to give way. All I am asking with my simple amendment is that we have the power to know in advance when people ask for concessions. The Government should accept the amendment, because they claim that nobody is asking for any changes and that it is business as usual. If they deny the amendment, they will just be illustrating that, behind closed doors and under the cloak of darkness, we could see our protections and rights undermined.

Jeremy Lefroy (Stafford) (Con): In speaking to the amendments on the transparency and scrutiny of free trade agreements, I ask the House to lift its eyes beyond the detailed scrutiny that will inevitably and necessarily take place in this House and consider whether we should not also be looking to join others not in the European Union but in free trade associations.

Pretty much every single country in the world is part of some kind of free trade association, whether a very close one or a much more loose-knit one—whether it is Mercosur in South America, the Common Market for Eastern and Southern Africa or the North American free trade agreement. I therefore ask the Government to look at the European Free Trade Association, which is not synonymous with the EEA or with Switzerland. If it will have us, as I very much hope it will, EFTA would provide the ideal vehicle for both the withdrawal agreement and the transition arrangement of 21 months, during which time we will be members of the EEA, and for the association agreement thereafter.

Angus Brendan MacNeil: The hon. Gentleman is fantastic in making the fundamental point that the rest of the world is in regional trade agreements. He is just about correct. Only five countries are not in regional trade agreements, which is what the UK is heading towards: East Timor, Somalia, South Sudan and, we think, Mauritania—

Mr Speaker: Order. We do not have time for these long interventions. Short question, one sentence. Thank you.

Angus Brendan MacNeil: Does the hon. Member for Stafford (Jeremy Lefroy) think it is incumbent on the UK to think again about being in that company?

Jeremy Lefroy: Yes.

Mr Speaker: Has the hon. Gentleman concluded his oration?

Jeremy Lefroy *indicated assent.*

Mr Speaker: Magnificent. We are very grateful to him.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): This group of amendments is about parliamentary scrutiny, and in a way it is a shame that some on this subject are in later groups. The key thing I want is to ensure that appointments to the Trade Remedies Authority are subject to confirmation by the International Trade Committee in the same way that the Treasury Committee has confirmation hearings on the Monetary Policy Committee and the Financial Policy Committee.

New clause 12 gives me a little tickle, a little laugh, because it says that Ministers will now come to report to the House when there are any significant differences in the free trade agreements we have as a member of the EU that will be rolled over. Apparently the agreements will be cut and pasted, and it was only at last year's Conservative party conference that the Secretary of State for International Trade himself promised that, one second after midnight, all 40 agreements will be rolled over and available from March 2019. Well, it has not quite been going his way, because the Government have not got a single other jurisdiction to sign up legally to doing that.

3.15 pm

In fact, many of the countries with which the UK enjoys free trade agreements by virtue of its membership of the EU customs union are now starting to say, “Well, we would quite like a few significant changes.” South Africa has indicated that it wants to use this opportunity to weave in a few differences—if it is to do a fresh agreement with the UK alone, maybe this is a chance to look at some particular issues. South Korea has done the same.

I challenge the Government to answer how they will roll over so simply the cut-and-paste free trade agreement we have with Turkey. Of course, in essence we enjoy a customs union with Turkey by virtue of our membership of the EU. Cutting and pasting our relationship with Turkey? Good luck with that one.

Our membership of these 40 free trade areas would be far safer if we remained a member of a customs union, which is of course the subject of new clause 18, to which my name has been added. I want to make sure the House has a chance to vote on new clause 18, although it is in a later group, because while providing a chance for the Government to try to get their way on the Chequers agreement for a free trade area on goods, there would be a customs union safety net in place if that did not work. We want to make sure the House has an opportunity to debate new clause 18.

The hon. Member for Gloucester (Richard Graham) referenced new clause 17, which would similarly provide a safety net for the regulatory framework we currently enjoy for medicines. Some 45 million packets of medicines go between the UK and the EU every month. New clause 17 was tabled by the hon. Member for Bracknell (Dr Lee), and my name is on it, too. I hope we can press the amendment to a vote.

Today is the day that the European Union signs its free trade agreement with Japan. The UK is now benefiting, by virtue of our membership of the EU customs union, from a free trade zone with Japan that covers a third of the world’s GDP. By taking some of the decisions we might be taking to leave a customs union, we are putting at risk our stable and frictionless trade capacity with the EU, and now also with that wider part of the world. I hope we can stay in that arrangement and protect the jobs and livelihoods of our constituents.

Several hon. Members *rose*—

Mr Speaker: Greg Hands, you have three minutes.

Greg Hands: I welcome the return of the Bill to the House and, perhaps not surprisingly, I support the Government’s approach, having been the Minister responsible for the Bill until about three weeks ago. I commend the approach taken by my successor in moving a number of these issues forward, particularly in his discussions with my hon. Friend the Member for Huntingdon (Mr Djanogly).

Parliamentary scrutiny is crucial for trade agreements, and we have seen the difficulties in recent years with trade agreements that have been insufficiently scrutinised, or where there was a feeling that there had been insufficient scrutiny—the Transatlantic Trade and Investment Partnership perhaps being the most important example.

I very much welcome the Secretary of State’s proposals yesterday for the scrutiny of new trade agreements. Returning to where we started, it is vital to distinguish between the 40-plus existing EU trade agreements and what may happen for future agreements. No one should underestimate the importance of those EU agreements. With Japan being in scope, too, the volume of our trade that is done with countries for which there is an EU trade agreement—that is not the same as saying the volume of trade that is dependent on those agreements—rises to around 16%, which is an incredibly important part of our trade. As we know, none of these countries is in principle opposed to doing and rolling over these agreements. I have had productive talks with South Korea and South Africa, as I am sure my successor has. Various memorandums have been signed agreeing to transition these agreements. So I refer anybody who says that these countries have problems doing that to those agreements that were signed, for example, the one signed with the South African Trade Minister, Rob Davies.

I welcome the approach taken by my hon. Friend the Member for Huntingdon and his agreement that we are now satisfied with and have coalesced around new clauses 12, 13 and 14. We are always trying to get a balance between ensuring that any significant change to a trade agreement is scrutinised by Parliament and not creating a laborious and cumbersome procedure that would potentially jeopardise the future of one or more of those 40-plus agreements. I am delighted that we seem to have reached that agreement. I have visited businesses that are directly impacted by some of these agreements, including the Ford factory just outside Johannesburg, which is very dependent on the EU-South African Development Community agreement, in terms not just of taking components for vehicles from the UK to South Africa, but exporting finished vehicles to the EU. The business voice is very much saying that it wants these agreements to continue—that is business’s principal concern.

Finally, I wish to argue against new clauses 3 and 16, and other proposals that seek to legislate now for future trade agreements. It is only fair that we look at the proposals made by the Secretary of State yesterday in this House and do not prejudge them by passing legislation today, as it would have an impact on future trade agreements. We must make sure we listen to all voices, so that they are included in consideration of where we take future trade agreements.

Several hon. Members *rose*—

Mr Speaker: Order. I want to call the Minister to wind up at 3.25 pm, and I hope that the hon. Member for Bath (Wera Hobhouse) will take account of that.

Wera Hobhouse (Bath) (LD): Thank you, Mr Speaker. This Bill would not be needed if we remained in the customs union. The Government are repeating, like an old record, that, “Leaving the EU will transform us into global Britain, striking trade deals around the world. While striking them, we just carry over existing deals.” How realistic is that? Outside the EU, Britain is a much less attractive trading partner. Businesses invest in Britain because we are an entry point to the European market and the single market. Is it reasonable to think that the

UK can negotiate alone the same deals it can when part of a bloc of 28 countries? Although some countries have indicated they are prepared to copy and paste over existing deals, others will be watching and waiting, reserving judgment to see exactly what access the UK will have to the EU after Brexit. For that reason, we simply cannot accept that existing trade deals will be copied and pasted; significant changes will come along.

I am pleased that the Government have recognised that Parliament needs some say in the matter by tabling amendment 75 and accepting my amendment 4. However, the Government's understanding of parliamentary democracy remains pretty poor. Amendment 75 allows MPs to approve, by affirmative statutory instrument, any changes in the law required by one of these continuity deals. It is a take-it-or-leave-it vote. It is not amendable and it is not meaningful. That is why the Government need to meet the concern raised in new clause 3, which stands in the name of the hon. Member for Brighton, Pavilion (Caroline Lucas) and which I support. People voted leave for different reasons, but nobody voted to make themselves poorer, to lose their job or to have food and product safety standards thrown out the back door.

With your permission, Mr Speaker, let me just say something about new clause 2, which is in the final group. The Government must be honest about the impact of any trade deals they sign and Parliament must be able to scrutinise this. The Tory leavers say, "Brexit is the will of the people", but the Tories are in disarray, trying to work out among themselves what the will of the people actually is. As the chaos and confusion grows, it is time that more Members, on both sides of the House, joined the Liberal Democrats in supporting a people's vote on the deal. We need to be honest with our constituents about the economic realities of Brexit and then give the people a final say on the deal.

George Hollingbery: I shall try to be brief, Mr Speaker. I thank the Opposition spokesman for his remarks, but I am going to limit my comments in return to saying that I am very disappointed that Labour Front Benchers could not welcome what is undeniably a good and robust scrutiny arrangement. We have hugely improved the position. The House will now have adequate and deep opportunity to challenge the Government's proposals on any transitioned free trade agreement, and I just think it was a shame they could not say so.

The hon. Member for Brighton, Pavilion (Caroline Lucas) knows very well that this Bill is about the continuity of existing arrangements. The Secretary of State yesterday set out our approach to new trade arrangements in the House, with plans for extensive public consultation, continuous parliamentary engagement and the setting up of the strategic trade advisory group, and clear plans for engagement with the devolved authorities, civil sector and civil society more generally.

My hon. Friend the Member for Huntingdon (Mr Djanogly) asked several questions. I very much welcome his comments on our discussions and the fact that he is prepared to accept our amendments today. I can confirm that not all transitioned agreements will need clause 2 powers to implement changes. I can further confirm that it is not the intention to use powers in clause 2 to implement a transitioned free trade agreement more than once, although of course these will need to

remain operable over time. In relation to the clause 2 power, "exceptional" is modelled on the Constitutional Reform and Governance Act 2010 process. The threshold is high and the flexibility provided is simply a matter of prudence. Finally, he asked for reassurance about powers in the European Union (Withdrawal) Act 2018. That Act allows regulations to be made that deal with matters arising from the UK's exit from the European Union. The implementation of or transition to free trade agreements is not such a matter, so we cannot use that Act for the purpose of implementing a free trade agreement.

The hon. Member for Dundee East (Stewart Hosie) will know only too well that the Bill is about continuity: it is about not our future arrangements but our current arrangements. Yesterday, the Secretary of State comprehensively laid out our plans. We are committed to working with the devolved Administrations on our approach to the implementation of trade agreements that are signed after we have exited the EU, and they will also have a role in shaping the UK's future trade negotiations. The Department held a successful deep dive on trade with devolved authorities in March 2018. A major outcome of that was the joint agreement on a regularised senior officials meeting, to take place every six weeks between the Department and the devolved authorities. A detailed rolling programme of policy and market-focused roundtables will take place over the rest of 2018. Beyond that, the hon. Gentleman has the reassurances that the Secretary of State gave yesterday on the devolved authorities' participation. I hope that that at least gives him confidence that the Government are serious about their wish to negotiate with devolved authorities.

Caroline Lucas: Will the Minister give way?

George Hollingbery: No, I am afraid I will not.

Finally, I thank my right hon. Friend the Member for Chelsea and Fulham (Greg Hands); my hon. Friends the Members for Chichester (Gillian Keegan) and for Gloucester (Richard Graham); and the hon. Members for Swansea West (Geraint Davies), for Nottingham East (Mr Leslie) and for Bath (Wera Hobhouse) for their contributions to the debate.

Question put and agreed to.

New clause 12 accordingly read a Second time, and added to the Bill.

New Clause 13

REPORTING REQUIREMENT NOT TO APPLY IN EXCEPTIONAL CASES

"(1) Section (Report on proposed free trade agreement) does not apply to a free trade agreement if a Minister of the Crown is of the opinion that, exceptionally, the agreement needs to be ratified without laying before Parliament a report which meets the requirements of subsection (3) of that section.

(2) If a Minister determines that a free trade agreement is to be ratified without laying before Parliament a report which meets the requirements of section (Report on proposed free trade agreement)(3), the Minister must, as soon as practicable after the agreement is ratified, lay before Parliament—

- (a) a report which meets those requirements, and
- (b) a statement indicating that the Minister is of the opinion mentioned in subsection (1) and explaining why."—(*George Hollingbery.*)

See Member's explanatory statement for NC12.

Brought up, read the First and Second time, and added to the Bill.

New Clause 14

REPORT TO BE LAID WITH REGULATIONS UNDER SECTION 2(1)

“(1) This section applies where a Minister of the Crown proposes to make regulations under section 2(1) for the purpose of implementing a free trade agreement to which the United Kingdom and another signatory (or other signatories) are signatories.

(2) A draft of the statutory instrument containing the regulations may not be laid before Parliament unless, at least 10 Commons sitting days before the draft is laid, a Minister of the Crown has laid before Parliament a report which gives details of, and explains the reasons for, any significant differences between—

- (a) the trade-related provisions of the free trade agreement to which the United Kingdom and the other signatory (or other signatories) are signatories, and
- (b) the trade-related provisions of the existing free trade agreement.

(3) Subsection (2) does not apply if, at least 10 Commons sitting days before a draft of the statutory instrument containing the regulations is laid, a report in relation to the agreement has been laid before Parliament under section (Report on proposed free trade agreement)(3).

(4) In this section—

‘Commons sitting day’ means a day on which the House of Commons begins to sit;

‘the existing free trade agreement’ means the free trade agreement to which the European Union and the other signatory (or other signatories)—

- (a) were signatories immediately before exit day, or
- (b) where the report is laid before Parliament before exit day, are signatories on the day the report is laid before Parliament;

the ‘trade-related provisions’ of a free trade agreement are the provisions of the agreement that mainly relate to trade.”—(*George Hollingbery.*)

This new clause requires a Minister to lay a report before Parliament at least 10 Commons sitting days before regulations implementing a new free trade agreement are laid in draft under clause 2(1). The report is required to explain any significant differences between the new agreement and the existing agreement with the EU. The duty to lay a report does not apply if a report on the agreement has already been laid under NC12.

Brought up, read the First and Second time, and added to the Bill.

New Clause 3

FREE TRADE AGREEMENTS: PARLIAMENTARY SCRUTINY AND CONSENT

“(1) The Secretary of State shall not commence negotiations relating to a free trade agreement unless—

- (a) a Minister of the Crown has laid before Parliament a sustainability impact assessment conducted by a credible body independent of government following consultation with—
 - (i) each devolved authority,
 - (ii) public bodies, businesses, trade unions and non-governmental organisations which, in the opinion of the Minister, have a relevant interest, and
 - (iii) the public,

and the assessment shall include both qualitative and quantitative assessments of the potential impacts of the proposed trade agreement, including social, economic, environmental, gender, human rights, labour, development and regional impacts,

- (b) a Minister of the Crown has laid before Parliament a draft of a negotiating mandate relating to the proposed trade agreement, setting out—

- (i) all fields and sectors to be included in the proposed negotiations,
- (ii) the principles to underpin the proposed negotiations,
- (iii) any limits on the proposed negotiations, and
- (iv) the desired outcomes from the proposed negotiations, and

- (c) the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out a proposed negotiating mandate and authorising the Secretary of State to enter negotiations on the proposed trade agreement on the basis of that mandate, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons.

(2) The United Kingdom may not become a signatory to a free trade agreement unless—

- (a) during the course of the negotiations, the text of the trade agreement as so far agreed or consolidated has been made publicly available within ten working days of the close of each negotiating round,
- (b) between each round of negotiations, all documents relating to the negotiations have been made available for scrutiny by select committees in both Houses of Parliament,
- (c) upon conclusion of the negotiations, the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out the text of the trade agreement as negotiated and authorising the Secretary of State to sign the proposed agreement, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons, and
- (d) the text of the trade agreement includes provision for a review of the operation and impacts of the agreement no later than ten years after the day on which the agreement comes into force.”—(*Caroline Lucas.*)

This new clause would ensure that all new free trade agreements are subject to parliamentary scrutiny and consent.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 284, Noes 314.

Division No. 216]

[3.29 pm

AYES

Abbott, rh Ms Diane	Buck, Ms Karen
Ali, Rushanara	Burden, Richard
Allin-Khan, Dr Rosena	Burgon, Richard
Amesbury, Mike	Butler, Dawn
Antoniazzi, Tonia	Byrne, rh Liam
Ashworth, Jonathan	Cable, rh Sir Vince
Austin, Ian	Cadbury, Ruth
Bailey, Mr Adrian	Cameron, Dr Lisa
Benn, rh Hilary	Campbell, rh Mr Alan
Berger, Luciana	Campbell, Mr Ronnie
Betts, Mr Clive	Carden, Dan
Black, Mhairi	Carmichael, rh Mr Alistair
Blackford, rh Ian	Champion, Sarah
Blackman, Kirsty	Chapman, Douglas
Blackman-Woods, Dr Roberta	Chapman, Jenny
Blomfield, Paul	Charalambous, Bambos
Brabin, Tracy	Cherry, Joanna
Bradshaw, rh Mr Ben	Clwyd, rh Ann
Brennan, Kevin	Coaker, Vernon
Brock, Deidre	Coffey, Ann
Brown, Alan	Cooper, Julie
Brown, Lyn	Cooper, Rosie
Brown, rh Mr Nicholas	Cooper, rh Yvette
Bryant, Chris	Cowan, Ronnie

Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debonnaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fitzpatrick, Jim
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh David
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen

Hermon, Lady
 Hill, Mike
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham
 P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart
 C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol

Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Platt, Jo
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth

Smith, Angela
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Tom Brake and
Marion Fellows

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul

Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh
 James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor

Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Choqe, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davis, rh Mr David
 Dinéage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey
 M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr
 Mark
 Frazer, Lucy
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke

Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma

Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 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
 Purslove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee

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

Tellers for the Noes:

**Kelly Tolhurst and
 Mims Davies**

Question accordingly negatived.

3.44 pm

Proceedings interrupted (Programme Order, this day).

The Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83 E).

New Clause 20

APPROVAL OF NEGOTIATING MANDATES (DEVOLVED AUTHORITIES)

“(1) No negotiation towards an agreement that falls within section 2(2) shall take place unless—

- (a) a draft negotiating mandate in respect of that agreement has been laid before—
 - (i) a committee including representatives from each devolved authority and constituted for the purpose of considering the draft, and
 - (ii) each devolved legislature, and
- (b) the draft negotiating mandate has been approved by resolution of—
 - (i) the committee constituted under (1)(a)(i) and
 - (ii) each devolved legislature.

(2) The committee in (1) shall be called the “Joint Ministerial Committee on Trade” (“JMCT”) and—

- (a) may not approve a draft mandate other than by consensus,
- (b) shall have the power to make its own standing orders,
- (c) may include a Minister of the Crown or representative thereof,
- (d) may be consulted on a draft mandate before it is finalised (but in such a case must also approve the finalised version), and
- (e) shall only include a representative of a devolved authority if that representative has been appointed by the relevant devolved executive.

(3) The “devolved legislatures” are—

- (a) the Scottish Parliament,
- (b) the Welsh Assembly, and
- (c) the Northern Ireland Assembly.

(4) The devolved legislatures shall approve the draft mandate according to their own standing orders.

(5) If the negotiating mandate changes substantively during the process of negotiations then negotiations shall not proceed until the revised mandate has been approved by the JMCT.

(6) Each person who is—

- (a) a member of the JMCT, or
- (b) a Minister of the Crown

must co-operate with every other person who is within subsection (a), or (b) in any activity that relates to the drafting of a negotiating mandate as referred to in subsection (1).

(7) In particular, the duty imposed by subsection (6) requires a person—

- (a) to engage constructively, actively, and on an ongoing basis in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared; and
- (b) to have regard to representations by any member of the JMCT or of a devolved executive in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared.

(8) The “devolved executives” are—

- (a) the Scottish Government,
- (b) the Welsh Government, and
- (c) the Northern Ireland Executive.”—(*Stewart Hosie.*)

This new clause would ensure that any negotiating mandate is first approved by the devolved legislatures and creates a joint ministerial committee to encourage co-operation between the devolved

administrations and the UK Government in drafting the negotiating mandates. It imposes a duty of co-operation on all parties in the preparation of the negotiating mandate.

Brought up, and read the First time.

Question put, That the clause be added to the Bill.

The House divided: Ayes 37, Noes 316.

Division No. 217]

[3.44 pm

AYES

Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Brock, Deidre
 Brown, Alan
 Cameron, Dr Lisa
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Crawley, Angela
 Day, Martyn
 Edwards, Jonathan
 Gethins, Stephen
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hendry, Drew
 Hobhouse, Wera
 Hosie, Stewart
 Lake, Ben
 Law, Chris
 Lucas, Caroline
 MacNeil, Angus Brendan
 Mc Nally, John
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 Monaghan, Carol
 Newlands, Gavin
 O’Hara, Brendan
 Saville Roberts, Liz
 Sheppard, Tommy
 Stephens, Chris
 Thewliss, Alison
 Whitford, Dr Philippa
 Williams, Hywel
 Wishart, Pete
Tellers for the Ayes:
Marion Fellows and
David Linden

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davis, rh Mr David
 Dinanage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James

Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hobhouse, Wera
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline

Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 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, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna

Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 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
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Mims Davies and
Kelly Tolhurst

Question accordingly negated.

Clause 2

IMPLEMENTATION OF INTERNATIONAL TRADE AGREEMENTS

Amendments made: 36, page 2, line 18, leave out “the regulations are made” and insert “a draft of the regulations is laid”.

This amendment is consequential on Amendment 75.

Amendment 37, page 2, line 20, leave out “the regulations are made” and insert “a draft of the regulations is laid”.

This amendment is consequential on Amendment 75.

Amendment 38, page 2, line 27, leave out “the regulations are made” and insert “a draft of the regulations is laid”.

This amendment is consequential on Amendment 75.

Amendment 39, page 2, line 29, leave out “the regulations are made” and insert

“a draft of the regulations is laid”.

This amendment is consequential on Amendment 75.

Amendment 42, page 2, line 37, at end insert—

“(6A) In this section, a reference to a draft of regulations being laid is to a draft of the regulations, or the instrument containing the regulations, being laid before—

- (a) each House of Parliament, in the case of regulations to which paragraph 3A(1) or 3B of Schedule 2 applies (regulations of a Minister of the Crown, or a Minister of the Crown acting jointly with a devolved authority);
- (b) the Scottish Parliament, in the case of regulations to which paragraph 3A(2) of Schedule 2 applies (regulations of the Scottish Ministers);
- (c) the National Assembly for Wales, in the case of regulations to which paragraph 3A(3) of Schedule 2 applies (regulations of the Welsh Ministers);
- (d) the Northern Ireland Assembly, in the case of regulations to which paragraph 3A(4) of Schedule 2 applies (regulations of a Northern Ireland department).”—(*George Hollingbery.*)

This amendment is consequential on Amendment 75.

Amendment proposed: 19, page 2, line 40, at end insert—

- “(a) No regulations may be made under subsection (1) in respect of a free trade agreement unless the text of that agreement has been subject to consultation prior to its ratification by Parliament, in line with any guidance or code of practice on consultations issued by Her Majesty’s Government.
- (b) A consultation under paragraph (a) shall actively seek the views of—
 - (i) Scottish Ministers,
 - (ii) Welsh Ministers,
 - (iii) a Northern Ireland department,
 - (iv) representatives of businesses and trade unions in sectors which, in the opinion of the Secretary of State, are likely to be affected by the proposed free trade agreement, and
 - (v) any other person or organisation which appears to the Secretary of State to be representative of interests affected by the proposed free trade agreement, including local authorities.”—(*Barry Gardiner.*)

This amendment would require the Government to have published the text of each UK free trade agreement and opened it to consultation with business, trade unions, the devolved administrations and other parties prior to its ratification.

Question put, That the amendment be made.

The House divided: Ayes 285, Noes 315.

Division No. 218]

[3.59 pm

AYES

Abbott, rh Ms Diane	Blackman, Kirsty
Ali, Rushanara	Blackman-Woods, Dr Roberta
Allin-Khan, Dr Rosena	Blomfield, Paul
Amesbury, Mike	Brabin, Tracy
Antoniazzi, Tonia	Bradshaw, rh Mr Ben
Ashworth, Jonathan	Brake, rh Tom
Austin, Ian	Brennan, Kevin
Bailey, Mr Adrian	Brock, Deidre
Barron, rh Sir Kevin	Brown, Alan
Benn, rh Hilary	Brown, Lyn
Berger, Luciana	Brown, rh Mr Nicholas
Betts, Mr Clive	Bryant, Chris
Black, Mhairi	Buck, Ms Karen
Blackford, rh Ian	Burden, Richard

Burgon, Richard	Godsiff, Mr Roger
Butler, Dawn	Goodman, Helen
Byrne, rh Liam	Grady, Patrick
Cable, rh Sir Vince	Grant, Peter
Cadbury, Ruth	Gray, Neil
Cameron, Dr Lisa	Green, Kate
Campbell, rh Mr Alan	Greenwood, Lilian
Campbell, Mr Ronnie	Greenwood, Margaret
Carden, Dan	Griffith, Nia
Carmichael, rh Mr Alistair	Grogan, John
Champion, Sarah	Gwynne, Andrew
Chapman, Douglas	Haigh, Louise
Chapman, Jenny	Hamilton, Fabian
Charalambous, Bambos	Hanson, rh David
Cherry, Joanna	Hardy, Emma
Clwyd, rh Ann	Harman, rh Ms Harriet
Coaker, Vernon	Harris, Carolyn
Coffey, Ann	Hayes, Helen
Cooper, Julie	Hayman, Sue
Cooper, Rosie	Healey, rh John
Cooper, rh Yvette	Hendrick, Sir Mark
Cowan, Ronnie	Hendry, Drew
Coyle, Neil	Hepburn, Mr Stephen
Crawley, Angela	Hermon, Lady
Creagh, Mary	Hill, Mike
Creasy, Stella	Hillier, Meg
Cruddas, Jon	Hobhouse, Wera
Cummins, Judith	Hodge, rh Dame Margaret
Cunningham, Alex	Hodgson, Mrs Sharon
Cunningham, Mr Jim	Hoey, Kate
Daby, Janet	Hollern, Kate
Dakin, Nic	Hopkins, Kelvin
Davey, rh Sir Edward	Hosie, Stewart
David, Wayne	Huq, Dr Rupa
Davies, Geraint	Hussain, Imran
Day, Martyn	Jardine, Christine
De Cordova, Marsha	Jarvis, Dan
De Piero, Gloria	Johnson, Diana
Debbonaire, Thangam	Jones, Darren
Dent Coad, Emma	Jones, Gerald
Dhesi, Mr Tanmanjeet Singh	Jones, Graham P.
Dodds, Anneliese	Jones, Helen
Doughty, Stephen	Jones, rh Mr Kevan
Dowd, Peter	Jones, Sarah
Drew, Dr David	Jones, Susan Elan
Dromey, Jack	Kane, Mike
Duffield, Rosie	Keeley, Barbara
Eagle, Ms Angela	Kendall, Liz
Eagle, Maria	Khan, Afzal
Edwards, Jonathan	Killen, Ged
Efford, Clive	Kinnock, Stephen
Elliott, Julie	Kyle, Peter
Ellman, Dame Louise	Laird, Lesley
Esterson, Bill	Lake, Ben
Evans, Chris	Lamb, rh Norman
Farrelly, Paul	Lammy, rh Mr David
Farron, Tim	Lavery, Ian
Fellows, Marion	Law, Chris
Fitzpatrick, Jim	Lee, Karen
Flint, rh Caroline	Leslie, Mr Chris
Fovargue, Yvonne	Lewell-Buck, Mrs Emma
Foxcroft, Vicky	Lewis, Clive
Frith, James	Lewis, Mr Ivan
Furniss, Gill	Linden, David
Gaffney, Hugh	Lloyd, Stephen
Gapes, Mike	Lloyd, Tony
Gardiner, Barry	Lucas, Caroline
George, Ruth	Lynch, Holly
Gethins, Stephen	MacNeil, Angus Brendan
Gibson, Patricia	Madders, Justin
Gill, Preet Kaur	Mahmood, Mr Khalid
Glendon, Mary	Malhotra, Seema

Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Platt, Jo
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris

Russell-Moyle, Lloyd
 Saville Roberts, Liz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmar, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Chris Elmore and
 Jeff Smith**

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard

Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob

Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy

Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema

Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 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, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 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
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy

Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy

Zahawi, Nadhim

Tellers for the Noes:
 Kelly Tolhurst and
 Mims Davies

Question accordingly negated.

Toby Perkins (Chesterfield) (Lab): On a point of order, Mr Speaker. There is a great deal of concern across Parliament about the mysterious disappearance of the right hon. Member for Twickenham (Sir Vince Cable). He has been missing since last night. This morning, he was texting about being the only person really fighting Brexit. I just wonder if you and the parliamentary authorities could ascertain his whereabouts and whether he is indeed safe, and report back to me and all those people who are so concerned.

Mr Speaker: I would not want to take upon my shoulders such a major responsibility. I must advise the hon. Gentleman that I wish all the best to the right hon. Member for Twickenham (Sir Vince Cable). I have no reason to be perturbed on his account. I am not aware that he is indisposed, and I very much hope that he is not. The right hon. Member for Carshalton and Wallington (Tom Brake) is beaming in a mildly eccentric manner from a sedentary position.

Tom Brake: Further to that point of order, Mr Speaker. Thank you for letting me raise this. On the same subject, have you had any concerns raised with you about the absence of the Leader of the Opposition in relation to fighting against Brexit for the past two years? Has anyone shared any concerns that they may have on that score?

Mr Speaker: I am not concerned unduly about either matter. They do not fall within the auspices of the Chair, but the point has been made by each right hon. and hon. Member, and I trust that we can leave it there.

Schedule 2

REGULATIONS UNDER PART 1

Amendments made: 4, page 12, line 5, leave out “or 2(1)”.

Amendment 71, page 12, line 7, leave out “or 2(1)”.

This amendment is consequential on Amendment 75.

Amendment 72, page 12, line 11, leave out “or 2(1)”.

This amendment is consequential on Amendment 75.

Amendment 73, page 12, line 13, leave out “or 2(1)”.

This amendment is consequential on Amendment 75.

Amendment 74, page 12, line 20, leave out “or 2(1)”.

This amendment is consequential on Amendment 75.

Amendment 75, page 13, line 30, at end insert—

PART 2A

SCRUTINY OF REGULATIONS UNDER SECTION 2(1)

Scrutiny of regulations made by Minister of the Crown or devolved authority acting alone

“3A (1) A statutory instrument containing regulations of a Minister of the Crown under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(2) Regulations of the Scottish Ministers under section 2(1) are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).

(3) A statutory instrument containing regulations of the Welsh Ministers under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(4) Regulations of a Northern Ireland department under section 2(1) may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

(5) This paragraph does not apply to regulations to which paragraph 3B applies.

Scrutiny of regulations made by Minister of the Crown and devolved authority acting jointly

3B (1) This paragraph applies to regulations of a Minister of the Crown acting jointly with a devolved authority under section 2(1).

(2) The procedure provided for by sub-paragraph (3) applies in relation to regulations to which this paragraph applies as well as any other procedure provided for by this paragraph which is applicable in relation to the regulations concerned.

(3) A statutory instrument which contains regulations to which this paragraph applies may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(4) Regulations to which this paragraph applies which are made jointly with the Scottish Ministers are subject to the affirmative procedure.

(5) Section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (affirmative procedure) applies in relation to regulations to which sub-paragraph (4) applies as it applies in relation to devolved subordinate legislation (within the meaning of Part 2 of that Act) which is subject to the affirmative procedure (but as if references to a Scottish statutory instrument were references to a statutory instrument).

(6) Section 32 of the Interpretation and Legislative Reform (Scotland) Act 2010 (laying) applies in relation to the laying before the Scottish Parliament of a statutory instrument containing regulations to which sub-paragraph (4) applies as it applies in relation to the laying before the Scottish Parliament of a Scottish statutory instrument (within the meaning of Part 2 of that Act).

(7) A statutory instrument containing regulations to which this paragraph applies which are made jointly with the Welsh Ministers may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(8) Regulations to which this paragraph applies which are made jointly with a Northern Ireland department may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.”—(*George Hollingbery.*)

This amendment provides for regulations under clause 2(1) of the Bill (implementing international trade agreements) to be subject to the affirmative procedure in Parliament when made by a Minister of the Crown, and in the relevant devolved legislature when made by a devolved authority. Where the regulations are made jointly by a Minister and a devolved authority (by virtue of paragraph 5 of Schedule 1) they are required to be approved in draft by both Parliament and the devolved legislature in question.

New Clause 4

CONVENTION ABOUT PARLIAMENT LEGISLATING ON DEVOLVED MATTERS

“(1) Regulations made under section 1(1) by a Minister of the Crown, may not normally make provision which would be within the devolved competence of a devolved authority unless—

- (a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), the Scottish Ministers consent, or

- (b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), the Welsh Ministers consent, or

- (c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning of paragraph 9 of Schedule 1), unless the Northern Ireland department has given consent.

(2) Regulations made under section 2(1) by a Minister of the Crown, may not normally make provision which would be within the devolved competence of a devolved authority unless—

- (a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), the Scottish Ministers consent, or

- (b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), the Welsh Ministers consent, or

- (c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 9 of Schedule 1), unless the Northern Ireland department has given consent.

(3) This paragraph does not apply to regulations made by the Secretary of State under—

- (a) section 35 or 58 of the Scotland Act 1998 (as amended),

- (b) section 82 or 114 of the Government of Wales Act 2006 (as amended), or

- (c) section 25 or 26 of the Northern Ireland Act 1998 (as amended).”—(*Barry Gardiner.*)

This new clause would ensure that regulations made by a Minister of the Crown within devolved competence require the consent of Ministers in devolved authorities in accordance with the convention about Parliament legislating on devolved matters while making clear that this does not alter the current powers of Ministers of the Crown in respect of international agreements.

Brought up, and read the First time.

4.15 pm

Barry Gardiner (Brent North) (Lab): I beg to move, That the clause be read a Second time.

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

New clause 21—*Right of devolved authorities to appoint negotiators*—

“(1) Each devolved authority shall have the right to appoint one member of any delegation tasked with negotiating an agreement with another state on behalf of the UK if that agreement falls within section 2(2).

(2) A devolved authority shall not make an appointment under subsection (1) unless the person appointed is reasonably competent to carry out the role of a trade negotiator.”

This new clause would permit the devolved authorities to each appoint one member of any negotiating delegation and would ensure that the person appointed is competent to carry out the role.

Amendment 25, in clause 1, page 1, line 15, at end insert—

“(1A) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), unless the Scottish Ministers consent.

(1B) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh

Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Welsh Ministers consent.”

This amendment and Amendment 26 seek to ensure that regulations cannot be made without consent from devolved Ministers.

Amendment 26, in clause 2, page 2, line 40, at end insert—

“(7A) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), unless the Scottish Ministers consent.

(7B) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Welsh Ministers consent.”

See explanatory statement for Amendment 25.

Amendment 27, in clause 2, page 3, line 3, at end insert—

“(10) No regulations may be made under subsection (8)(b) unless the Secretary of State has consulted with the Scottish Ministers and the Welsh Ministers.”

This amendment would require the Secretary of State to consult with Scottish Ministers and Welsh Ministers before deciding whether or how to prolong the period during which implementing powers can be used.

Government amendments 49, 50 and 61 to 63.

Amendment 28, in schedule 1, page 7, line 24, at end insert—

“(4) This paragraph does not apply to regulations made under section 1(1) or 2(1) by the Scottish Ministers or the Welsh Ministers.”

This amendment would remove the constraints on Scottish and Welsh Ministers in making regulations under this Act which modify retained EU law.

Government amendments 64 to 67.

Amendment 29, in schedule 1, page 8, line 5, at end insert—

“(4) This paragraph does not apply to regulations made under section 1(1) or 2(1) by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

3A (1) No regulations may be made by the Scottish Ministers or the Welsh Ministers acting alone under section 1(1) or 2(1) so far as the regulations are to come into force before exit day unless the regulations are, to that extent, made after consulting with a Minister of the Crown.

(2) No regulations may be made by the Scottish Ministers or the Welsh Ministers acting alone under section 2(1) so far as the regulations make provision about any quota arrangements or are incompatible with any such arrangements unless the regulations are, to that extent, made after consulting with a Minister of the Crown.

(3) In sub-paragraph (2) ‘quota arrangements’ has the same meaning as in paragraph 3.”

This amendment would follow amendments made to the EU (Withdrawal) Bill to replace a requirement to seek the consent of the UK Ministers before making regulations to be commenced before exit day, or regulations making provision about quota arrangements, with a requirement to consult.

Government amendments 68, 69 and 76 to 78.

Barry Gardiner: I rise to speak to new clause 4, which stands in my name and those of my right hon. and hon. Friends.

The extent to which the Bill encroaches on matters of devolved competence and undermines the power of devolved authorities is of particular concern. I am proud that it was a Labour Government who delivered the devolution settlements. They were established with a presumption of full devolution, except in matters considered reserved to the Government of the United Kingdom. Indeed, amendments to devolution legislation contained in the Scotland Act 2016 and the Wales Act 2017 specifically put that presumption on to a legislative footing, stipulating that Ministers would not legislate on matters that fell within devolved competence without “normally” seeking the consent of the appropriate devolved Government. However, the Bill seeks to do exactly that.

The Public Bill Committee heard in great detail the serious consequences the Bill would have for the United Kingdom and each of the devolved nations and their respective Administrations.

Stewart Hosie: Will the hon. Gentleman give way?

Barry Gardiner: A little later.

Certainly, my good friend the shadow Secretary of State for Scotland has impressed on me the deficiencies of the Government’s approach, and it is with her strong advice that I have sought, in consultation with the shadow Secretaries of State for Wales and Northern Ireland, to propose a strong new clause that absolutely and even-handedly respects the devolution settlements and the Sewel convention.

Stewart Hosie: Will the hon. Gentleman give way?

Barry Gardiner: Once I have explained a little bit about what new clause 4 would do, I will happily give way to the hon. Gentleman.

The provisions in clauses 1 and 2, taken with the Government’s latest amendment 34, would allow the Government in Westminster to use Henry VIII powers to modify primary legislation or retain direct EU legislation in areas of devolved competence, such as procurement, agriculture and food standards, without the consent of the relevant devolved authority—even without any consultation. That goes far beyond the convention of not “normally” legislating in matters of devolved competence without such consent.

Just as the Government have erred on one side by proposing in the Bill a disrespectful power grab downwards into areas of devolved competence, so the Scottish National party, in seeking to amend the Bill, have erred in the other direction by failing to respect the boundaries of the devolution settlement and seeking a power of veto and co-decision making in matters that were always reserved to the United Kingdom sovereign Parliament. We must be clear that international trade is a matter of exclusive competence of the UK Government. At no stage has any devolved authority had any competence in respect of matters of international trade, but I will deal with the Government’s amendments first.

Modern trade agreements are so complex and so extensive that there are areas where matters of trade competence do cross over into matters that would otherwise be devolved competence: food standards, animal welfare standards, access to fishing waters, determination of regulatory and oversight bodies, and so on. All these are the substance of international trade agreements,

[Barry Gardiner]

and where such agreements have been negotiated, a devolved authority is entirely right to consider that its consent must be sought prior to regulations to implement the agreement on such matters being made in accordance with the powers in the Bill.

That the Bill allows for Ministers to act in contravention of that convention and without seeking consent from or even consulting the relevant devolved authority is precisely why neither the Welsh nor the Scottish Government have agreed to give the Bill their legislative consent. That is why Labour said in Committee that it would table an amendment to require the convention to be observed, while ensuring that no power of veto was afforded to a devolved Government on matters that were the exclusive competence of Her Majesty's Government.

Stewart Hosie: Will the hon. Gentleman give way?

Barry Gardiner: I am just about at the point where I will.

Our new clause 4 would achieve this by setting out that normally the Government must seek the consent of the devolved Governments before making such regulations, ensuring that the convention is protected in the Bill, while similarly allowing the Government to use existing powers where a devolved Government act or—importantly—fail to act in such a way that ensures the UK is in compliance with its legally binding obligations arising from an international trade agreement.

Stewart Hosie: The hon. Gentleman is getting this completely wrong. The Scottish Government do not want a veto; the Scottish National party does not want a veto. We recognise that trade is a reserved matter. Our amendments simply say that Scottish Ministers should be consulted, or their consent sought, when UK policy intersects with devolved policy. This is not a veto on a reserved matter. It is common sense. It is equality—it is parity—in respect of implications for devolved matters. Labour Members should go back to the drawing board, because they are simply getting it wrong.

Barry Gardiner: I note the hon. Gentleman's objections. We clearly have a different view of the nature of the devolution settlement. I will try to take his amendments in turn and explain to him precisely why I believe that he is mistaken.

Let us imagine circumstances in which a devolved Administration simply failed to introduce implementing regulation to an aspect of a trade treaty that that Administration did not like. It would be the UK Government, not the devolved Administration, who were held to be in breach and subject to any penalties that might be imposed. That is why the relevant devolution Acts provide that—not “normally”, but in such exceptional circumstances—the UK could implement such regulations without consent to ensure that the UK complied with its international obligations.

Of course, other amendments have been tabled on these issues. New clause 20, tabled by SNP Members, calls for the devolved authorities to have a right to vote on whether Her Majesty's Government may exercise what is currently the Government's exclusive competence to begin trade talks. Our new clause states that negotiating mandates should be formulated transparently and with

formal engagement with key stakeholders, including the devolved authorities. However, a right of veto on whether trade talks can begin is a power that no legislature in the country—including the House of Commons—currently has, and it would constitute a substantial new power for the devolved authorities.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My hon. Friend's definition of a veto seems to be disputed by the Scottish National party. Does he agree that, in terms of initiating as well as ratifying any trade negotiations, if the Scottish Parliament withholds its consent, that is, in effect, a veto?

Barry Gardiner: My hon. Friend has put it very succinctly, and he is absolutely correct. That is why the SNP's new clause 20 does not respect the devolution agreements; nor is it about ensuring that devolved authorities have a say. If that were the case, I would have expected SNP Members to support the amendment that we tabled in Committee, which called for the Joint Ministerial Committee to be convened to consult on the implementation of regulations under the Bill and on negotiations on future trade agreements. Indeed, our new amendment 19 would ensure that such consultation frameworks are established.

Similarly, in new clause 21, the SNP has sought to ensure that each devolved authority takes aspects of trade competence from Her Majesty's Government and to provide for devolved authorities to have their own appointed trade negotiators at trade talks. Our new clause 4 could do not support that, because it could ultimately lead to several trade negotiators' working against each other to secure the best terms only for their respective territories. Such a bunfight at the negotiating table would allow negotiating partners to play our own negotiators off against each other.

We believe that trade deals must ensure that benefits are delivered across the United Kingdom and that a whole UK approach must be taken to negotiations. That is why we have called for advanced consultation to ensure full and proper representation in those negotiations. It is also why we would have been happy to support new clause 22 had it been put to the vote. It sought to ensure transparency on trade talks, and it would have afforded a right to the devolved Parliaments to scrutinise all aspects of a trade agreement and related correspondence or documents as they so required.

Our new clause 4 would absolutely guarantee the right of consent to devolved Administrations whenever a Government sought to implement regulations to carry out their obligations under international treaties. What it would not do is give the devolved Administrations a power of veto over the ratification of international treaties, the negotiation of which is a matter for the Westminster Government. SNP Members would seek to secure the ultimate power of veto that has thus far eluded them in other amendments and that they have been very clear about seeking.

Angus Brendan MacNeil: Will the hon. Gentleman give way?

Barry Gardiner: I am pressed for time. I know that you want me to conclude my remarks very shortly, Madam Deputy Speaker.

While other amendments are about consent before the making of regulations implementing obligations arising under a trade agreement, that clause would prevent the trade agreement from ever having legal effect, as it could not be ratified unless the devolved authorities had consented. It has been carefully worded, but its intent is clear: it is not limited only to matters of devolved competence, but covers all trade agreements in their entirety even if no aspect of that agreement would touch on devolved competence and even if absolutely no regulations were required to implement that agreement. New clause 23(3)(b) would ensure that any trade agreement “having an impact within the territory over which the devolved authority presides”

was subject to this consent power. Quite clearly, every single trade agreement will be, as there will be exporters across the UK who can trade under the terms of that agreement. It is a thinly veiled attempt at securing the Wallonian veto power that the hon. Member for Kilmarnock and Loudoun (Alan Brown) told us in the Committee was his intention.

The Committee took many more pieces of evidence. I will not detain the House with them today, but simply say that new clause 4 absolutely respects the devolution settlement. It sets out the right relationship so that Government cannot overreach into devolved competence nor the devolved authorities reach up into powers that are reserved for this sovereign Parliament.

I also support new clause 19, but I will not detain the House any longer.

Stewart Hosie: I shall speak to amendment 25 in my name and to amendments 26, 27, 28 and 29. New clause 21 is in this group, but I referred to it earlier so will not do so again now.

First, however, let me make an observation about the Labour party’s position. It seems to rely on the new form of words that the UK Government would not normally legislate or do this or do that in relation to anything that was a devolved competence. If we were talking about normal, reasonable people in normal, sensible times when they did not interfere at all except in extremis, perhaps we could accept that. However, they have taken the Scottish Government to court to undermine a democratic decision of the Parliament, so, of course, we accept the principles of devolution, but to make them work there now must be formal arrangements and consent must be sought. We can no longer rely on the formulation of the UK Government not normally doing x, y or z.

Angus Brendan MacNeil: Does it not also show, sadly, a centrist approach from the Labour party, which cannot adopt the maturity of Trudeau’s Canada and scoffs at the fact that Belgium is not such a control-freak state that it can allow Wallonia some say in the governance of Belgium?

Stewart Hosie: “International” only goes so far—perhaps just to the white cliffs of Dover.

The Trade Bill among other things ensures that the UK can implement any procurement obligations that arise from it being a member of the GPA—agreement on Government procurement—in its own right and ensures that agreements with partner countries corresponding to the EU’s free trade agreements are in place prior to Brexit. If that is all the Bill did, and it

maintained all the rights and responsibilities, it might not be great, but it would make sense and probably go through on the nod. The problem is that it goes further than that: it carries on from the provisions in the EU withdrawal Bill limiting the actions of the Scottish Government and other devolved Administrations in areas that are, or ought to be, devolved, and—this goes to the first point about the GPA—that includes procurement.

That is why when the Scottish Government lodged a legislative consent motion in the Scottish Parliament initially, it explained their objections to the Trade Bill with the recommendation that Parliament could not consent to it being introduced. While they welcomed the powers being conferred on Scottish Ministers, the LCM made it clear that they could not accept the constraints placed on the use of those powers, which were analogous to those in the EU withdrawal Bill.

Legislative consent is required for part 1 of the Bill, but is not required for some of the other parts. Specifically, consent is required for the purposes within the devolved competence of the Parliament, which is that the Trade Bill seeks to maintain continuity in the UK’s trade and investment relationships through two implementation powers: implementation of the agreement on Government procurement as an independent member of the WTO; and assisting in the transition of current trade arrangements by enabling, so far as may be required, the implementation in UK domestic law of trade agreements the UK intends to conclude after withdrawal from the EU. These powers may be exercisable within devolved areas, and that is why this is important.

4.30 pm

The Bill also affects provisions altering and constraining the Executive competence of Scottish Ministers. That means that, as with the powers in the European Union (Withdrawal) Bill, UK Ministers are given powers, as are Scottish Ministers, in devolved areas, and that those powers are exercisable without any devolved consent being required. Therein lies the problem. We are not seeking a veto. We are not seeking anything different. We are simply seeking the same rights and responsibilities over devolved matters that UK Ministers are giving themselves. That is why we have tabled amendments 25 to 30, in order to remove some of the restrictions that are now in place.

John Redwood (Wokingham) (Con): I want to be able to understand whether this is a real problem. Can the hon. Gentleman give me a specific example of where he thinks the UK Government might assert a power that they should not assert, and how that might arise?

Stewart Hosie: That is a reasonable question, and I will answer it properly. Clearly we cannot tell precisely where the problems will arise, because we do not yet know precisely what the UK Government might do. Having said that, the Bill gives back to Ministers discretionary powers over procurement. In Scotland, because of the actions taken there, 78% of publicly procured contracts go to small and medium-sized enterprises, 60% to Scottish SMEs. The UK Government figure is 20%. If that power is taken back, and if oversight is retained by Westminster, there would be a real risk that we could lose that economic diversity and

[*Stewart Hosie*]

that fantastic achievement in a real-life area. That is a real concern that I hope the right hon. Gentleman will share.

I shall turn briefly to the amendments. Amendments 25 and 26 seek to address an issue in the Bill that has a direct read-across to clauses in the European Union (Withdrawal) Act 2018 that confer powers on UK Ministers in devolved areas without any form of devolved consent. No amendments have been made to the Act to alter that approach or to require the consent of Scottish Ministers when UK Ministers make regulations in devolved areas. Amendments 25 and 26 seek to ensure that the UK Government seek consent from devolved Ministers before amending legislation in devolved areas.

Before I move on, I meant to say that I recognise that Government amendments 64 and 66, and consequential amendments 65 and 67, now require Scottish Ministers only to consult and not to seek consent in certain areas. However, the number of areas is limited, and the amendments do not address all the problems.

Amendment 27 requires the Secretary of State to consult Scottish Ministers before deciding whether, or for how long, to prolong the period during which implemented powers can be used. That is important because there is no equivalent provision in the European Union (Withdrawal) Act 2018, and because no amendment has been made to the existing provisions in the Trade Bill that allow the UK Government unilaterally to alter the powers of Scottish Ministers in relation to grandfathering trade arrangements for further periods of up to five years at a time.

At present, it is envisaged that the powers in the Trade Bill relating to the grandfathering of existing free trade arrangements with third countries would have to be used in only a very small number of cases that could not be dealt with under the European Union (Withdrawal) Act—for example, for reasons of timing. However, with so much uncertainty around the ease with which existing agreements will be rolled over, it is possible that this restriction could have a more significant impact, not least because many of the 24 areas likely to be subject to the clause 11 regulations—that is, the power grab—are highly relevant to the world of trading and trade deals. If left unamended, or amended only along similar lines to the amendments in the withdrawal Act, this provision in the Trade Bill would in effect allow the UK Government to change the law in devolved areas to allow for the implementation of these arrangements, which might not necessarily remain exactly as they are at present. In essence, that is close enough to having an ability to implement a new trade Bill with almost no consultation or consent at all. Our amendment 28 deals with that problem.

Amendment 29 is small and seeks a direct read across from the European Union (Withdrawal) Act 2018. It would replace the need for consent from UK Ministers in certain circumstances with the need only to consult. As I said, I note the Government amendments in that regard.

We are not arguing for vetoes for Scotland nor for any sense of Scottish exceptionalism; we are simply looking at the facts, understanding what is going on and what needs to happen. If Scottish Ministers are required to consult or seek consent when Scottish parliamentary responsibilities intersect with UK

responsibilities, we are simply arguing that UK Ministers should be under the same obligation to consult or seek consent where UK policy responsibilities intersect with those of the devolved Administrations. It was said in the last debate that that happens with the Parliaments of Belgium, and it also happens with the Canadian provinces. The world does not collapse when proper respect and statutory weight is given to the rights and responsibilities of sub-state administrations. It is common sense. We are trying to improve the situation to make it work and to ensure that our voices and our national interests are protected and that the rights of the devolved Administrations are respected.

Time is short, and we do not want many votes on this group so as to allow time for the last group, particularly new clause 18, which needs to be properly debated, but I hope to press amendment 25 to a vote.

Kirsty Blackman (Aberdeen North) (SNP): I will not speak for long because our Front-Bench spokesperson, my hon. Friend the Member for Dundee East (*Stewart Hosie*) has covered the issues well, but I want to talk briefly about why it is important that the Scottish Parliament, Scottish Ministers and the Scottish people in general should have more of a say in deals going forward than is proposed by the UK Government.

In recent times, the UK Government have not had responsibility for signing off and negotiating trade deals. They have not been the key player. Therefore, they have not been able to undertake some of the practices that we think they could undertake, so it is understandable that the Scottish people are worried given that we have been monumentally badly served by the UK Government over decades. Just look at the roll-out of universal credit, the bedroom tax, the rape clause and the passage of the European Union (Withdrawal) Act 2018—legislation that happened despite the Scottish Parliament refusing consent. All those things show the ways in which the UK Government are badly serving Scotland.

Until I was an MP, I genuinely thought that the UK Government were, at times, probably trying their best. When I got elected to this place, I discovered that when the UK Government propose legislation and we say to them, “Have you thought about how this will affect Scotland?” the answer is not that they are trying to do anything bad, it is just that they forget we exist. They just do not even consider the views of Scotland or the differences in Scotland. Look at how the common fisheries policy has been negotiated by the UK Government, for example. The way that the Government negotiated swaps removed quota rights from Scottish fishermen to the benefit of fishermen in the south of England. Such choices made by the UK Government have a direct negative impact on Scottish people. On that basis, it is understandable that we are worried that the UK Government will not take decisions in Scotland’s best interests because they may simply forget that we exist.

John Redwood: Does the hon. Lady understand that the common fisheries policy and international trade deals have been entirely in the power of the European Union? To the extent that they do not suit Scotland, it is the EU’s fault. Can she not see that power is coming back to the benefit of Scotland and the United Kingdom?

Kirsty Blackman: Perhaps the right hon. Gentleman did not hear what I said. The issue is that the UK Government have chosen to negotiate swaps that directly disadvantage Scottish fishermen. The concern is that the weight of the population in the south of England will mean that the UK Government continue to take decisions that improve life for people in the south of England without taking account of the fact that those decisions are detrimental to people in Scotland.

The amendments we have tabled would therefore ensure that, in decisions that are taken in this place—decisions on which the UK Parliament will have more power than it has had in recent decades—the voice of Scotland is heard, because we need decisions that do not disadvantage the people of Scotland.

Angus Brendan MacNeil: You catch me finishing off a Trebor extra-strong mint, Madam Deputy Speaker, and very nice it was, too.

At a time when the House is investigating bilateral trade agreements, my hon. Friend the Member for Aberdeen North (Kirsty Blackman) made the fantastic point that for 40 years the UK Government stipulated in their bilateral trade agreements, “London airports only.” It was only when they demanded that Iceland should fly to London airports and Iceland said, “There is no way we’re flying to a London airport to get the sleeper back to Glasgow,” that some change was brought about—that was relayed to me by the Icelanders themselves.

Trade agreements, by their very nature, require trade-offs, and there should be aggregate gains to the two parties involved. Within those aggregate gains, there will be people in certain sectors who lose. My International Trade Committee heard about that from Kevin Roberts of Meat Promotion Wales. He told us that some 80% of Wales is either upland hills or pasture and is suitable only for livestock farming, which is a fragile sector. About 80% of the net farm incomes of Wales come from EU subsidies, which is another matter.

Let us consider a situation in which the UK Government find themselves in a trade negotiation with somebody who says, “Do you know what? See if you could let us have some access to your market for our lamb and we’ll give you something else.” Wales would lose out. The aggregate gain to UK GDP would be increased—the right hon. Member for Wokingham (John Redwood) spoke on this point—but there would be a loss to Wales and there would be resentment in the UK to fiscal transfers back to Wales, which had sacrificed and given up things for the aggregate gain of the UK as a unit. That is one reason why many countries do not have the control freakery of the Labour and Conservative parties and allow territories, states and subnational Governments to have a voice at the table.

We should remember that Wales is not a member of the UK in the same way as Ireland is a member of the European Union. Ireland, as we have seen week in and week out, day in and day out, month in and month out, and hour in and hour out, has a real voice in Europe. In fact, some Brexiteers complain that Ireland is now the tail that wags the EU dog. If only that were a possibility for Wales, Scotland or Northern Ireland within the UK, there might not then be the concerns that my hon. Friend the Member for Dundee East (Stewart Hosie) raised. That is why there should be some responsibility and some form of acknowledgement from the big beast

of the UK—England, or the south-east of England—that it might gain from a free trade agreement at the expense of other places. We need some counterbalancing measures.

In a way, the Brexiteers are constitutional gold dust, because I want to see Scotland catching up with Ireland at the top of the EU growth league, rather than being at the bottom with the UK. This is putting a strain on the United Kingdom. As Laura Dunlop, QC, told the Exiting the European Union Committee:

“At the moment, there is a sense of a double-whammy: that the international arrangements, whatever they are going to be, will be negotiated by the UK Government, and then the UK Government will be telling the devolveds what they have to do to comply with them. The participation is minimal.”

That is an unsustainable way forward. It does not respect the words we heard in 2014, “Scotland, stay in and lead. Do not just be a part; lead the UK.” When push comes to shove, as we have seen all the way through the European Union withdrawal process, Scotland is shoved to one side. It is all rhetoric. If the Government had the grace to put some of their rhetoric into action, they would be accepting some of the amendments here today. This is not big stuff in any other country, so why is it a big deal in the centralised UK, both to the Tory Government and, sadly, to the Labour Opposition, who feel that they must also adopt the centralising approach? It is really disappointing from both of them.

4.45 pm

George Hollingbery: It is important to reiterate that the Government are committed to ensuring that withdrawal from the EU is a successful and smooth process for the whole of the UK. As set out in our trade White Paper, our intention, working closely with the devolved Administrations, is to seek to transition all existing EU trade agreements and other EU preferential arrangements.

Hywel Williams (Arfon) (PC): In a reply to my hon. Friend the Member for Ceredigion (Ben Lake) yesterday, the Secretary of State said the following in respect of having agreements ratified by the devolved legislatures:

“I would imagine that, in line with other agreements, we would seek legislative consent from the devolved Administrations where there were elements in which they were required to apply parts of those negotiations.”—[*Official Report*, 17 July 2018; Vol. 645, c. 51.]

Is that the Government’s settled view on this matter? Notwithstanding the shortness of time, will the Minister give us a brief example of how that would apply?

George Hollingbery: I thank the hon. Gentleman for his question. What I can say on that is that the Scottish National party has already welcomed a number of measures in the Bill today. The negotiations are ongoing with the Welsh Government and I would hope that in due course we will reach those legislative consent motions.

As I was saying, this will ensure that England, Scotland, Wales and Northern Ireland maintain the greatest amount of certainty, continuity and stability in our trade and investment relationships for our businesses, citizens and trading partners. I am certain that all Members across the House support the importance of maintaining these trading opportunities for business across the UK, such as we see with the 10% of Scotch whisky exports that go to countries with which we wish to transition existing

[George Hollingbery]

trade agreements. As parts of these agreements will touch on devolved matters, this legislation creates powers for devolved Administrations to implement them. These powers will be held concurrently by the devolved Administrations and the UK Government. That approach will ensure that where it makes practical sense for regulations to be made once for the whole UK, it is possible for this to happen. However, in the trade White Paper, and throughout the Committee stage, the Government have publicly and repeatedly committed to not normally use the powers in the Bill to amend legislation in devolved areas without the consent of the relevant devolved Administrations—and not without first consulting them. I make that commitment again today. As such, new clause 4 is unnecessary.

Barry Gardiner: I take in good faith the assurance the Minister has given across the Dispatch Box that the Government would not normally do that, but surely he cannot equate that with having the security of that commitment in the Bill. He must accept that on this side of the House we have tried to be even-handed in ensuring that the terms of the devolution settlement are respected both by government and by the nationalists in Scotland. If he is simply saying, “Everybody must rely on an assurance across the Dispatch Box”, that is not good enough.

George Hollingbery: I say to the hon. Gentleman that the Sewel convention is well established. It has been in place for many years and it has proved more than adequate up to now. We believe it is the right way forward to handle this particular issue, so we see no need for new clause 4 to be in the Bill.

We will work closely with the devolved Administrations to deliver an approach to the implementation of trade agreements that works for the whole of the UK, reflecting the needs and individual circumstances of England, Scotland, Wales and Northern Ireland. The Government’s approach respects a long-standing and robust convention between the UK Government and the devolved Administrations.

Anna McMorrin (Cardiff North) (Lab): Will the Minister explain how he is going to work with the devolved Administrations on this? For example, would this involve a UK council of Ministers?

George Hollingbery: Our intention is to carry on negotiating with the devolved authorities to find a way forward to get the signatures on the legislative consent motions that we wish to sign, and that we believe we are in a position to sign with those Administrations if we continue to co-operate with them and to negotiate properly.

Several hon. Members *rose*—

George Hollingbery: If Members do not mind, I shall make a little more progress.

Concurrent functions have always been a normal part of our devolution arrangements, and the Bill broadly replicates the concurrent approach taken under section 2(2) of the European Communities Act 1972. That has proved an efficient and effective precedent for the devolved Administrations and the UK Government. I thank the

hon. Member for Dundee East (Stewart Hosie) for raising the issue of the devolved authorities’ role in the transitional agreements and any extension of the sunset provision. I am happy to confirm that, should they make the decision to use the three-year sunset extension or provision, the Government commit to engaging the devolved Administrations in that decision-making process in advance.

The Government have made a number of their own amendments to reduce restrictions on the powers conferred on devolved Ministers, bringing greater parity between UK Ministers’ powers and devolved Ministers’ powers. I particularly wish to draw the House’s attention to two changes. Government amendments 64 to 67 change the requirement on devolved Ministers from seeking the consent of UK Ministers to consulting UK Ministers before making regulations under the Bill’s powers that relate to quotas or the pre-exit commencement of regulations.

Barry Gardiner: I am concerned about what the Minister said. Does he not accept that if the provisions in clauses 1 and 2 are taken in conjunction with Government amendment 34, they will allow the Westminster Government to use Henry VIII powers to modify primary legislation or retained direct EU legislation in areas that are a matter of devolved competence? That is to go beyond “not normally”, which is why new clause 4 is essential.

Mr Speaker: Order. May I just emphasise that there is no obligation to continue up to the wire? I know that sometimes some people on the Government Bench say “Keep going till the cut-off point,” but it is not necessary to do so. There is a lot of other material to be debated. The Minister, who is a most courteous fellow, was extremely succinct earlier; he should not think that that was unpopular in the House.

George Hollingbery: You will be glad to hear, Mr Speaker, that I do not have a great deal more to say.

Let me engage with the shadow Secretary of State’s point. The powers that the Government are taking relate to where any regulations under section 12 of the European Union (Withdrawal) Act are in force and intersect with devolved Ministers’ rights to modify retained direct EU law. We are carving out an area in which the UK Government believe it is right and proper that the interests of the wider United Kingdom have precedence. I think the shadow Secretary of State understands what I mean; indeed, from the look on his face I believe he probably secretly agrees with what I am saying.

Barry Gardiner *indicated dissent.*

George Hollingbery: The hon. Member for Dundee East will know that work is ongoing around the extent of the areas which I have just outlined to the shadow Secretary of State and which will be covered by section 12. The changes I have outlined recognise the important role that the devolved Administrations will play in implementing trade continuity agreements in devolved areas. I reiterate that, in line with convention, UK Government will not normally implement such measures in devolved areas without the consent of the devolved Administrations.

The amendments demonstrate significant progress in our discussions with the devolved Administrations.

Stephen Kerr (Stirling) (Con): On a very quick point, is it not true that the working relationship between the UK Government and the Scottish Government is much more positive and much more healthy than we would be led to believe from listening to the rhetoric of the SNP Members in this place?

George Hollingbery: It is not for me to make judgments on how people approach negotiations, save to say that the experience of Government officials is that deep, proper and real conversations have occurred at Scottish Government level between officials and indeed between those in the Executive.

Let me reiterate that, in line with convention, the UK Government will not normally implement in devolved areas without the consent of the devolved Administrations. These amendments demonstrate significant progress in our discussions with the devolved Administrations to whom we have been listening throughout the passage of this Bill, as has been admirably demonstrated. We will continue to engage actively with the devolved Administrations to achieve the agreement of a legislative consent memorandum. As such, I hope that the hon. Member for Dundee East will now feel able not to push amendment 29 to a vote.

Question put, That the clause be read a Second time.

The House divided: Ayes 248, Noes 315.

Division No. 219]

[4.54 pm

AYES

Abbott, rh Ms Diane	Cooper, Julie
Ali, Rushanara	Cooper, Rosie
Allin-Khan, Dr Rosena	Cooper, rh Yvette
Amesbury, Mike	Coyle, Neil
Antoniazzi, Tonia	Creagh, Mary
Ashworth, Jonathan	Creasy, Stella
Austin, Ian	Cruddas, Jon
Bailey, Mr Adrian	Cummins, Judith
Barron, rh Sir Kevin	Cunningham, Alex
Benn, rh Hilary	Cunningham, Mr Jim
Berger, Luciana	Daby, Janet
Betts, Mr Clive	Dakin, Nic
Blackman-Woods, Dr Roberta	Davey, rh Sir Edward
Blomfield, Paul	David, Wayne
Brabin, Tracy	Davies, Geraint
Bradshaw, rh Mr Ben	De Cordova, Marsha
Brake, rh Tom	De Piero, Gloria
Brennan, Kevin	Debonnaire, Thangam
Brown, Lyn	Dent Coad, Emma
Brown, rh Mr Nicholas	Dhesi, Mr Tanmanjeet Singh
Bryant, Chris	Dodds, Anneliese
Buck, Ms Karen	Doughty, Stephen
Burden, Richard	Dowd, Peter
Burton, Richard	Drew, Dr David
Butler, Dawn	Dromey, Jack
Byrne, rh Liam	Duffield, Rosie
Cable, rh Sir Vince	Eagle, Ms Angela
Cadbury, Ruth	Eagle, Maria
Campbell, rh Mr Alan	Efford, Clive
Campbell, Mr Ronnie	Elliott, Julie
Carden, Dan	Ellman, Dame Louise
Carmichael, rh Mr Alistair	Esterson, Bill
Champion, Sarah	Evans, Chris
Chapman, Jenny	Farrelly, Paul
Charalambous, Bambos	Farron, Tim
Clwyd, rh Ann	Field, rh Frank
Coaker, Vernon	Fitzpatrick, Jim
Coffey, Ann	Flint, rh Caroline

Fovargue, Yvonne	Malhotra, Seema
Foxcroft, Vicky	Mann, John
Frith, James	Marsden, Gordon
Furniss, Gill	Martin, Sandy
Gaffney, Hugh	Maskell, Rachael
Gapes, Mike	Matheson, Christian
Gardiner, Barry	McCarthy, Kerry
George, Ruth	McDonald, Andy
Gill, Preet Kaur	McDonnell, rh John
Giindon, Mary	McFadden, rh Mr Pat
Godsiff, Mr Roger	McGinn, Conor
Goodman, Helen	McGovern, Alison
Green, Kate	McInnes, Liz
Greenwood, Lilian	McKinnell, Catherine
Greenwood, Margaret	McMahon, Jim
Griffith, Nia	McMorrin, Anna
Grogan, John	Mearns, Ian
Gwynne, Andrew	Miliband, rh Edward
Haigh, Louise	Moon, Mrs Madeleine
Hamilton, Fabian	Moran, Layla
Hanson, rh David	Morden, Jessica
Hardy, Emma	Morgan, Stephen
Harman, rh Ms Harriet	Morris, Grahame
Harris, Carolyn	Murray, Ian
Hayes, Helen	Nandy, Lisa
Hayman, Sue	Norris, Alex
Healey, rh John	Onasanya, Fiona
Hendrick, Sir Mark	Onn, Melanie
Hepburn, Mr Stephen	Onwurah, Chi
Hermon, Lady	Osamor, Kate
Hill, Mike	Owen, Albert
Hillier, Meg	Peacock, Stephanie
Hobhouse, Wera	Pearce, Teresa
Hodge, rh Dame Margaret	Pennycook, Matthew
Hodgson, Mrs Sharon	Perkins, Toby
Hoey, Kate	Phillips, Jess
Hollern, Kate	Phillipson, Bridget
Hopkins, Kelvin	Platt, Jo
Huq, Dr Rupa	Pollard, Luke
Hussain, Imran	Pound, Stephen
Jardine, Christine	Powell, Lucy
Jarvis, Dan	Qureshi, Yasmin
Johnson, Diana	Rashid, Faisal
Jones, Darren	Rayner, Angela
Jones, Gerald	Reed, Mr Steve
Jones, Graham P.	Rees, Christina
Jones, Helen	Reeves, Ellie
Jones, rh Mr Kevan	Reeves, Rachel
Jones, Sarah	Reynolds, Emma
Jones, Susan Elan	Reynolds, Jonathan
Kane, Mike	Rimmer, Ms Marie
Keeley, Barbara	Rodda, Matt
Kendall, Liz	Rowley, Danielle
Khan, Afzal	Ruane, Chris
Killen, Ged	Russell-Moyle, Lloyd
Kinnock, Stephen	Sharma, Mr Virendra
Kyle, Peter	Sheerman, Mr Barry
Laird, Lesley	Sherriff, Paula
Lamb, rh Norman	Shuker, Mr Gavin
Lammy, rh Mr David	Siddiq, Tulip
Lavery, Ian	Skinner, Mr Dennis
Lee, Karen	Slaughter, Andy
Leslie, Mr Chris	Smeeth, Ruth
Lewell-Buck, Mrs Emma	Smith, Angela
Lewis, Clive	Smith, Eleanor
Lewis, Mr Ivan	Smith, Laura
Lloyd, Stephen	Smith, Nick
Lloyd, Tony	Smith, Owen
Long Bailey, Rebecca	Smyth, Karin
Lynch, Holly	Snell, Gareth
Madders, Justin	Sobel, Alex
Mahmood, Mr Khalid	Spellar, rh John

Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, Mark
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka

Vaz, Valerie
 Walker, Thelma
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Jeff Smith and
 Chris Elmore**

NOES

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

Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac

Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Laird, Lesley
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver

Lewer, Andrew
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 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, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew

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

Tellers for the Noes:
Mims Davies and
Kelly Tolhurst

Question accordingly negatived.

5.8 pm

Proceedings interrupted (Programme Order, this day).

The Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83 E).

Clause 1

IMPLEMENTATION OF THE AGREEMENT ON GOVERNMENT PROCUREMENT

Amendment proposed: 25, page 1, line 15, at end insert—

‘(1A) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), unless the Scottish Ministers consent.

(1B) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Welsh Ministers consent.’—(*Stewart Hosie.*)

This amendment and Amendment 26 seek to ensure that regulations cannot be made without consent from devolved Ministers.

Question put.

The House proceeded to a Division.

Hilary Benn (Leeds Central) (Lab): On a point of order, Mr Speaker. What is going on?

Mr Speaker: What is going on is that a Member is being exhorted to remove himself from the Division Lobby, and that will happen. The result of the vote will be declared very soon. I understand the consternation of the right hon. Gentleman, but I have his and all other Members’ interests at heart. We will not long be delayed before proceeding with the next group, for which there is very little time. We must not dilly-dally on this matter any longer.

The House having divided: Ayes 37, Noes 318.

Division No. 220]

[5.8 pm

AYES

Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Brock, Deidre
 Brown, Alan
 Cameron, Dr Lisa
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Crawley, Angela
 Day, Martyn
 Edwards, Jonathan
 Gethins, Stephen
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hendry, Drew
 Hobhouse, Wera
 Hosie, Stewart
 Lake, Ben
 Law, Chris
 Lucas, Caroline
 MacNeil, Angus Brendan
 Mc Nally, John
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 Monaghan, Carol
 Newlands, Gavin
 O’Hara, Brendan
 Saville Roberts, Liz
 Sheppard, Tommy
 Stephens, Chris
 Thewliss, Alison
 Western, Matt
 Whitford, Dr Philippa
 Williams, Hywel
 Wishart, Pete

Tellers for the Ayes:
Marion Fellows and
David Linden

NOES

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

Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hobhouse, Wera
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny

Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 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, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe

Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubray, 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
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Western, Matt
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Mims Davies and
Kelly Tolhurst

Question accordingly negated.

Clause 4

INTERPRETATION OF PART 1

Amendments made: 49, page 3, line 19, at end insert “or”.

This amendment is consequential on Amendment 50.

Amendment 50, page 3, line 20, leave out from “authority” to end of line 22.—(George Hollingbery.)

This amendment makes clear that a Minister of the Crown and a devolved authority cannot make regulations under Clause 1 or Clause 2 jointly (except as required by paragraph 5 of Schedule 1).

Schedule 1

RESTRICTIONS ON DEVOLVED AUTHORITIES

Amendments made: 61, page 7, line 5, leave out “regulations” and insert “provision”.

This amendment makes clear that the usual rule on ultra vires provision in devolved SIs applies: if one provision is ultra vires it does not follow that the entire instrument is ultra vires.

Amendment 62, page 7, line 6, leave out “every provision of them” and insert “the provision”.

See the explanatory statement for Amendment 61.

Amendment 63, page 7, line 10, leave out paragraph 2 and insert—

2 (1) No provision may be made by the Scottish Ministers under section 1(1) or 2(1) so far as the provision—

- (a) modifies any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, and
- (b) would, when made, be in breach of—
 - (i) the restriction in section 30A(1) of the Scotland Act 1998 if the provision were made in an Act of the Scottish Parliament, or
 - (ii) the restriction in section 57(4) of the Scotland Act 1998 if section 57(5)(c) of that Act were ignored.

(2) No provision may be made by the Welsh Ministers under section 1(1) or 2(1) so far as the provision—

- (a) modifies any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, and
- (b) would, when made, be in breach of—
 - (i) the restriction in section 80(8) of the Government of Wales Act 2006 if section 80(8A)(c) of that Act were ignored, or
 - (ii) the restriction in section 109A(1) of the Government of Wales Act 2006 if the provision were made in an Act of the National Assembly for Wales.

(3) No provision may be made by a Northern Ireland department under section 1(1) or 2(1) so far as the provision—

- (a) modifies any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, and
- (b) would, when made, be in breach of—
 - (i) the restriction in section 6A(1) of the Northern Ireland Act 1998 if the provision were made in an Act of the Northern Ireland Assembly, or
 - (ii) the restriction in section 24(3) of the Northern Ireland Act 1998 if section 24(4)(c) of that Act were ignored.

(4) No provision may be made by a devolved authority under section 1(1) or 2(1) so far as, when made, the provision is inconsistent with any modification (whether or not in force) which—

- (a) is a modification of any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018,
- (b) is made by the European Union (Withdrawal) Act 2018 or by a Minister of the Crown under that Act, or by a Minister of the Crown under this Act, and
- (c) could not be made by the devolved authority by virtue of sub-paragraph (1), (2) or (as the case may be) (3).

(5) For the purposes of sub-paragraphs (1)(b), (2)(b) and (3)(b), the following provisions, any regulations made under them and any related provision are to be assumed to be wholly in force so far as that is not otherwise the case—

(a) sections 30A and 57(4) to (15) of the Scotland Act 1998,

(b) sections 80(8) to (8L) and 109A of the Government of Wales Act 2006, and

(c) sections 6A and 24(3) to (15) of the Northern Ireland Act 1998.

(6) References in this paragraph to section 80(8) of the Government of Wales Act 2006 are to be read as references to the new section 80(8) of that Act provided for by paragraph 2 of Schedule 3 to the European Union (Withdrawal) Act 2018.

(7) In this paragraph “domestic law” means the law of England and Wales, Scotland or Northern Ireland.”

This amendment provides that the devolved authorities may not make provision under Clause 1(1) or 2(1) that: (a) modifies retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018; and (b) would breach the relevant devolved competence restriction in the devolution settlements (as amended by that Act).

Amendment 64, page 7, line 27, leave out “without the consent of a Minister of the Crown”.

This amendment and Amendment 65 provide that the devolved authorities need only consult with a Minister of the Crown before making regulations that are to come into force before exit day.

Amendment 65, page 7, line 28, at end insert

“, unless the regulations are, to that extent, made after consulting with a Minister of the Crown”.

See the explanatory statement for Amendment 64.

Amendment 66, page 7, line 30, leave out “without the consent of a Minister of the Crown”.

This amendment and Amendment 67 provide that the devolved authorities need only consult with a Minister of the Crown before making regulations about, or which are incompatible with, quota arrangements.

Amendment 67, page 7, line 32, at end insert

“, unless the regulations are, to that extent, made after consulting with a Minister of the Crown”.

See the explanatory statement for Amendment 66.

Amendment 68, page 10, line 36, leave out “and (5)”.

This amendment removes an unnecessary reference to subsection (5) of section 57 of the Scotland Act 1998.

Amendment 69, page 11, line 15, leave out “and (4)”.

—(George Hollingbery.)

This amendment removes an unnecessary reference to subsection (4) of section 24 of the Northern Ireland Act 1998.

Schedule 3

EXCEPTIONS TO RESTRICTIONS IN THE DEVOLUTION SETTLEMENTS

Amendments made: 76, page 13, line 41, leave out from “2018)” to end of line 3 on page 14 and insert

“omit the “or” at the end of paragraph (a) and, at the end of paragraph (b) insert— “, or

(c) to the making of regulations under section 1(1) or 2(1) of the Trade Act 2018.””

This amendment updates the numbering of the inserted text, following changes to text added by the European Union (Withdrawal) Act 2018.

Amendment 77, page 14, line 7, leave out from “2018)” to end of line 10 and insert “omit the “or” at the end of paragraph (a) and, at the end of paragraph (b) insert— “, or

(c) to the making of regulations under section 1(1) or 2(1) of the Trade Act 2018.””

See the explanatory statement to Amendment 76.

Amendment 78, page 14, line 14, leave out from “2018)” to end of line 17 and insert

“omit the “or” at the end of paragraph (a) and, at the end of paragraph (b) insert— “, or

(c) to the making of regulations under section 1(1) or 2(1) of the Trade Act 2018.”—(*George Hollingbery.*)

See the explanatory statement to Amendment 76.

Mr Speaker: We come now to the third and final group of new clauses and amendments, beginning with Government new schedule 1. In the friendliest and most convivial possible spirit, I remind the Minister on the Treasury Bench that it is not necessary for him to speak at length. It might make him even more popular than he already is if he does not.

New Schedule 1

TRANSFER SCHEMES

“1 (1) The Secretary of State may make one or more staff transfer schemes in connection with the establishment of the TRA by this Act.

(2) A ‘staff transfer scheme’ is a scheme providing for the transfer from the Secretary of State to the TRA of any rights or liabilities under or in connection with a contract of employment.

2 (1) A staff transfer scheme may, among other things, make provision—

- (a) for the transfer of rights and liabilities that could not otherwise be transferred;
- (b) for the transfer of rights and liabilities arising after the making of the scheme;
- (c) which is the same as or similar to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246);
- (d) creating rights, or imposing liabilities, in relation to rights or liabilities transferred;
- (e) about the continuing effect of things done by the Secretary of State in respect of any rights or liabilities transferred;
- (f) about the continuation of things (including legal proceedings) in the process of being done by, or on behalf of, or in relation to, the Secretary of State in respect of any rights or liabilities transferred;
- (g) for references to the Secretary of State in an instrument or other document in respect of any rights or liabilities transferred to be treated as references to the TRA;
- (h) that is supplementary, incidental, transitional or consequential.

(2) A staff transfer scheme may provide—

- (a) for the scheme to be modified by agreement after it comes into effect, and
- (b) for any such modifications to have effect from the date when the original scheme comes into effect.

3 For the purposes of this Schedule—

- (a) an individual who holds employment in the civil service of the State is to be treated as employed by virtue of a contract of employment, and
- (b) the terms of the individual’s employment in the civil service of the State are to be regarded as constituting the terms of the contract of employment.”—(*George Hollingbery.*)

This amendment inserts a Schedule that sets out powers for the Secretary of State to make a scheme providing for the transfer of staff from the Secretary of State to the Trade Remedies Authority.

Brought up, and read the First time.

George Hollingbery: I beg to move, That the schedule be read a Second time.

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

Government amendment 58.

Amendment 12, in schedule 4, page 14, line 34, at end insert

“with the consent of the International Trade Committee of the House of Commons,”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of Chairs of the Trade Remedies Authority.

Amendment 30, in schedule 4, page 14, line 34, at end insert—

“(aa) a non-executive member appointed by the Secretary of State with the consent of the Scottish Ministers,

(ab) a non-executive member appointed by the Secretary of State with the consent of the Welsh Ministers,”

The Trade Remedies Authority will undertake trade remedies investigations across the UK, which will inevitably touch on devolved areas or areas of significance to Scotland. This amendment would require the consent of Scottish and Welsh Ministers to the appointment of one non-executive board member each.

Amendment 13, in schedule 4, page 14, line 35, at end insert

“with the consent of the International Trade Committee of the House of Commons,”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of other non-executive members of the Trade Remedies Authority.

Amendment 22, in schedule 4, page 14, line 35, at end insert

“including representatives of UK manufacturing sectors and trade unions in manufacturing”.

This amendment would ensure that UK producers including manufacturers, and their employees, are included in the corporate governance of the new Trade Remedies Authority.

Amendment 80, in schedule 4, page 14, line 35, at end insert

“including representatives of—

- (i) producers,
- (ii) trade unions, and
- (iii) each one of the devolved administrations.”

This amendment would ensure that the Trade Remedies Authority includes, among its non-executive members, representatives of key stakeholder bodies.

Amendment 14, in schedule 4, page 14, line 37, after “State” insert

“, and with the consent of the International Trade Committee of the House of Commons,”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of the chief executive of the Trade Remedies Authority.

Amendment 15, in schedule 4, page 14, line 38, after “State” insert

“with the consent of the International Trade Committee of the House of Commons,”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of the inaugural chief executive of the Trade Remedies Authority.

Amendment 23, in schedule 4, page 15, line 2, leave out from “must” to end of line 3 and insert

“, before appointing the other non-executive members, consult

- (a) the Chair,
- (b) organisations representing UK manufacturing sectors, and
- (c) trade unions in manufacturing.”

This amendment would ensure that UK producers including manufacturers, and their employees, are included in the corporate governance of the new Trade Remedies Authority.

Amendment 16, in schedule 4, page 15, line 12, at end insert—

“4A It must be publicly disclosed if any candidate for appointment as a non-executive member of the TRA has, in the last five years, been employed by a political party, held a significant office in a political party, has stood as a candidate for a political party in an election, has publicly spoken on behalf of a political party, or has made significant donations or loans to a political party.”

This amendment would require candidates for appointment as non-executive members of the TRA to disclose political activity, consistent with guidelines set out in the Cabinet Office Governance Code on Public Appointments.

Amendment 17, in schedule 4, page 15, line 16, at end insert—

“5A It must be publicly disclosed if any candidate for appointment as an executive member of the TRA has, in the last five years, been employed by a political party, held a significant office in a political party, has stood as a candidate for a political party in an election, has publicly spoken on behalf of a political party, or has made significant donations or loans to a political party.”

This amendment would require candidates for appointment as executive members of the TRA to disclose political activity, consistent with guidelines set out in the Cabinet Office Governance Code on Public Appointments.

Amendment 18, in schedule 4, page 15, line 31, at end insert—

“10A A member of the TRA, whether executive or non-executive, shall not actively engage in any business, vocation or employment which may give rise to a potential conflict of interest, for the duration of their service on the TRA.”

This amendment would militate against conflicts of interest by precluding TRA members from engaging in any commercial activity for the duration of their time on the TRA.

New clause 1—EU customs union—

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the UK to participate after exit day in a customs union with the EU in the same terms as existed before exit day.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 2—Review of the impact on the UK economy—

“(1) Before the end of the initial five year period, the Secretary of State must publish and lay before both Houses of Parliament an assessment of the impact of all international trade agreements implemented under section 2 of this Act on—

- (a) the economy of the United Kingdom,
- (b) the economy of the different parts of the United Kingdom and different regions of England, and
- (c) individual economic sectors.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the international trade agreements implemented under section 2 of this Act and those international trade agreements to which the United Kingdom would have been a signatory had it continued to participate in the EU Customs Union.

(3) In this section—

‘the initial five year period’ has the same meaning as in section 2(8)(a),

‘parts of the United Kingdom’ means—

- (a) England,
- (b) Scotland,
- (c) Wales, and
- (d) Northern Ireland

‘regions of England’ has the same meaning as that used by the Office for National Statistics.”

New clause 5—Implementation of a customs union with the EU—

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the UK to participate after exit day in a customs union with the EU.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 8—Internal Market Negotiating Objective—

“It shall be a negotiating objective of Her Majesty’s Government to ensure the United Kingdom has full access to the internal market of the European Union, underpinned by shared institutions and regulations, with no new impediments to trade and common rights, standards and protections as a minimum.”

New clause 9—UK membership of EFTA and the European Economic Area—

“(1) It shall be the objective of an appropriate authority to achieve before exit day the implementation of an international agreement to enable the UK to become a member of the European Free Trade Association and continue as a signatory to the EEA Agreement.

(2) ‘Exit day’ shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 10—UK membership of EFTA—

“(1) It shall be the objective of an appropriate authority to achieve before exit day the implementation of an international agreement to enable the UK to become a member of the European Free Trade Association.

(2) ‘Exit day’ shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 11—Assessment of slavery or servitude—

“The Secretary of State shall, before concluding negotiations relating to an international trade agreement, make an assessment of the steps taken by the other signatory to the agreement (or each other signatory) to prevent and punish activity which, if undertaken in England or Wales, would constitute an offence under section 1 of the Modern Slavery Act 2015 (slavery, servitude and forced or compulsory labour).”

New clause 15—Ratification of international trade agreements—

“An international trade agreement shall not be ratified unless it enables the United Kingdom to require imports to—

- (a) comply with any standards laid down by primary or subordinate legislation in the United Kingdom regarding food safety, the environment and animal welfare, or
- (b) have been produced to standards that are deemed by the Secretary of State to be comparable in effectiveness to those of the United Kingdom in protecting food safety, the environment and animal welfare.”

This new clause would ensure that UK standards regarding food safety, the environment and animal welfare could not be undermined by imports produced to lower standards.

New clause 17—UK participation in the European medicines regulatory network—

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement, which enables the UK to fully participate after exit

day in the European medicines regulatory network partnership between the European Union, European Economic Area and the European Medicines Agency.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

This new clause would ensure that it is a negotiating objective for the UK Government to secure an international agreement through which the UK may continue to participate in the European medicines regulatory network partnership between the EU, EEA and the European Medicines Agency, ensuring that patients continue to have access to high-quality, effective and safe pharmaceutical and medical products, fully aligned with the member states of the EU and EEA.

New clause 18—Free trade area for goods—

“(1) Before exit day it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement to enable the United Kingdom to establish a frictionless free trade area for goods between the UK and the EU.

(2) If an international agreement of the type set out in subsection (1) has not been agreed by 21st January 2019 then it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement which enables the United Kingdom to participate after exit day in a customs union with the EU.

(3) ‘Exit day’ shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

This new clause would make it a negotiating objective of the UK to establish a free trade area for goods between the UK and the EU and if that cannot be agreed then it should be the objective of the UK to secure an agreement to enable the UK’s participation in a customs union with the EU.

New clause 19—Reporting on trade between the United Kingdom’s devolved nations and regions with the Republic of Ireland—

“(1) The Secretary of State shall, no earlier than 12 months and no later than 18 months after Royal Assent has been given to this Act—

- (a) lay before both Houses of Parliament an assessment of the implications of this Act for trade between the constituent parts of the United Kingdom and the Republic of Ireland, and
- (b) make arrangements for the assessment to be laid before the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

(2) In preparing the assessment under subsection (1), the Secretary of State shall consult with—

- (a) the Scottish Ministers, the First Minister or the Lord Advocate,
- (b) the Welsh Ministers, and
- (c) a Northern Ireland devolved authority.”

This new clause would ensure that the impact of the UK’s exit from the European Union on trade across the border between the Republic of Ireland and Northern Ireland, and between the Republic of Ireland and other parts of the United Kingdom is properly reviewed and reported to Parliament.

New clause 25—Trade agreement with the EU: mobility framework—

“It shall be the objective of the Secretary of State to take all necessary steps to secure an international trade agreement with the European Union which includes a mobility framework that enables all UK and EU citizens to exercise the same reciprocal rights to work, live and study.”

Government amendments 31 to 35.

Amendment 11, in clause 2, page 2, line 12, at end insert—

“or (c) a regulatory cooperation agreement.”

This amendment would ensure that HM Government is able to efficiently replicate existing regulatory cooperation agreements that may be required for continuity of business arrangements if the UK exits the European Union.

Amendment 3, in clause 2, page 2, line 29, at end insert—

“(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if:

- (a) the provisions of that international trade agreement do not conflict with, and are consistent with—
 - (i) the provisions of the Sustainable Development Goals adopted by the United Nations General Assembly on 25 September 2015,
 - (ii) international human rights law and international humanitarian law,
 - (iii) the United Kingdom’s obligations on workers’ rights and labour standards as established by but not limited to the commitments under the International Labour Organisation’s Declaration on Fundamental Rights at Work and its Follow-up Conventions,
 - (iv) the United Kingdom’s environmental obligations in international law and as established by, but not limited to, the Paris Agreement adopted under the United Nations Framework Convention on Climate Change, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety,
 - (v) existing standards for food safety and quality as set and administered by the Department of Health, the Food Standards Agency and any other public authority specified in regulations made by the Secretary of State,
 - (vi) the United Kingdom’s obligations as established by the Convention on the Elimination of All Forms of Discrimination Against Women and by the Convention on the Rights of the Child, and
 - (vii) the sovereignty of Parliament, the legal authority of UK courts, the rule of law and the principle of equality before the law.

- (a) the provisions of that international trade agreement do not in any way restrict the ability to determine whether public services at a national or local level are delivered by public sector employees, and
- (b) the Secretary of State has laid before Parliament an assessment that considers the potential economic, social, human rights and environmental impacts of the international trade agreement on the contracting parties.”

Amendment 24, in clause 2, page 2, line 29, at end insert—

“(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if the Secretary of State has made an assessment under section (Assessment of slavery or servitude) in respect of that agreement.”

Amendment 81, in clause 2, page 2, line 29, at end insert—

“(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if a principle of non-regression, according to which the protection of the environment, ensured by legislative and regulatory provisions relating to the environment, is incorporated.”

This amendment would ensure that environmental standards are not lowered in a new UK international trade agreement by maintaining and continually updating current standards through an environmental non-regression clause.

Government amendments 40, 41 and 43.

Amendment 20, in clause 2, page 2, line 40, at end insert

“and shall include any agreement to which the UK is party by virtue of membership of a free trade association, including the European Free Trade Association”.

This amendment would make it clear that the implementation powers under the Act would apply equally to implementation of any free trade agreement to which the UK is party through EFTA.

Amendment 5, in clause 2, page 2, line 40, at end insert—

“(7A) No regulations made under subsection (1) shall preclude the United Kingdom from participating in a customs union with the European Union following exit day.”

This amendment allows for the implementation of international trade agreements while leaving open the possibility of negotiating a customs union with the EU.

Government amendments 44 to 48 and 51 to 57.

Amendment 1, in clause 6, page 4, line 10, at end insert—

“(aa) the conduct of trade within a customs union within the meaning of section 31 of the Taxation (Cross-border Trade) Act 2018,”.

Amendment 21, in clause 6, page 4, line 10, at end insert—

“(aa) the consequences for the UK of membership of the European Free Trade Association,”.

This amendment would place a duty on the TRA to give advice to the Secretary of State on the consequences of membership of EFTA.

Government amendments 59 and 60.

George Hollingbery: There is a wide range of issues covered by this final group of amendments we are debating today. I therefore propose to focus on the Government amendments in my opening remarks.

We are committed to creating a world-class Trade Remedies Authority. That is why Government have already begun recruiting TRA staff into the Department for International Trade, so that they can be properly trained before the TRA becomes fully operational. Once the TRA is legally established, staff who have been recruited into the Department will be transferred over to the TRA. Government new schedule 1 and Government amendment 58 are crucial to ensuring that this transfer can take place. This is standard practice when establishing a new arm’s-length body, as set out in the Cabinet Office’s statement of practice on transfers of staff in the public sector.

Trade remedies cases can have material impacts on markets and jobs. We must therefore create an independent investigation process that businesses can trust. That is why we are setting up the TRA as an arm’s-length body, giving it the appropriate degrees of separation from government, and ensuring that people with the right qualities and qualifications are appointed to the board to oversee this new function.

There are other amendments in this group, tabled by other hon. Members, on the TRA. I will wait to hear the points they make before responding to the detail of those amendments. Before I sit down, however, I will underline the point made by my right hon. Friend the Secretary of State for Trade yesterday in his statement to the House. The Bill is about continuity rather than future arrangements. This is why we have now separately set out the role that Parliament, the devolved Administrations, the public, business and civil society

will have in our future trade agreements. We believe our approach makes good on our commitment to build an inclusive and transparent future trade policy.

Amendments 44 to 47 reduce the sunset period and renewal periods from five to three years. This has been discussed in previous debates. Amendments 31 and 32 allow Agreement on Government Procurement, or GPA, power to reflect updates to the list of Government entities in the UK’s GPA schedule. Amendments 34, 40, 41 and 48 clarify the scope of the powers in clause 1 and 2. Amendments 59 and 60 update references to data protection legislation, and amendments 31, 35, 43, and 51 to 57 are drafting changes.

Judith Cummins (Bradford South) (Lab): It is a pleasure to follow the Minister and to contribute to the Report stage of this important Bill.

I rise to propose amendment 80, in my name and that of my hon. Friends, on the Trade Remedies Authority, and to speak to the other clauses and amendments in this group. Labour supports new clause 5 and our own amendment 5 on the implementation of a customs union with the EU. Labour’s policy is for a new customs union with the EU to protect jobs and the economy, and to avoid a hard border in Northern Ireland. We will also be supporting new clause 18, as it keeps open the possibility of a customs union with the EU.

My Labour colleagues and I tabled amendment 5, which requires that any international trade agreement must not stop the UK participating in a customs union with the EU. This is in line with our party’s policy to negotiate a new customs union with the EU. As the Bill deals with international trade agreements, we wish to ensure that no other trade agreements impede on the UK’s capacity to enter into such a new customs union with the EU.

On new clause 18, as I have said, Labour believes that the only way to deliver frictionless trade and to prevent a hard border in Northern Ireland is to negotiate a comprehensive customs union with the EU. The Chequers White Paper published by the Government put forward a different proposal. We think that the so-called “facilitated customs arrangement” is unnegotiable, undeliverable and unworkable, but it at least accepts the need for frictionless trade and to prevent a customs border between the UK and the EU.

5.30 pm

We understand that Government Members want to give their Prime Minister a chance to try to negotiate that, but if and when the Government prove that they cannot negotiate the unnegotiable, it is important that we take the obvious path to achieving frictionless trade—that is, a customs union. The Government should do as we have done and listen to the business community on this point. That is what new clause 18 will achieve. Although Labour thinks that the Government should not waste time on the facilitated customs arrangement, we will support the amendment. We will also support new clause 17, which deals with UK participation in the European medicines regulatory network.

I turn to the Trade Remedies Authority and amendment 80 in my name and that of my hon. Friends, and amendment 22. The Government made no major improvements to the Bill with regards to the Trade

Remedies Authority, despite the unanimous criticism that was presented by business, trade unions and experts in the Bill Committee. Gareth Stace of UK Steel warned us:

“If we get this... wrong, we become the dumping ground—not just in Europe, but for the rest of the world.”—[*Official Report, Trade Bill Committee*, 23 January 2018; c. 66, Q127.]

The Trade Bill sets up the Trade Remedies Authority and I am afraid that the Government have got it wrong.

At the time, we tabled amendments aiming to establish robust procedures for appointing non-executive members of the Trade Remedies Authority and to make it answerable to Parliament. Most importantly, we tabled an amendment seeking to ensure that the Trade Remedies Authority includes in its non-executive members representatives of producers, trade unions and each of the devolved Administrations. We therefore support the principle of amendment 22, as it calls for representatives of UK manufacturing sectors and trade unions to be included in the corporate governance of the TRA. It is a shame that the amendment has omitted representation of the devolved Administrations on the TRA board. That is why we have tabled amendment 80, which would have representatives of producers, trade unions and each of the devolved Administrations included among the non-executive members of the Trade Remedies Authority.

We also welcome amendment 30 in the name of the hon. Member for Dundee East (Stewart Hosie), which calls for Scottish and Welsh Ministers to give their consent to the appointment of one non-executive member to the TRA from each devolved nation. We regret that there is no mention of Northern Ireland in the amendment, and we believe that the amendment’s purpose is also served by our amendment 80.

Finally, we support the Government’s new schedule 1, allowing them to move staff from the DIT to the TRA.

Stephen Hammond (Wimbledon) (Con): It is a great pleasure to speak on Report and I rise to support new clause 9, amendments 20 and 21 and new clause 18. Let me start briefly with new clause 9. We are leaving the European Union and I accept the result of the referendum, but that referendum did not tell this House and this Parliament how we should do so. That is what Parliament is here to decide and what it is going to do.

I think the Common Market principles are the best way to leave the EU. The Common Market principles that I am referring to are the removals of barriers for trade between the United Kingdom and the EU and the protection and development of complex supply chains across the continent, which will protect, as my right hon. Friend the Member for Broxtowe (Anna Soubry) said yesterday, the jobs and livelihoods of our constituents. As we leave the European Union, I believe that should be the key priority of this House.

New clause 9 refers to the European economic area and the European Free Trade Association. EEA and EFTA members incorporate most of the single market regulations. Most goods are not checked for compliance with EU regulations at the border and I think that would go a long way to mitigate complex supply chains and the Irish border issue, as well as the potential congestion at UK ports. That is one reason I support the White Paper; it refers to a common rulebook.

John Redwood: Does my hon. Friend understand that last year 21% of all the components needed for making cars under just-in-time principles came from outside the EU and passed our borders without friction or difficulty?

Stephen Hammond: My right hon. Friend has just made the point that 79% of them do, and in business I was always taught the 80/20 rule, which I would advise him to apprise himself of.

As I was saying, the White Paper is very similar to the common rulebook, and that I think is appropriate. I will not dally too long on clause 9, but I think that the EEA-EFTA, as an institutional structure, is off the shelf, tested and something the EU is familiar with and which we could engage with. I accept, however, that the White Paper sets out a different direction, and I want to make sure we keep the White Paper and the plan negotiated and moving forwards.

What I really want to talk about tonight is new clause 18. I would contend, and I say to my Front Bench, that new clause 18 is exactly in line with their White Paper. It says that,

“it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement to enable the United Kingdom to establish a frictionless free trade area for goods between the UK and the EU.”

That is absolutely in line with the White Paper. What causes the Government and others in the House concern is the word “union”.

George Hollingbery: It might help if I could advise the House that, in recognition of contributions from right hon. and hon. Members today, it is my intention to bring forward an amendment in the other place—[*Laughter.*] If I may. [*Interruption.*] If I may. Thank you.

Mr Speaker: Order.

George Hollingbery: It is my intention to bring forward an amendment in the other place that takes in the essence of new clause 18 but removes the defective element relating to the customs union. The Government amendment will restate our intention to establish a customs arrangement with the EU. [*Interruption.*]

Mr Speaker: Order. We must hear the hon. Member for Wimbledon.

Stephen Hammond: Very few people ever say that, Mr Speaker.

It is a generous offer from the Front Bench, and one that I am tempted to accept, but I would say to the Minister: let’s do this the other way around. I will make him a generous offer. Why does he not accept new clause 18 today and then amend it in the Lords? [HON. MEMBERS: “Hear, hear!”] I will tell the House why. Subsection (2) of my new clause is entirely in line with the European Union (Withdrawal) Act 2018, which is now part of our law in this country, the House having passed it. All it says is that it should be the objective, after 21 January, which date is in clause 13(10) and (11).

Had I used any other word than “union”, the Front Bench would have accepted it. Frankly, I do not see the problem. Yesterday, we took several amendments that we were told did not undermine the Bill, and this does not undermine the Bill either. It keeps the plan on the road. I say to my Front Bench in all good faith: why not

do it this way round? Accept new clause 18 now and I will work with them to find something in the Lords that they find acceptable.

George Hollingbery: It is the policy of the Government not to remain part of a customs union. That is why we cannot accept the amendment today. Clearly, we would not be able to implement any independent free trade deals and would still be a member of the commercial policy. We are absolutely clear that we wish to work with my hon. Friend to reach an agreement that is satisfactory to him. We will do that in the Lords over the next several weeks and come to a conclusion on this matter.

Stephen Hammond: The Minister is a generous man—

Anna Soubry (Broxtowe) (Con): And a good man.

Stephen Hammond: And a good man, as my right hon. Friend says, and I know that he is fulfilling the Government's wishes. But I remind him that I stood on a Conservative manifesto that said we were leaving "the" customs union. New clause 18 does not commit us to "the" customs union. It commits us to "a customs union", which is a customs arrangement or a customs partnership. There is a slight deviation in the definition. This absolutely does not affect our ability to engage in international trade, for other customs unions with the EU are already in place. So I ask the Minister to think again during the 25 minutes before we vote on this matter, and to accept new clause 18.

Dr Paul Williams (Stockton South) (Lab): I do hope that we can vote on new clause 17. NHS patients will not be helped if we leave the European Medicines Agency. Being part of the EMA means that when a new drug is developed, a common set of protocols is followed to get that medicine approved. The UK is a world leader in pharmaceuticals and biomedical sciences. We have been the driving force behind the EMA, which has provided significant employment and revenue here in London, and has helped to raise and maintain standards for patients throughout Europe. We have already lost the EMA to Amsterdam, but although we have lost it geographically, we still have the chance to be part of the European medicines regulatory network partnership, and continue to benefit from the work of the EMA.

There are three big markets for new drugs in the world: the United States, Japan and the EU. Companies already have to follow different processes to get their drugs approved in those countries, but, together with the EU, we are part of a single powerful bloc that represents 22% of the global pharmaceutical market. Companies prioritise getting their drugs to us, because we provide a single European system. If we leave the EMA, we will have only 3% of the global market. Quite simply, we will not be a priority for new drugs. Switzerland and Canada have separate approval systems, and typically get their new drugs six months later than the EU. That is the cost of leaving the EMA: a six-month delay. Try explaining to a patient that a new life-saving cancer drug will not be available to them because we left the EMA!

So why are we leaving? Our life sciences industry is not complaining about EU "red tape"; it likes the

common system. According to the Association of the British Pharmaceutical Industry,

"Creating a standalone UK regulator would require significant resource, time and expertise, and...would...still leave the UK behind the US and EU".

We are leaving the EMA because people voted to leave the EU, but how many people knew that when they voted to leave the EU, they voted to increase the cost of new medicines regulation, a cost that will be passed on to the NHS; to reduce the UK's international influence and excellence in this area of life sciences; and to delay access to new drugs for cancer patients? New clause 17 asks that we "take all necessary steps" to continue to participate in the European medicines regulatory network partnership. We could do that by remaining a member of the EU, by becoming a member of the European Free Trade Association, or by negotiating an associate membership of the EMA.

We are already seeing the high cost of Brexit to the NHS. We are seeing an exodus of EU staff which is making recruitment challenges much harder, we are seeing the threat to the supply chain if we leave the customs union, and now we face delays in the delivery of new drugs to cancer patients. It does not have to be this way. I will be voting for new clause 17 tonight, and I hope that Members in all parts of the House will put the interests of NHS patients above Brexit ideology and join me in voting to remain part of the European medicines regulatory partnership.

Dr Phillip Lee (Bracknell) (Con): It is a pleasure to follow the hon. Member for Stockton South (Dr Williams), who is a co-signatory to my new clause 17, as are other medically qualified Members: the hon. Member for Central Ayrshire (Dr Whitford) and my hon. Friend the Member for Totnes (Dr Wollaston), the Chairman of the Health Committee.

We all recognise the importance of remaining part of the European medicines regulatory network partnership. New clause 17 would make it a "a negotiating objective" for the Government to secure an agreement that would allow the United Kingdom to continue to participate fully in the partnership. This is vital because it is how we get our people and our NHS the medicines they need. It is also important for our pharmaceutical sector, about which my right hon. Friend the Prime Minister has observed that it is hard to think of an industry of greater strategic importance to Britain and that does so much to improve the lives of patients around the world.

Let me explain further. The European medicines regulatory network partnership makes the process of accessing life-saving new medicines and moving medicines quick and easy. If we leave that partnership, the NHS would get ground-breaking new drugs like those for cancer, dementia and diabetes long after other parts of the world. That is because pharmaceutical companies will apply for licences in the much larger American, European and Asian markets before they come to the UK. It would also be harder to get the medicines we need when we need them. This is particularly worrying for time-critical drugs and equipment. For example, some of the trauma treatments used for victims of last year's Manchester Arena bombing were stocked in Amsterdam; we got them straightaway because there were no borders or checks. After Brexit we could, in effect, create a hard border so this would not be so easy.

5.45 pm

Antoinette Sandbach (Eddisbury) (Con): AstraZeneca has a supply line of 4,000 people in the north-west. They assist in the manufacturing of a cancer drug that is exported to Europe. Without that export to Europe it would not be viable, because it helps 130,000 people across Europe. Does my hon. Friend agree that remaining in the European Medicines Agency would allow such frictionless trade to carry on?

Dr Lee: I do. A number of pharmaceutical companies have already made plans for no deal by taking warehouse space to import drugs in advance of 29 March so that patients do not go without their medications.

Dr Sarah Wollaston (Totnes) (Con): Evidence to the Health and Social Care Committee overwhelmingly showed the importance to patients of our maintaining close regulatory alignment not only here, but across the EU. Does my hon. Friend agree with the Committee that we must do more to publish the contingency planning and the consequences of not maintaining alignment so that the public can see this?

Dr Lee *rose*—

Mr Speaker: Order. We must hear the response to that question, but we must also hear from other Members, including the Father of the House.

Dr Lee: I will be as brief as possible, Mr Speaker.

Yes, I do agree with my hon. Friend's comments. Every month 45 million patient-packs of medicine go to the EU from the UK and 37 million packs move the other way. It is hard to think of a single other product that illustrates so well the importance of frictionless trade.

This amendment supports the Government's intentions as explained in the Prime Minister's Mansion House speech and their White Paper, but we must go further and enshrine them in law because of the very real impact on people's lives, on the NHS's ability to operate, on the industry, and on investment in the UK. That is why I will press this new clause to a vote.

I will also support new clause 18 this evening. Yesterday was the worst experience in politics I have had in eight years, and I am sorry that it has changed the dynamic. I started the week intending to support our Prime Minister in her deal and the White Paper. Yesterday changed that, and that is why I will be supporting other colleagues on these Benches when we come to new clause 18 this evening.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I shall speak briefly on new clause 11 in my name and the names of 20 of my Co-operative party colleagues—the Co-operative party being the third largest party in this House, despite what some in here say.

New clause 11 simply asks the Secretary of State to make an assessment of slavery and servitude as part of any new trade deals. Modern slavery is a stain on society and we in this country are making great headway in tackling it through the Modern Slavery Act 2015, particularly sections 1 and 54, but, sadly, slavery is all too apparent in some parts of the world. Most people in this room will be wearing an item of clothing that has been made by a slave, and we

should be using our international prowess and purchasing power to try to deliver a reduction in slavery and servitude.

Amendment 22, which was very kindly tabled by the hon. Member for Stafford (Jeremy Lefroy), supported by the hon. Member for St Austell and Newquay (Steve Double), relates to trade remedies. The British Ceramic Confederation has worked very hard on this. I shall also be supporting amendment 80, because that will also help to protect our manufacturing base.

Mr Kenneth Clarke (Rushcliffe) (Con): I shall be voting for new clauses 9, 17 and 18. I will not repeat the very eloquent arguments that have already been put forward by my hon. Friend the Member for Wimbledon (Stephen Hammond), the hon. Member for Stockton South (Dr Williams) and my hon. Friend the Member for Bracknell (Dr Lee), who have put the case perfectly. I do not see any answer to it. The only question I wish to pose relates to my understanding that the Government are resisting these new clauses, which I find completely incomprehensible, particularly since yesterday. I personally cannot see why we are leaving the single market and the customs union, because that does not follow on from the referendum at all. However, I accept that staying in them has been ruled out and, in the spirit of getting a reasonably broad compromise, I am prepared to give the Government a chance to produce some other version that will preserve totally frictionless trade and no barriers to trade and investment with Europe, if they think that there is one. Therefore, I would not press new clauses 1 and 5 to a vote, and I do not think that my right hon. Friend the Member for Broxtowe (Anna Soubry) would do so. Let us give the White Paper a chance, which is what new clause 18 does. What I do not understand, given that the White Paper also supports keeping our present arrangements, if we can, by remaining within the European Medicines Agency, is why on earth these proposals are being resisted.

Yesterday, I was astonished that the Government used a three-line Whip to secure a majority for my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) and his European Research Group faction, which they only just managed to do, by chance. The Government actually whipped my party to defeat their own policy, as set out in the White Paper. Today, we have amendments that are entirely consistent with the White Paper, but the Government are so terrified of the *Daily Mail*, *The Daily Telegraph* and the European Research Group that they are now applying the whip to try to defeat these measures. I really hope that they will go away for the summer and have a good rest—perhaps they should lie in a quiet, dark room at some stage—then come back and tell us exactly how they intend to negotiate these serious matters relating to the future of our country.

Several hon. Members *rose*—

Mr Speaker: Order. Two-minute speeches are now required.

Mr Leslie: Surely new clause 17 is a no-brainer. If we are going to preserve anything, we must surely keep the frictionless flow of medicines and treatments for our national health service going. If ever there were an example of an ideology getting in the way of common sense, it would be that of a hard Brexit attitude physically placing itself at the border in the way of the free flow of

those medicines. We know that 45 million packages of medicines cross that border every month. That is how essential this is, so new clause 17 has to be supported.

New clause 18 has been tabled by the hon. Member for Wimbledon (Stephen Hammond). I have to say to him that he is being incredibly generous to the Government in relation to this proposal. He is giving them the benefit of the doubt on the free trade area in goods. It is true that, whatever we get, the lowest common denominator will be a free trade area in goods. We will have to get that. But frankly, I am really quite surprised by the way in which some Conservative Members have been treated by the Government in respect of the ERG amendments—all of which were accepted without any objection—when some of them are trying their best to preserve the Prime Minister's Chequers plan. Those Conservative Members are being very generous, but I think it is reasonable to put in place a safety net in the form of a customs union in January. I hope that, on this one occasion, we can put party politicking to one side and do the right thing for our country.

Mr Speaker: Thank you. Two minutes, please. I call John Redwood.

John Redwood: Every day, a large number of components come into our country from outside the EU and they meet the deadlines of the just-in-time systems, as do the components from the EU. My hon. Friend the Member for Wimbledon (Stephen Hammond) should understand that you cannot send a car out with only 79% of its components assembled because they are the ones that came from the EU. Manufacturers send their cars out with 100% of their components, including the non-EU ones, which are coming in perfectly well. More than half our trade is done with non-EU countries that are not part of the single market or the customs union. We have already thought about the need to get rid of frictions on the borders for non-EU trade. We have worked internationally through the WTO which, through its trade facilitation agreement, has several instructions for us and for the EU to ensure that there is a minimum of friction at the border for non-EU, non-customs-union trade as well, which is why our manufacturers can work with it.

EU trade is not without administration and bureaucracy. The Intrastat declaration must be made, the commodity code must be identified, the VAT has to be settled and the excise must be settled if necessary. Those things are not done at the border. The lorry drivers do not have to stand in a queue while trying to work things out. When we are outside the EU's customs union, the situation will be the same for everything else that does not come in within the customs union framework. This is the modern world. It is electronic. There are computers. There is the off-site settlement of taxes and of customs. The WTO knows about that.

The future for us will be great, but we must be free to have our own international trade policy and our own agreements with countries other than those in the EU. We must have the ability to set out our laws and spend our own money. The British public would expect no less of this Parliament, and they will not accept any higgling of their decision to leave the EU.

Mr Speaker: For less than two minutes, I call Emma Reynolds.

Emma Reynolds (Wolverhampton North East) (Lab): If the customs union is not important, why have BMW, Jaguar Land Rover and Airbus suggested that they need to keep the current border arrangements? If we are to preserve just-in-time manufacturing in this country—Jaguar Land Rover is on the outskirts of my constituency—we must either have a customs union or find an equivalent, as suggested by the hon. Member for Wimbledon (Stephen Hammond), who is being patient with the Government. The suggestion from some Members, as we have just heard, that the customs union or an equivalent is not important flies in the face of the evidence and what businesses up and down the country are telling us.

Nicky Morgan (Loughborough) (Con): I will necessarily keep my remarks extremely brief. I cannot match the magnificence of my right hon. Friend the Member for Broxtowe (Anna Soubry) when she spoke yesterday, but let me say the following to the Chamber. Brexit is a matter of national interest. It is time to put party politics aside, which is why I welcome the fact that Labour Members are open to supporting the Chequers proposals, as captured in new clause 18, which I rise to support. I hear what the hon. Member for Bradford South (Judith Cummins) said about her scepticism regarding whether the proposals could work, but the Prime Minister did the right thing in the national interest by putting on the table a workable, practical proposal, captured at Chequers, that could be negotiated with the EU.

Greg Hands: Will my right hon. Friend give way?

Nicky Morgan: No. Some Government Members chose to try to scupper that agreement and those proposals yesterday. Some of us tried to stop that; but sadly, we failed. What is proposed in new clause 18—I am delighted to join my hon. Friend the Member for Wimbledon (Stephen Hammond) in proposing it—is eminently sensible. We want to give the Prime Minister space for the negotiations, and it is clear that there is a majority in this House for a customs union to safeguard business, jobs and our constituents' future financial security. I hope that the House will have the opportunity to demonstrate that shortly.

Angus Brendan MacNeil: The majority of the world's countries are in a customs union. We need to be in a customs union and, I would argue, the single market. The damage that will result from not being in those two things and instead having a free trade, or less trade, agreement with the EU will be 6% of GDP. The panacea often offered is the United States of America, but the US will counter that drop to the tune of 0.2%. To make up for the damage that will be done by not being in the customs union and the single market, we need 30 US-style agreements. The US has a population of about 300 million, and a deal with it will yield a 0.2% gain in GDP. By that arithmetic, we need to make US-style agreements with about 9 billion people, but there is one problem for the Brexiteers: the population of the world is only about 7.4 billion. They should be listening to their friends and colleagues and making absolutely sure that they are not playing fast and loose with jobs, security, employment and with the life chances of people in the UK, young and old. It is a pity for me that Scotland is hitched to this lot at the moment.

Greg Hands: There are three or four very strong arguments not to be in a customs union as outlined in new clause 18. First, being in a customs union puts massive restrictions on having an independent trade policy. Trade agreements are all about WTO schedules, and if we are in a customs union, we cannot have our own WTO schedules. Secondly, who would run trade remedies in such a position? Would trade remedies be run in London or would they be run in Brussels, and in whose interest? With British jobs and British companies on the line, it is incredibly important that we have the ability to run trade remedies.

Thirdly, on the subject of trade preferences, we want to do better for the developing world. Being in a customs union would prevent that. Finally—

6 pm

Debate interrupted (Programme Order, this day).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the schedule be read a Second time.

Question agreed to.

New schedule 1 accordingly read a Second time, and added to the Bill.

Clause 5

THE TRADE REMEDIES AUTHORITY

Amendment made: 58, in clause 5, page 4, line 6, at end insert—

“(3) Schedule (Transfer Schemes) contains provision about schemes for the transfer of staff in connection with the establishment of the TRA.”—(*George Hollingbery.*)

This amendment introduces new Schedule (Transfer Schemes) which provides that the Secretary of State can make a scheme providing for the transfer of staff from the Secretary of State to the Trade Remedies Authority.

Schedule 4

THE TRADE REMEDIES AUTHORITY

Amendment proposed: 80, in schedule 4, page 14, line 35, at end insert “including representatives of—producers, trade unions, and each one of the devolved administrations.”

- (i) producers,
- (ii) trade unions, and
- (iii) each one of the devolved administrations.”—(*Barry Gardiner.*)

This amendment would ensure that the Trade Remedies Authority includes, among its non-executive members, representatives of key stakeholder bodies.

Question put, That the amendment be made.

The House divided: Ayes 295, Noes 314.

Division No. 221]

[6.1 pm

AYES

Abbott, rh Ms Diane	Berger, Luciana
Ali, Rushanara	Betts, Mr Clive
Allin-Khan, Dr Rosena	Black, Mhairi
Amesbury, Mike	Blackford, rh Ian
Antoniuzzi, Tonia	Blackman, Kirsty
Ashworth, Jonathan	Blackman-Woods, Dr Roberta
Austin, Ian	Blomfield, Paul
Bailey, Mr Adrian	Brabin, Tracy
Barron, rh Sir Kevin	Bradshaw, rh Mr Ben
Beckett, rh Margaret	Brake, rh Tom
Benn, rh Hilary	Brennan, Kevin

Brock, Deidre	Gaffney, Hugh
Brown, Alan	Gapes, Mike
Brown, Lyn	Gardiner, Barry
Brown, rh Mr Nicholas	George, Ruth
Bryant, Chris	Gethins, Stephen
Buck, Ms Karen	Gibson, Patricia
Burden, Richard	Gill, Preet Kaur
Burton, Richard	Glendon, Mary
Butler, Dawn	Godsiff, Mr Roger
Byrne, rh Liam	Goodman, Helen
Cable, rh Sir Vince	Grady, Patrick
Cadbury, Ruth	Grant, Peter
Cameron, Dr Lisa	Gray, Neil
Campbell, rh Mr Alan	Green, Kate
Campbell, Mr Ronnie	Greenwood, Lilian
Carden, Dan	Greenwood, Margaret
Carmichael, rh Mr Alistair	Griffith, Nia
Champion, Sarah	Grogan, John
Chapman, Douglas	Gwynne, Andrew
Chapman, Jenny	Haigh, Louise
Charalambous, Bambos	Hamilton, Fabian
Cherry, Joanna	Hanson, rh David
Clwyd, rh Ann	Hardy, Emma
Coaker, Vernon	Harman, rh Ms Harriet
Coffey, Ann	Harris, Carolyn
Cooper, Julie	Hayes, Helen
Cooper, Rosie	Hayman, Sue
Cooper, rh Yvette	Healey, rh John
Corbyn, rh Jeremy	Hendrick, Sir Mark
Cowan, Ronnie	Hendry, Drew
Coyle, Neil	Hepburn, Mr Stephen
Crawley, Angela	Hermon, Lady
Creagh, Mary	Hill, Mike
Creasy, Stella	Hillier, Meg
Cruddas, Jon	Hobhouse, Wera
Cummins, Judith	Hodge, rh Dame Margaret
Cunningham, Alex	Hodgson, Mrs Sharon
Cunningham, Mr Jim	Hoey, Kate
Daby, Janet	Hollern, Kate
Dakin, Nic	Hopkins, Kelvin
Davey, rh Sir Edward	Hosie, Stewart
David, Wayne	Howarth, rh Mr George
Davies, Geraint	Huq, Dr Rupa
Day, Martyn	Hussain, Imran
De Cordova, Marsha	Jardine, Christine
De Piero, Gloria	Jarvis, Dan
Debonnaire, Thangam	Johnson, Diana
Dent Coad, Emma	Jones, Darren
Dhesi, Mr Tanmanjeet Singh	Jones, Gerald
Doughty, Stephen	Jones, Graham P.
Dowd, Peter	Jones, Helen
Drew, Dr David	Jones, rh Mr Kevan
Dromey, Jack	Jones, Sarah
Duffield, Rosie	Jones, Susan Elan
Eagle, Ms Angela	Kane, Mike
Eagle, Maria	Keeley, Barbara
Edwards, Jonathan	Kendall, Liz
Efford, Clive	Khan, Afzal
Elliott, Julie	Killen, Ged
Ellman, Dame Louise	Kinnock, Stephen
Esterson, Bill	Kyle, Peter
Evans, Chris	Laird, Lesley
Farrelly, Paul	Lake, Ben
Farron, Tim	Lamb, rh Norman
Fellows, Marion	Lammy, rh Mr David
Field, rh Frank	Lavery, Ian
Fitzpatrick, Jim	Law, Chris
Flint, rh Caroline	Lee, Karen
Fovargue, Yvonne	Lefroy, Jeremy
Foxcroft, Vicky	Leslie, Mr Chris
Frith, James	Lewell-Buck, Mrs Emma
Furniss, Gill	Lewis, Clive

Lewis, Mr Ivan
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma

Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Chris Elmore and
Jeff Smith

NOES

Adams, Nigel
 Afolami, Bim

Afriyie, Adam
 Aldous, Peter

Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davis, rh Mr David
 Dinage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard

Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evnnett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Hald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy

Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lee, Dr Phillip
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 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
 Philip, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 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
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig

Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Mims Davies and
Kelly Tolhurst

Question accordingly negated.

New Clause 17

UK PARTICIPATION IN THE EUROPEAN MEDICINES REGULATORY NETWORK

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement, which enables the UK to fully participate after exit day in the European medicines regulatory network partnership between the European Union, European Economic Area and the European Medicines Agency.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”—(*Dr Phillip Lee.*)

This new clause would ensure that it is a negotiating objective for the UK Government to secure an international agreement through which the UK may continue to participate in the European medicines regulatory network partnership between the EU, EEA and the European Medicines Agency, ensuring that patients continue to have access to high-quality, effective and safe pharmaceutical and medical products, fully aligned with the member states of the EU and EEA.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 305, Noes 301.

Division No. 222]

[6.15 pm

AYES

Abbott, rh Ms Diane
 Ali, Rushanara
 Allen, Heidi
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary

Creasy, Stella
 Cruddas, Jon
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Djanogly, Mr Jonathan
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Field, rh Frank
 Fitzpatrick, Jim
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Grieve, rh Mr Dominic
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hammond, Stephen
 Hanson, rh David
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew

Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jone, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim

McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, rh Nicky
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Neill, Robert
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Sandbach, Antoinette
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip

Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Soubry, rh Anna
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Wollaston, Dr Sarah
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Jeff Smith and
 Chris Elmore**

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham

Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Choqe, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davis, rh Mr David
 Dinenage, Caroline
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey
 M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr
 Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl

Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon

Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 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, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew

Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 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
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Mims Davies and
Kelly Tolhurst

Question accordingly agreed to.

New clause 17 added to the Bill.

New Clause 18

FREE TRADE AREA FOR GOODS

(1) Before exit day it shall be the objective of Her Majesty's Government to achieve the implementation of an international agreement to enable the United Kingdom to establish a frictionless free trade area for goods between the UK and the EU.

(2) If an international agreement of the type set out in subsection (1) has not been agreed by 21st January 2019 then it shall be the objective of Her Majesty's Government to achieve the implementation of an international agreement which enables the United Kingdom to participate after exit day in a customs union with the EU.

(3) "Exit day" shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018."

This new clause would make it a negotiating objective of the UK to establish a free trade area for goods between the UK and the EU and if that cannot be agreed then it should be the objective of the UK to secure an agreement to enable the UK's participation in a customs union with the EU.

Brought up.

Stephen Hammond: With a heavy heart, I beg to move, That new clause 18 be added to the Bill.

Question put.

The House divided: Ayes 301, Noes 307.

Division No. 223]

[6.30 pm

AYES

Abbott, rh Ms Diane	Carmichael, rh Mr Alistair
Ali, Rushanara	Champion, Sarah
Allen, Heidi	Chapman, Douglas
Allin-Khan, Dr Rosena	Chapman, Jenny
Amesbury, Mike	Charalambous, Bambos
Antoniazzi, Tonia	Cherry, Joanna
Ashworth, Jonathan	Clarke, rh Mr Kenneth
Austin, Ian	Clwyd, rh Ann
Bailey, Mr Adrian	Coaker, Vernon
Barron, rh Sir Kevin	Coffey, Ann
Bebb, Guto	Cooper, Julie
Beckett, rh Margaret	Cooper, Rosie
Benn, rh Hilary	Cooper, rh Yvette
Berger, Luciana	Corbyn, rh Jeremy
Betts, Mr Clive	Cowan, Ronnie
Black, Mhairi	Coyle, Neil
Blackford, rh Ian	Crawley, Angela
Blackman, Kirsty	Creagh, Mary
Blackman-Woods, Dr Roberta	Creasy, Stella
Blomfield, Paul	Cruddas, Jon
Brabin, Tracy	Cummins, Judith
Bradshaw, rh Mr Ben	Cunningham, Alex
Brake, rh Tom	Cunningham, Mr Jim
Brennan, Kevin	Daby, Janet
Brock, Deidre	Dakin, Nic
Brown, Alan	Davey, rh Sir Edward
Brown, Lyn	David, Wayne
Brown, rh Mr Nicholas	Davies, Geraint
Bryant, Chris	Day, Martyn
Buck, Ms Karen	De Cordova, Marsha
Burden, Richard	De Piero, Gloria
Burton, Richard	Debonnaire, Thangam
Butler, Dawn	Dent Coad, Emma
Byrne, rh Liam	Dhesi, Mr Tanmanjeet Singh
Cable, rh Sir Vince	Djanogly, Mr Jonathan
Cadbury, Ruth	Doughty, Stephen
Cameron, Dr Lisa	Dowd, Peter
Campbell, rh Mr Alan	Drew, Dr David
Carden, Dan	Dromey, Jack

Duffield, Rosie	Kane, Mike
Eagle, Ms Angela	Keeley, Barbara
Eagle, Maria	Kendall, Liz
Edwards, Jonathan	Khan, Afzal
Efford, Clive	Killen, Ged
Elliott, Julie	Kinnock, Stephen
Ellman, Dame Louise	Kyle, Peter
Esterson, Bill	Laird, Lesley
Evans, Chris	Lake, Ben
Farrelly, Paul	Lamb, rh Norman
Farron, Tim	Lammy, rh Mr David
Fellows, Marion	Lavery, Ian
Fitzpatrick, Jim	Law, Chris
Flint, rh Caroline	Lee, Karen
Fovargue, Yvonne	Lee, Dr Phillip
Foxcroft, Vicky	Leslie, Mr Chris
Frith, James	Lewell-Buck, Mrs Emma
Furniss, Gill	Lewis, Clive
Gaffney, Hugh	Lewis, Mr Ivan
Gapes, Mike	Linden, David
Gardiner, Barry	Lloyd, Stephen
George, Ruth	Lloyd, Tony
Gethins, Stephen	Long Bailey, Rebecca
Gibson, Patricia	Lucas, Caroline
Gill, Preet Kaur	Lynch, Holly
Glindon, Mary	MacNeil, Angus Brendan
Godsiff, Mr Roger	Madders, Justin
Goodman, Helen	Mahmood, Mr Khalid
Grady, Patrick	Mahmood, Shabana
Grant, Peter	Malhotra, Seema
Gray, Neil	Marsden, Gordon
Green, Kate	Martin, Sandy
Greenwood, Lilian	Maskell, Rachael
Greenwood, Margaret	Matheson, Christian
Grieve, rh Mr Dominic	Mc Nally, John
Griffith, Nia	McCarthy, Kerry
Grogan, John	McDonagh, Siobhain
Gwynne, Andrew	McDonald, Andy
Haigh, Louise	McDonald, Stewart Malcolm
Hamilton, Fabian	McDonald, Stuart C.
Hammond, Stephen	McDonnell, rh John
Hanson, rh David	McFadden, rh Mr Pat
Hardy, Emma	McGinn, Conor
Harman, rh Ms Harriet	McGovern, Alison
Harris, Carolyn	McInnes, Liz
Hayes, Helen	McKinnell, Catherine
Hayman, Sue	McMahon, Jim
Healey, rh John	McMorris, Anna
Hendrick, Sir Mark	Mearns, Ian
Hendry, Drew	Miliband, rh Edward
Hepburn, Mr Stephen	Monaghan, Carol
Heron, Lady	Moon, Mrs Madeleine
Hill, Mike	Moran, Layla
Hillier, Meg	Morden, Jessica
Hobhouse, Wera	Morgan, rh Nicky
Hodge, rh Dame Margaret	Morgan, Stephen
Hodgson, Mrs Sharon	Morris, Grahame
Hollern, Kate	Murray, Ian
Hosie, Stewart	Nandy, Lisa
Howarth, rh Mr George	Neill, Robert
Huq, Dr Rupa	Newlands, Gavin
Hussain, Imran	Norris, Alex
Jardine, Christine	O'Hara, Brendan
Jarvis, Dan	Onasanya, Fiona
Johnson, Diana	Onn, Melanie
Jones, Darren	Onwurah, Chi
Jones, Gerald	Osamor, Kate
Jones, Graham P.	Owen, Albert
Jones, Helen	Peacock, Stephanie
Jones, rh Mr Kevan	Pearce, Teresa
Jones, Sarah	Pennycook, Matthew
Jones, Susan Elan	Perkins, Toby

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

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

Tellers for the Ayes:

**Jeff Smith and
 Chris Elmore**

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen

Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto

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

Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Hopkins, Kelvin
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, John
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen

Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 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, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David

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

Tellers for the Noes:
 Mims Davies and
 Kelly Tolhurst

Question accordingly negatived.

Clause 1

IMPLEMENTATION OF THE AGREEMENT ON GOVERNMENT PROCUREMENT

Amendments made: 31, page 1, line 13, leave out “or”.

This amendment is consequential on Amendment 32.

Amendment 32, page 1, line 15, at end insert—

“(e) in consequence of a modification of the list of central government entities in Annex 1 to the United Kingdom’s Appendix I to the 1994 GPA, or

(f) in consequence of a modification of the list of central government entities in Annex 1 to the United Kingdom’s Appendix I to the Revised GPA.”

This amendment provides that the power in clause 1 can be exercised to reflect updates to the list of UK government entities covered by Annex 1 to the UK’s Appendix I to the 1994 GPA and the Revised GPA.

Amendment 33, page 2, line 3, at end insert—

“(e) in the case of regulations under subsection (1)(e) or (f), the day the modification becomes effective.”

This amendment provides that regulations implementing a modification of Annex 1 can only come into force on or after the day that the modification becomes effective.

Amendment 34, page 2, line 3, at end insert—

“(3) Regulations under subsection (1) may make provision modifying retained direct EU legislation.”—(*George Hollingbery.*)

This amendment makes clear that the power in clause 1 can be exercised to modify retained direct EU legislation. “Retained direct EU legislation” is defined in the Interpretation Act 1978

Clause 2

IMPLEMENTATION OF INTERNATIONAL TRADE AGREEMENTS

Amendments made: 35, page 2, line 9, leave out subsection (2)

This amendment is consequential on Amendment 53.

Amendment 40, page 2, line 33, after “modifying” insert

“retained direct EU legislation or”

This amendment makes clear that the power in Clause 2 can be exercised to modify retained direct EU legislation. “Retained direct EU legislation” is defined in the Interpretation Act 1978.

Amendment 41, page 2, line 35, after “discretion” insert

“but not including a power to make subordinate legislation”

This amendment makes clear that the power in Clause 2 cannot be exercised to confer a power to make subordinate legislation. Amendment 55 includes a definition of subordinate legislation.

Amendment 43, page 2, line 38, leave out subsection (7)

This amendment is consequential on Amendment 52.

Amendment 44, page 2, line 42, leave out first “five” and insert “three”

This amendment provides that the power in Clause 2 can be exercised only for a period of three years from exit day.

Amendment 45, page 2, line 42, leave out second “five” and insert “three”

See the explanatory statement for Amendment 44.

Amendment 46, page 3, line 1, leave out “five” and insert “three”

This amendment provides that the sunset period in subsection (8) may only be extended for further periods of three years.

Amendment 47, page 3, line 3, leave out “five” and insert “three”—(*George Hollingbery.*)

See the explanatory statement for Amendment 46.

Clause 3

REGULATIONS: DEVOLVED AUTHORITIES AND GENERAL PROVISION

Amendment made: 48, page 3, line 9, at end insert—

“(1A) Regulations under section 1(1) or 2(1) that modify—
 (a) retained direct EU legislation,

(b) anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, or

(c) any other retained EU law,

may be made before exit day so long as they come into force on or after exit day.”—(*George Hollingbery.*)

This amendment puts beyond doubt that amendments purporting to modify retained EU law (which, under the European Union (Withdrawal) Act 2018, will come into being on exit day) can be made before exit day so long as they come into force on or after exit day.

Clause 4

INTERPRETATION OF PART 1

Amendments made: 51, page 3, leave out lines 27 and 28

This amendment omits the definition of “exit day”, which is no longer needed now the relevant amendments to the Interpretation Act 1978 made by the European Union (Withdrawal) Act 2018 are in force.

Amendment 52, page 3, line 28, at end insert—

““free trade agreement” means an agreement that is or was notifiable under—

- (a) paragraph 7(a) of Article XXIV of GATT, or
- (b) paragraph 7(a) of Article V of GATS;”

This amendment defines “free trade agreement” for the purposes of Part 1. The definition is in the same terms as the current definition in clause 2(7).

Amendment 53, page 3, line 32, at end insert—

““international trade agreement” means—

- (a) a free trade agreement, or
- (b) an international agreement that mainly relates to trade, other than a free trade agreement;”

This amendment defines “international trade agreement” for the purposes of Part 1. The definition is in the same terms as the current definition in Clause 2(2).

Amendment 54, page 3, leave out lines 38 and 39

This amendment omits the definition of “retained EU law”, which is no longer needed now the relevant amendments to the Interpretation Act 1978 made by the European Union (Withdrawal) Act 2018 are in force.

Amendment 55, page 3, line 39, at end insert— “

““subordinate legislation” has the same meaning as in section 21 of the Interpretation Act 1978;”

This amendment defines “subordinate legislation” for Amendment 41.

Amendment 56, page 3, line 41, at end insert—

“(2) In this Part a reference to being a signatory to an international trade agreement includes a reference to—

- (a) exchanging instruments, where the exchange constitutes the agreement;
- (b) acceding to the agreement.

(3) In this Part a reference to ratifying an international trade agreement is a reference to doing an act specified in subsection (4) which establishes consent to be bound by the agreement as a matter of international law.

(4) The acts are—

- (a) depositing or delivering an instrument of ratification, accession, approval or acceptance;
- (b) depositing or delivering a notification of completion of domestic procedures.”

This amendment provides for references in Part 1 to being a “signatory” to an international trade agreement to be read as covering doing anything that would amount to a consent to be bound by the agreement as a matter of international law. It also provides for references to “ratifying” an agreement to be read as doing an act that establishes consent to be bound as a matter of international law.

Amendment 57, page 3, line 41, at end insert—

“(5) References in this Part to anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018 include references to any modifications, made by or under that Act or by other domestic law from time to time, of the rights, powers, liabilities, obligations, restrictions, remedies or procedures concerned.”—(*George Hollingbery.*)

This amendment provides for references in Part 1 to anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018 (directly effective Treaty rights etc) to catch modifications of the rights etc concerned, as well as the rights etc themselves.

Clause 8

DISCLOSURE OF INFORMATION BY HMRC

Amendments made: 59, page 5, line 38, leave out “Data Protection Act 1998” and insert “data protection legislation”

This amendment and amendment 60 reflect the fact that the Data Protection Act 2018 has now replaced the Data Protection Act 1998.

Amendment 60, page 5, line 40, at end insert—

“() In this section “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”—(*George Hollingbery.*)

See the explanatory statement for Amendment 59.

Title

Amendment made: 79, line 1 after “the” insert “ratification and” —(*George Hollingbery.*)

This amendment is consequential on NC12.

Third Reading.

6.44 pm

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I beg to move, That the Bill be now read the Third time.

Let me begin by thanking right hon. and hon. Members from across the House who have shared their time and expertise to help enhance the Bill. We have spent today on Report thoroughly examining the measures in this short but significant proposed legislation. This followed four days of line-by-line scrutiny in Public Bill Committee. I would like to thank those who gave oral evidence to the Committee, and the individuals and organisations who provided written evidence and recommendations. I also extend particular thanks to the members of the Committee, on which the hon. Member for Brent North (Barry Gardiner) led for the Opposition and the hon. Member for Aberdeen North (Kirsty Blackman) led for the Scottish National party, for their detailed examination of the Bill and the positive way in which they contributed to debates on its provisions. I would also like to pay particular thanks to my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), who as Minister of State for Trade Policy played a vital role in developing the Bill and in steering it through the preceding parliamentary stages. I, and all my parliamentary colleagues, owe him a great debt.

This is an important Bill. It provides continuity and stability as the UK leaves the European Union for individuals, businesses and our international trading partners. It will be the confident first step that the UK

takes towards establishing itself as an independent trading nation for the first time in over 40 years. As the hon. Member for Brent North concluded on Second Reading:

“The need for a Bill to establish a trade remedies authority, to establish our independent membership of the WTO government procurement agreement, to enable us to maintain strong trading ties with partner countries that have had historical agreements with us through the EU, and to establish the power to collect and share...information—all are uncontroversial requirements.”—[*Official Report*, 9 January 2018; Vol. 634, c. 221.]

I wholeheartedly concur.

As the UK leaves the EU, the Government are committed to seeking continuity in our current trade relationships. One way we will achieve this is by introducing powers to let us make domestic legislation implementing our independent membership of the Agreement on Government Procurement, or GPA. This continuity is important for both business and the taxpayer. GPA membership will maintain the access of UK businesses to a global public procurement market estimated at £1.3 trillion every year, across major economies such as the United States, Canada and Japan.

Taxpayers and users of public services will also benefit. The GPA has led to increased choice, quality and value for money in the public sector. TheCityUK, which represents financial and related professional services, wrote to the Public Bill Committee to say:

“We fully recognise the need for the UK to become a party to the WTO GPA”.

As it explained:

“The GPA requires that open, fair and transparent conditions of competition be ensured in government procurement...which cover both goods and services”.

The Federation of Small Businesses said:

“it is essential that the UK is able to become an independent member of the GPA, allowing small businesses to have continued access to government contracts and procurement opportunities.”

It is clear that the agreement is of great value to UK businesses and its importance is endorsed by organisations representing their interests.

As an EU member, the UK participates in many trade agreements with partner countries. We want continuity as far as possible in our existing trading relationships with these existing partners. As these agreements account for 12% of the UK’s total international trade, this will be important in preventing disruption to businesses, consumers and workers. The International Trade Committee observed in a recent report that:

“Almost no one who contributed to our inquiry suggested that the Government’s policy objective of seeking continuity was the wrong one.”

Additionally, the Scotch Whisky Association, which I have much pleasure in promoting at home and abroad, has said that

“continuity of current EU trade agreements is vitally important to us”.

British Sugar stated:

“We support the Government’s overriding intention to maintain continuity by replicating existing trade as closely as possible and believe that this is the best means by which to provide certainty to business.”

Continuity for the taxpayer, businesses, consumers and our international partners—that is what this Bill is about. To be absolutely clear, and as I made clear in my

statement yesterday, this Bill is not about signing new trade agreements or making substantial changes to existing ones.

Despite many misleading claims to the contrary, the Government will not use measures in the Bill to implement substantially different agreements with existing partner countries. Our policy has always been, and remains, one of securing continuity first and seeking new opportunities second. We have been clear with our trading partners that continuity remains our primary objective, as I made clear earlier this evening. However, as debated on Report, to further reassure the House, the Trade Bill requires the Secretary of State to table a report outlining all the changes made to existing agreements as part of the transition into UK-only agreements. This places in statute the Government’s clear commitment to transparency—to aid appropriate parliamentary involvement, allowing Members of both Houses of Parliament the opportunity to see what changes have been made to secure continuity.

Additionally, the use of the clause 2 power will now be subject to the affirmative resolution procedure, allowing both Houses to debate regulations made under that power. The Government will not use the powers in the Bill to implement the obligations of new free trade agreements—ones with countries with which the EU does not already have a free trade agreement. We consider these to be future trade agreements and we announced this week our proposals for them.

The Bill also provides for the establishment of the Trade Remedies Authority. The World Trade Organisation allows its members to provide a safety net to protect domestic industries against injury caused by unfair trading practices, such as dumping and subsidies, and unforeseen surges in imports. Trade remedies level the playing field and restore the competitive balance. They are key to ensuring an effective rules-based system for international trade. The European Commission is currently responsible for undertaking trade remedies investigations and imposing measures on behalf of the UK. The Government are establishing the TRA to ensure that the UK can continue to provide a safety net for domestic industries after we have left the EU. I am grateful to Members on both sides of the House for the support that they have given on this issue.

Specifically, the TRA will be responsible for making an assessment in a case for a trade remedies measure, based on the evidence available. It will then make impartial recommendations to Ministers. This includes protection from goods that are heavily subsidised or dumped in the UK market at below domestic price. It also includes injury caused by unforeseen surges in imports. The investigative and decision-making framework that the TRA will be responsible for delivering is set out in the Taxation (Cross-border Trade) Bill.

The Government’s commitment to establishing the TRA has been recognised by stakeholders—by both producers and consumers. The Public Bill Committee was told by the British Ceramic Confederation:

“It is clear that we need a TRA, and it is certainly welcome that the Bill establishes one.”—[*Official Report, Trade Public Bill Committee*, 23 January 2018; c. 64, Q123.]

In its written evidence, consumer organisation Which? stated that it

“recognises the need to develop a trade remedies regime and establish a new TRA which will be able to consider the need for remedies objectively, on a case by case basis”.

[Dr Liam Fox]

As the International Trade Committee also recently acknowledged:

“Establishing a trade defence regime is critical to protect UK domestic industries from injury from adverse trading practices.”

The Committee described the Trade Bill and the Taxation (Cross-border Trade) Bill as “important, necessary steps” and stated that

“we welcome the Government’s attention to this subject.”

The Bill also includes measures that will allow HMRC to collect more detailed information on trade and share it with appropriate bodies, primarily the Department for International Trade. This will allow the Government a sharper picture of how the UK trades and where we can best target support for British businesses. These provisions will also ensure that the UK is able to fulfil its international transparency obligations to share data with organisations such as the WTO. This function is currently undertaken by the European Union and it is vital that the UK can take over this responsibility, if we are to operate an independent trade policy.

Appearing as an expert witness before the Public Bill Committee, Professor Winters of the UK Trade Policy Observatory said:

“Information is very important, not least in my trade, for analysing what goes on. The case for collecting reasonable amounts of information, as long as it is cheap to do so, is very strong indeed”.—[*Official Report, Trade Bill Public Bill Committee*, 23 January 2018; c. 57, Q108.]

In a similar vein, the British Chambers of Commerce told that Committee:

“If, in the future, there can be a more robust collection of data and stronger assessments of UK-third country trade, that would be helpful.”—[*Official Report, Trade Bill Public Bill Committee*, 23 January 2018; c. 72, Q136.]

Angus Brendan MacNeil: Given the vote just now and that the UK is turning its back on the customs union, we will most likely have a border in Ireland. In that eventuality, we will not have a transition agreement with the Republic of Ireland. If we have a border but no transition agreement, will the Government be ready in March 2019 with the TRA and will they have in place the 40 trade agreements that are vital for industry?

Dr Fox: I do not accept that the Government’s proposals will require a border in Ireland. In fact, the Cabinet took a specific decision to bring forward a proposal to take to the EU that will prevent us from having that border. Nor will we accept a border down the Irish sea, because all parts of the UK, however much the hon. Gentleman might dislike it, will be treated the same by this Government, who are proud to be a Conservative and Unionist Government.

The Bill also brings forward measures that will ensure a joined-up UK approach to implementing the GPA and continuity trade agreements. However, the Government respect the devolution settlement, as reflected by the amendments tabled by the Government on Report and accepted by the House. We have worked closely with the devolved Administrations to make progress towards legislative consent. Let me reiterate the Government’s commitment to not normally using the powers in the Bill in areas of devolved competence without the consent of the devolved Administrations. These powers are

primarily here for administrative efficiency. We will not be taking back any powers currently in the hands of the devolved Administrations, however much the nationalists pretend that we will be. In fact, as powers return from Brussels, more will sit with the Scottish, Welsh and Northern Irish Governments than ever before.

As we leave the European Union, we want to provide continuity for businesses, for consumers and for our trading partners. This Bill sets the scene for the United Kingdom’s independent, sovereign trade policy. We will approach that with optimism and confidence. I commend the Bill to the House.

6.57 pm

Barry Gardiner: I thank the Minister for Trade Policy for stepping into the shoes of the right hon. Member for Chelsea and Fulham (Greg Hands) with great aplomb. He has displayed his customary tact in all our engagements and has helped the Government deliver the Bill, despite all the pressures he has faced. I pay tribute to the hon. Member for Huntingdon (Mr Djanogly), who I thought made an exceptionally thoughtful speech on Report and gave the Government a great deal of wise counsel that they might have done better to take even more notice of than they did.

In particular, of course, I want to thank my hon. Friends the Members for Sefton Central (Bill Esterson) and for Bradford South (Judith Cummins) for their exceptional work in preparing for the debates on Report and in Committee. It has been a long process since last October. We were not quite sure whether we would see the Bill this side of the summer recess, or whether it would even resurface before Christmas, but it is a great tribute to them that they were able to scrutinise the Bill with the care it deserved.

I echo the Secretary of State’s remarks about the expert witnesses. It is one of the great features of the innovations over the past 15 to 20 years in this House that expert witnesses now give their testimony to Committees at the beginning and inform our procedures. We certainly benefited hugely from all they said. Of course, I wish that the Secretary of State and the Minister had taken a little more notice of what they said, because they were often extremely critical of the Government, but that was not to be.

Finally, let me apologise to the Government Whips. I am not known in this place for speaking with brevity, and I must apologise to the Whips because when I curtailed my remarks this afternoon, it meant that the session did not go the full length, and I think that they took their wrath out on the Minister for ending it early.

7 pm

Debate interrupted (Programme Order, this day).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the Bill be now read the Third time.

The House divided: Ayes 317, Noes 286.

Division No. 224]

[7 pm

AYES

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

Amess, Sir David	Duncan Smith, rh Mr Iain	Hurd, rh Mr Nick	Offord, Dr Matthew
Andrew, Stuart	Dunne, Mr Philip	Jack, Mr Alister	Opperman, Guy
Argar, Edward	Ellis, Michael	James, Margot	Paisley, Ian
Atkins, Victoria	Ellwood, rh Mr Tobias	Javid, rh Sajid	Parish, Neil
Bacon, Mr Richard	Elphicke, Charlie	Jayawardena, Mr Ranil	Patel, rh Priti
Badenoch, Mrs Kemi	Eustice, George	Jenkin, Sir Bernard	Paterson, rh Mr Owen
Baker, Mr Steve	Evans, Mr Nigel	Jenkyns, Andrea	Pawsey, Mark
Baldwin, Harriett	Evennett, rh Sir David	Jenrick, Robert	Penning, rh Sir Mike
Barclay, Stephen	Fabricant, Michael	Johnson, rh Boris	Penrose, John
Baron, Mr John	Fallon, rh Sir Michael	Johnson, Dr Caroline	Percy, Andrew
Bellingham, Sir Henry	Field, rh Frank	Johnson, Gareth	Perry, rh Claire
Benyon, rh Richard	Field, rh Mark	Johnson, Joseph	Philp, Chris
Beresford, Sir Paul	Foster, Kevin	Jones, Andrew	Pincher, Christopher
Berry, Jake	Fox, rh Dr Liam	Jones, rh Mr David	Poulter, Dr Dan
Blackman, Bob	Francois, rh Mr Mark	Jones, Mr Marcus	Pow, Rebecca
Blunt, Crispin	Frazer, Lucy	Kawczynski, Daniel	Prentis, Victoria
Boles, Nick	Freeman, George	Keegan, Gillian	Prisk, Mr Mark
Bone, Mr Peter	Freer, Mike	Kennedy, Seema	Pritchard, Mark
Bottomley, Sir Peter	Fysh, Mr Marcus	Kerr, Stephen	Pursglove, Tom
Bowie, Andrew	Gale, Sir Roger	Knight, rh Sir Greg	Quin, Jeremy
Bradley, Ben	Garnier, Mark	Knight, Julian	Quince, Will
Bradley, rh Karen	Gauke, rh Mr David	Kwarteng, Kwasi	Raab, rh Dominic
Brady, Sir Graham	Ghani, Ms Nusrat	Lamont, John	Redwood, rh John
Braverman, Suella	Gibb, rh Nick	Lancaster, rh Mark	Rees-Mogg, Mr Jacob
Brereton, Jack	Gillan, rh Dame Cheryl	Latham, Mrs Pauline	Robertson, Mr Laurence
Bridgen, Andrew	Girvan, Paul	Lee, Dr Phillip	Robinson, Gavin
Brine, Steve	Glen, John	Lefroy, Jeremy	Robinson, Mary
Brokenshire, rh James	Goldsmith, Zac	Leigh, Sir Edward	Rosindell, Andrew
Bruce, Fiona	Goodwill, rh Mr Robert	Letwin, rh Sir Oliver	Ross, Douglas
Buckland, Robert	Gove, rh Michael	Lewer, Andrew	Rowley, Lee
Burghart, Alex	Graham, Luke	Lewis, rh Dr Julian	Rudd, rh Amber
Burns, Conor	Graham, Richard	Liddell-Grainger, Mr Ian	Rutley, David
Burt, rh Alistair	Grant, Bill	Lidington, rh Mr David	Sandbach, Antoinette
Cairns, rh Alun	Grant, Mrs Helen	Little Pengelly, Emma	Scully, Paul
Campbell, Mr Gregory	Grayling, rh Chris	Lopez, Julia	Seely, Mr Bob
Cartlidge, James	Green, Chris	Lopresti, Jack	Selous, Andrew
Cash, Sir William	Green, rh Damian	Lord, Mr Jonathan	Shannon, Jim
Caulfield, Maria	Greening, rh Justine	Loughton, Tim	Shapps, rh Grant
Chalk, Alex	Grieve, rh Mr Dominic	Mackinlay, Craig	Sharma, Alok
Chishti, Rehman	Griffiths, Andrew	Maclean, Rachel	Shelbrooke, Alec
Chope, Sir Christopher	Gyimah, Mr Sam	Main, Mrs Anne	Simpson, David
Churchill, Jo	Hair, Kirstene	Mak, Alan	Simpson, rh Mr Keith
Clark, Colin	Halfon, rh Robert	Malthouse, Kit	Skidmore, Chris
Clark, rh Greg	Hall, Luke	Mann, Scott	Smith, Chloe
Clarke, rh Mr Kenneth	Hammond, rh Mr Philip	Masterton, Paul	Smith, Henry
Clarke, Mr Simon	Hammond, Stephen	Maynard, Paul	Smith, rh Julian
Clewerly, James	Hancock, rh Matt	McLoughlin, rh Sir Patrick	Smith, Royston
Clifton-Brown, Sir Geoffrey	Hands, rh Greg	McPartland, Stephen	Soames, rh Sir Nicholas
Coffey, Dr Thérèse	Harper, rh Mr Mark	McVey, rh Ms Esther	Soubry, rh Anna
Costa, Alberto	Harrington, Richard	Menzies, Mark	Spelman, rh Dame Caroline
Courts, Robert	Harris, Rebecca	Mercer, Johnny	Spencer, Mark
Cox, rh Mr Geoffrey	Harrison, Trudy	Merriman, Huw	Stephenson, Andrew
Crabb, rh Stephen	Hart, Simon	Metcalfe, Stephen	Stevenson, John
Crouch, Tracey	Hayes, rh Mr John	Miller, rh Mrs Maria	Stewart, Bob
Davies, Chris	Heald, rh Sir Oliver	Milling, Amanda	Stewart, Iain
Davies, David T. C.	Heapey, James	Mills, Nigel	Stewart, Rory
Davies, Glyn	Heaton-Harris, Chris	Milton, rh Anne	Streeter, Mr Gary
Davis, rh Mr David	Heaton-Jones, Peter	Mitchell, rh Mr Andrew	Stride, rh Mel
Dinenage, Caroline	Henderson, Gordon	Moore, Damien	Stuart, Graham
Djanogly, Mr Jonathan	Herbert, rh Nick	Mordaunt, rh Penny	Sturdy, Julian
Docherty, Leo	Hermon, Lady	Morgan, rh Nicky	Sunak, Rishi
Dodds, rh Nigel	Hinds, rh Damian	Morris, Anne Marie	Swayne, rh Sir Desmond
Donaldson, rh Sir Jeffrey M.	Hoare, Simon	Morris, David	Swire, rh Sir Hugo
Donelan, Michelle	Hoey, Kate	Morris, James	Syms, Sir Robert
Dorries, Ms Nadine	Hollingbery, George	Morton, Wendy	Thomas, Derek
Double, Steve	Hollinrake, Kevin	Mundell, rh David	Thomson, Ross
Dowden, Oliver	Hollobone, Mr Philip	Murray, Mrs Sheryll	Throup, Maggie
Doyle-Price, Jackie	Holloway, Adam	Neill, Robert	Tomlinson, Justin
Drax, Richard	Howell, John	Newton, Sarah	Tomlinson, Michael
Duddridge, James	Huddleston, Nigel	Nokes, rh Caroline	Tracey, Craig
Duguid, David	Hughes, Eddie	Norman, Jesse	Tredinnick, David
Duncan, rh Sir Alan	Hunt, rh Mr Jeremy	O'Brien, Neil	Trevelyan, Mrs Anne-Marie

Truss, rh Elizabeth
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather

Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Mims Davies and
Kelly Tolhurst

NOES

Abbott, rh Ms Diane
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon

Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh David

Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison

McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul

Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom

West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Chris Elmore

Question accordingly agreed to.

Bill read the Third time and passed.

Parking (Code of Practice) Bill (Ways and Means)

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Parking (Code of Practice) Bill, it is expedient to authorise:

(1) the imposition of a levy for the purpose of meeting expenditure incurred by virtue of the Act, and

(2) the payment of sums into the Consolidated Fund.—(*Rishi Sunak.*)

7.13 pm

Sir Greg Knight (East Yorkshire) (Con): I am grateful to the Minister for moving this Ways and Means motion. If agreed to by the House, it will allow further consideration of the Parking (Code of Practice) Bill to take place. The Bill has all-party support, and I commend the motion to the House.

7.14 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I want to indicate my support for the Bill. It is an excellent initiative being brought forward by the right hon. Member for East Yorkshire (Sir Greg Knight), and it enjoys much cross-party support. Many of our constituents across the country have been affected by the terrible activities of parking companies, including many in my own constituency, and I offer my wholehearted support for the Ways and Means motion.

7.15 pm

Pete Wishart (Perth and North Perthshire) (SNP): I heartily congratulate the right hon. Member for East Yorkshire (Sir Greg Knight) on securing this important Ways and Means motion. My constituency is also blighted by private parking companies, and I look forward to joining him in Committee to ensure that this issue is resolved.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EUROPEAN UNION

That the draft European Union (Definition of Treaties) (Partnership and Cooperation Agreement) (Turkmenistan) Order 2017, which was laid before this House on 7 November 2017, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Enhanced Partnership and Cooperation Agreement) (Kazakhstan) Order 2017, which was laid before this House on 7 November 2017, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

LOCAL GOVERNMENT

That the draft Liverpool City Region Combined Authority (Business Rate Supplements Functions) Order 2018, which was laid before this House on 4 June, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

NEW TOWNS

That the draft New Towns Act 1981 (Local Authority Oversight) Regulations 2018, which were laid before this House on 4 June, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

BANKS AND BANKING

That the draft Financial Services and Markets Act 2000 (Ring-fenced Bodies and Core Activities) (Amendment) Order, which was laid before this House on 25 June, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

INVESTIGATORY POWERS

That the draft Investigatory Powers (Codes of Practice and Miscellaneous Amendments) Order 2018, which was laid before this House on 13 June, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EDUCATION

That the draft Higher Education (Fee Limits and Fee Limit Condition) (England) Regulations 2018, which were laid before this House on 2 July, be approved.—(*Craig Whittaker.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION

That the draft Immigration (Provision of Physical Data) (Amendment) (EU Exit) Regulations 2018, which were laid before this House on 3 July, be approved.—(*Craig Whittaker.*)

The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Thursday 18 July (Standing Order No. 41A).

Mr Speaker: We come now to motion 13. Not moved.

We come now to motion 14, and I must inform the House that this item was placed on today's Order Paper by error by the Table Office. It will therefore not be moved.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker.

Mr Speaker: Ah, the day would not be complete without a point of order from the hon. Gentleman.

Stephen Doughty: On motion 14 regarding the Women MPs of the World conference, could you clarify what the process will be going forward? The matter was

objected to by a single Member last night to the great dismay of many across the House who believe that the Chamber should be open for such an important occasion involving women from around the world. When will there be a vote or further debate on the matter?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. The short answer is that the motion must be on the Order Paper and capable of being put to the House. That lies in the hands of the Government, so it is for a representative of the Executive to table that motion. I have no knowledge of when that will be. It may well be soon. What I do know is that a significant number of people on both sides of the House are keen for it to progress, but there can be opposition to it or attempted amendment of it, and that could happen. There must be every prospect of the matter coming to the House in the near future.

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker. On the previous motion that was not moved, is it your understanding that we will now be sitting next Monday and next Tuesday? It would be quite convenient for Members and for the House to know whether we are going to be sitting. I presume that the only way in which we might not be sitting is if the Government were to move a similar motion tomorrow evening and there were to be no objection. However, if there were an objection, the objection would be able to be taken only on a deferred Division in September, by which time we would obviously already not have sat or sat—who knows what we might or might not have done? What is your view of these rather rum proceedings?

Mr Speaker: My strong sense is that, the motion not having been moved, the status quo applies, which is that this House will not only sit tomorrow and Thursday but it is to be expected that it will indeed sit on Monday and Tuesday of next week, as had always previously been the intention. The hon. Gentleman, with a cheeky grin, speculatively raises the issue of whether the motion might be put tomorrow instead, and I suppose all things are possible, but some people might think that once bitten.

I have no indication that the matter will be put to the House tomorrow. We always expected to sit until next Tuesday, which is what our electors would have expected. The Government were perfectly within their right, although it is pretty unusual, suddenly to suggest a change, but they appear to have thought again. Churchill said you can rat but it is quite difficult to re-rat.

Chris Bryant: Well, he did.

Mr Speaker: I know, but he was exceptional.

Sir Christopher Chope (Christchurch) (Con): Further to that point of order, Mr Speaker. In our earlier exchanges I intimated that strong rumours were circulating that the Government were not going to move the motion on when the House will go into recess, as indeed they have not, and you intimated then that, as soon as the Government made a decision, it would be courteous of them to communicate it to the House at the earliest possible opportunity. I wonder, have you been able to find out the time at which the Government decided that they were not going to move the motion, and what was done between the time of that decision and 7.15 pm?

Mr Speaker: I think that is a triumph of optimism over reality. The hon. Gentleman, who is a very experienced Member of the House, is expecting me to be able to detect the contents of ministerial minds and to know when a decision was reached. Well, if I knew that, I would be a clever man. He should rest content that he appears to have secured the outcome of his choice. As to the precise point at which his ambition was satisfied, I really cannot say.

This reminds me of the conversation between Flaubert and Rothschild in which Rothschild congratulated Flaubert on his magnificent work and said, "If there is anything I can do to help you, Monsieur Flaubert, please just tell me, because it would be a great honour to be able to assist." And Flaubert said to him, "Well, Mr Rothschild, I am rather confused about these markets. Prices seem to go up and down, and it is quite difficult to know which way they are going to go. Can you advise me on this matter?" To which Rothschild replied, "Ah, Monsieur Flaubert, if I knew the answer to that question, I would be a rich man."

Alison Thewliss (Glasgow Central) (SNP): On a point of order, Mr Speaker. This whole shambles has been incredibly frustrating, particularly for MPs from Scotland. My children have been on holiday for three weeks, and I do not know whether I have to book childcare for Monday and Tuesday. This is absolutely ridiculous, and it is disrespectful not only to MPs from Scotland but to all parents in the House. Have you been advised of what has been taken into account in making this a family-friendly Parliament, which at the moment it is not?

Mr Speaker: I do understand that concern. Forgive me, but I do not want the hon. Lady to think that I am being frivolous. I sometimes think that a degree of lightness of touch and a bit of humour in the Chamber is not a bad thing. I have no control and no say on the matter, and I was not consulted at all, but I am sensitive to her point. It might be useful in future to think of the consideration that she has identified.

If I may say so, I also think it is perhaps a good idea to give some thought to how our decision making on matters of such importance is viewed by people outside this place. People outside this place do not normally have the capacity suddenly to bring forward their holiday by several days, which is something that bears careful reflection. I will leave it there for now.

Ian Austin (Dudley North) (Lab): On a point of order, Mr Speaker. There are people around the country whose children have got cystic fibrosis and who are watching this on TV now, and I think we should get on with the Adjournment debate instead of talking about our holiday arrangements.

Mr Speaker: We will get on to that debate. I appreciate what the hon. Gentleman has said. It is a very important debate and it will run fully, but I must take points of order if there are such.

Sir Mike Penning (Hemel Hempstead) (Con): On a point of order, Mr Speaker. I completely agree with the hon. Gentleman that we need to get on to talk about cystic fibrosis, but we will have time and we shall do that. Last week, I raised with you the fact that the underground car park fire exits were shut, but they were still shown as being for use in the event of a fire.

You kindly offered to have a stroll round with me to see whether or not they were still shut. This morning, I discovered that they were open and they are safe, but it seems ridiculous that we have to raise points of order in this House to get this place safe for our staff, members of the public and, of course, our colleagues.

Mr Speaker: Conversations were had after the right hon. Gentleman's point of order, but I accept his point that it should not be necessary for such a matter to be raised in the Chamber in order for appropriate remedial action to be taken. Nevertheless, if the resolution of the matter has brought a smile to the face of the right hon. Gentleman, that is a source of gratification to the House.

Sir Mike Penning: It is quite serious—

Mr Speaker: It is a serious matter, but it is nevertheless better if the right hon. Gentleman is smiling than if he is not.

Sir Mike Penning: I am not.

Mr Speaker: Oh, he is not. If he does not wish to smile, there is nothing I can do about that matter. We will leave that for now. If there are no further points of order, perhaps we can proceed with petitions. The House will be pleased to know that it can have a change of voice in the Chair. Ah, it is very good to see the hon. Member for Westmorland and Lonsdale (Tim Farron).

PETITIONS

Home Education: draft guidance and the consultation

7.26 pm

Tim Farron (Westmorland and Lonsdale) (LD): I rise to present a petition on behalf of 76 of my constituents on the issue of home education, draft guidance and the attendant consultation.

The petition states:

The petition of residents of Westmorland and Lonsdale,

Declare that the 'Home Education - Call for Evidence and revised DfE guidance' has been written following significant consultation with local authorities and no consultation whatsoever with the home education community...

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.]

Following is the full text of the petition:

[The petition of residents of Westmorland and Lonsdale,

Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible

[Tim Farron]

means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.]

School funding formula in Calderdale ^[P002210]

7.28 pm

Holly Lynch (Halifax) (Lab): I rise to present a rather hefty petition organised by the campaign group Calderdale Against School Cuts. It is signed by 1,653 teachers, parents and concerned residents from right across the area who are calling on the Government to urgently fund schools in line with increasing costs and to invest in our schools and young people. The petitioners therefore request that the House of Commons urges the Government to fund all schools fully and properly as a matter of urgency and necessity; further to invest in both staff and pupils; further to commit to such investment over the life of this Parliament; and to recognise the potential negative impact of insufficient funds on children's educational outcomes if schools are unable to maintain adequate staffing levels, safe environments and appropriate learning resources.

Following is the full text of the petition:

[The petition of residents of the UK,

Declares that Calderdale schools are in urgent need of extra funding to offset the worst effects of the proposed National Funding Formula and increased costs; further which sees more than three quarters of Calderdale schools significantly disadvantaged under such funding arrangements.

The petitioners therefore request that the House of Commons urges the Government to fund all schools fully and properly as a matter of urgency and necessity; and further to invest in both staff and pupils; further to commit to such investment over the life of this Parliament, and further to recognise the potential negative impact of insufficient funds on children's educational outcomes if schools are unable to maintain adequate staffing levels, safe environments and appropriate learning resources.

And the petitioners remain, etc.]

Funding cuts to North Lincolnshire Citizens Advice Bureau ^[P002212]

7.29 pm

Nic Dakin (Scunthorpe) (Lab): I rise to present a petition on North Lincolnshire citizens advice bureau and its importance and value to the community. We are often advised to use the citizens advice bureau, so it is a shame that Conservative-controlled North Lincolnshire Council has cuts its core funding. I praise Julian Corlett and other campaigners for amassing this petition of significant size.

The petition states:

The petition of residents of North Lincolnshire,

Declares that the decision of North Lincolnshire Council to cease their core funding for North Lincolnshire Citizens Advice Bureau is putting the long-term future of the Citizens Advice

Bureau at risk, and means that service provision will be adversely affected and jobs will be lost at an outstanding organisation which has served the North Lincolnshire community so well for such a long time.

The petitioners therefore request that the House of Commons urges the Government to intervene with North Lincolnshire Council to keep the funding for North Lincolnshire Citizens Advice Bureau.

And the petitioners remain, etc.

[P002216]

Public sector nursery provision

7.30 pm

Barbara Keeley (Worsley and Eccles South) (Lab): I am pleased to present a petition on behalf of residents of Salford who are concerned about changes to Government funding that bring into financial peril the existence of five outstanding Salford nurseries. I praise the campaigners who worked on the petition.

The petition states:

The petition of residents of Salford,

Declares that public sector nurseries consistently provide above-average quality of provision, provide superior levels of school-ready pupils, Special Educational Need provision and services to areas of high deprivation; further that in comparison to the private sector, public sector nurseries provide more accurate tracking information to schools, more affordable services and a better standard of early education; further that new conditions imposed by the Department for Education have thrown many nurseries and Early Years services across the country into financial peril, both in the public and private sector; further that local authorities are now unable to use the vast majority of the Dedicated Schools Grant for their own Early Years provisions; and further notes that the £55 million fund set aside to support Maintained Nursery Schools is not available for Local Authority nurseries which are not headed up by a head-teacher and which lack trained teaching staff.

The petitioners therefore request that the House of Commons urges the Government to do all in its power to value and to support the continuation of public sector nursery provision, including reversing the changes to the Dedicated Schools Grant and changing the way that the £55 million supplementary funding for Maintained Nursery Schools is used to make available to all Local Authority nurseries.

And the petitioners remain, etc.

[P002218]

Home Education: draft guidance and the consultation

7.31 pm

Barbara Keeley (Worsley and Eccles South) (Lab): I am pleased to present two further petitions on behalf of the constituents in Worsley and Eccles South on the issue of home education, and in similar terms to the petition presented by the hon. Member for Westmorland and Lonsdale (Tim Farron) on home education draft guidance and consultation.

The petition states:

The petition of residents of Worsley and Eccles South constituency,

Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated; further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible

means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

[P002217]

The petition of residents of Worsley and Eccles South constituency.

[P002224]

Serpentine Community Farm, Buxton

7.32 pm

Ruth George (High Peak) (Lab): I rise to present a petition in support of Serpentine community farm in Buxton. A group of volunteers have spent five years transforming a derelict and polluted site into an intensive but sustainable growing area for fruit, flowers, vegetables and salads. They have involved and supported people with learning disabilities, mental health issues and loneliness.

The 1,243 signatories and I request

that the House of Commons urges the Government to request High Peak Borough Council not to terminate the lease for Serpentine Community Farm in Buxton in order to sell this much valued conservation area for housing development; and further to give the farm a long lease to enable them to develop their valuable work, enriching individual and community life, on a secure footing.

Following is the full text of the petition:

[The petition of residents of Buxton and the High Peak,

Declares opposition to High Peak Borough Council ending the tenancy of Serpentine Community arm, Buxton.

The petitioners therefore request that the House of Commons urges the Government to request High Peak Borough Council not to terminate the lease for Serpentine Community Farm in Buxton in order to sell this much valued conservation area for housing development; and further to give the farm a long lease to enable them to develop their valuable work, enriching individual and community life, on a secure footing.

And the petitioners remain, etc.]

[P002219]

Preston Park train services

7.33 pm

Caroline Lucas (Brighton, Pavilion) (Green): I rise to lodge a petition on behalf of people impacted by the decimation of rail services at Preston Park station in Brighton. Some 1,098 people have signed the petition in just five days. Services at this extremely busy and vital station have been slashed by around 30% at peak times, and cancellations on top of the devastated timetable have left Preston Park almost unusable. Victoria services

are rammed full on arrival, or too late to be of use for work. London Bridge and St Pancras trains have been hit by a 43% cut in the morning and 53% cut in evening peak times. This is leading to dangerous overcrowding and distress. Preston Park commuters are literally at their wits' end.

The petition states:

The petitioners therefore request that the House of Commons urges the Government to reinstate Preston Park train services to the same level as prior to the 20 May 2018 timetable changes as a minimum, include reintroduction of Gatwick Express services to Victoria with all peak northbound trains to originate from Brighton station and re-introduction of peak time southbound trains which start service from London Bridge station, gaps of no more than 15 minutes between services on Gatwick Express, Thameslink and Southern trains, 12 carriages at peak times and proper investment to the station, to ensure safe reliable train travel for the thousands of people using the station daily.

Following is the full text of the petition:

[Declares that the timetable change on 20 May 2018 has left Preston Park train services decimated with a significant reduction in the number of trains stopping at the station and large proportion of those that do now stop coming from further afield and already full to capacity when they arrive for boarding; further that people have been removed from the Gatwick Express service and from the Brighton mainline during peak hours, and the Thameslink services have been slashed, further that the timetable changes have led to long gaps between the trains and dangerous overcrowding with potential serious health and safety issues, making train travel unbearable for passengers, many of whom now have to travel into city; further that the infrequent services have caused severe stress and disruption to people's lives and work, with many fearing for their jobs; further that Preston Park station is a vital daily commuting station for the city of Brighton and Hove; further that since many regular commuters buy their seasonal and daily tickets from Brighton station, the actual number of people using Preston Park station is likely to be much higher than the official figures indicate particularly as there are no exit barriers to record the numbers; and further that the reduced services to and from the station are having an impact not only on local residents but also on the city and its surrounding areas from an increase in car journeys as a result.

The petitioners therefore request that the House of Commons urges the Government to reinstate Preston Park train services to the same level as prior to the 20 May 2018 timetable changes as a minimum, include reintroduction of Gatwick Express services to Victoria with all peak northbound trains to originate from Brighton station and re-introduction of peak time southbound trains which start service from London Bridge station, gaps of no more than 15 minutes between services on Gatwick Express, Thameslink and Southern trains, 12 carriages at peak times and proper investment to the station, to ensure safe reliable train travel for the thousands of people using the station daily.

And the petitioners remain etc.]

[P002223]

Access to Orkambi

Motion made, and Question proposed, That this House do now adjourn.—(Mims Davies.)

7.35 pm

Mr Ivan Lewis (Bury South) (Ind): We are living in an era when public confidence in a mainstream political class is at an all-time low. Too often the public suspect that we choose the low ground when they yearn for us to build common cause in pursuit of the high ground. Tonight we have a chance, in a small way, to prove them wrong, by using this debate to show the relevance and humanity of Parliament in the cause of human dignity and human life. I pay tribute to colleagues here, especially the hon. Members for Dudley North (Ian Austin), for South Cambridgeshire (Heidi Allen), for Erith and Thamesmead (Teresa Pearce), for Bury North (James Frith) and for York Central (Rachael Maskell), the right hon. Member for Hemel Hempstead (Sir Mike Penning) and the hon. Member for Strangford (Jim Shannon), for championing this issue so passionately and effectively over a long period of time. I also want to place on record our appreciation for the tremendous work of organisations, including the Cystic Fibrosis Trust, which ensure that the voices of people with cystic fibrosis and their families are heard and heard loudly.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for being so generous. The fact that so many Members have stayed behind tonight is an indication of the importance of the issue. It was my privilege to attend an event at Belfast City Hall this month, standing side by side with CF sufferers and their families calling for Orkambi to be made available. Does the hon. Gentleman agree that medication that is proven to improve the quality of life for CF sufferers must be made available regardless of postcode? The Department must again ask the National Institute for Health and Care Excellence to enter into negotiations with a pharmaceutical company to provide this drug and allow CF children to progress and CF adults to achieve a good quality of life. Once again, I congratulate him on bringing this issue to the House. It is very important.

Mr Lewis: I agree entirely with the hon. Gentleman. It is absolutely vital that we see an engagement process that leads to action. I will develop that argument as I make my contribution here this evening.

Marion Fellows (Motherwell and Wishaw) (SNP): The hon. Gentleman mentioned many organisations. I wish to pay tribute to Scotland Parents CF Support Group, which has been very generous in helping me to understand and bring this matter to people's notice. This is a UK-wide issue. I know that we are discussing NHS England, but this is also an issue in Scotland. Hopefully, if we can get those in England to get this drug, it will have a domino effect in Scotland, thereby saving and improving the lives of people with CF.

Mr Lewis: I think that, in this context, we can all unite behind the concept that we want a resolution that is UK-wide if at all possible. Clearly, that would require different organisations to be involved, but if we can set a precedent here, we could make rapid progress, and

that can only help all parts of the United Kingdom. May I make some progress, and then I will give way to other hon. Members?

All of us who have the privilege of serving in this House are mothers or fathers, brothers or sisters, grandparents, uncles or aunts, godparents, friends or neighbours. It could very easily be one of our family members or friends who is diagnosed with cystic fibrosis at birth and who struggles with a life of perpetual illness, frequent hospitalisation and a daily multitude of drugs. Worse still, they could be living with the fear of premature death at an age when many young people are getting married, starting a family or taking their career to a new level.

I ask hon. Members to imagine that their family member or friend was denied access to a drug that could improve their quality of life and prolong their life for many years—a drug that was readily available in 12 other countries. No one in this Chamber today would accept no for an answer, or remain silent as the NHS and a major drugs company traded increasingly public blows as to who is to blame for unnecessary suffering and potential loss of life. If the situation is not good enough for our loved ones, it should not be good enough for anybody else's.

I first became aware of Orkambi when a young constituent from Prestwich attended my constituency surgery with her mother. Many Members will have met constituents in a similar situation. Alex Darkin is 10 years old and suffers from cystic fibrosis. She is a remarkable girl, whose courage and positivity are truly inspirational. Alex started this year with 80% lung function—a number that scared her mother, Emma, because Alex's lung function was over 100% a few months previously. These days, Emma would give anything to see the number 80 again. Alex's lung function continues to drop and is now around the 54% to 56% mark.

Alex has physio and takes a large amount of medication just to manage her condition. She brought all that medication to my surgery and I found myself looking at a young person who has to go through the routine of taking that medication every day; that, in itself, is a massive challenge. Alex has intravenous antibiotics every three months, and her daily life is inevitably dominated by her drug and physiotherapy regime. Very sadly, she now has irreparable lung damage. A consultant recently advised that doctors are running out of options with regard to medication, and explained that if Alex were a year older her parents would be able to apply for Orkambi on compassionate grounds, as her lung function had deteriorated more than 25% in less than three months. Emma and Alex contacted me because they could not afford to wait another year to get this drug on compassionate grounds. Surely a truly compassionate society would ensure that this drug was available to all who needed it.

Sir Mike Penning (Hemel Hempstead) (Con): I congratulate the hon. Gentleman on securing this debate. I think that we all tried to get this debate, which is why we are all here. One of the reasons I said to Mr Speaker earlier that I was not happy was that I wanted us to get on to this debate. We have all heard stories in our constituencies, as I am sure you have, Madam Deputy Speaker. As a country of this wealth, we should be ashamed. People in countries with nowhere near the

wealth of this country have been given these drugs to improve their quality of life. We are here to right that shame.

Mr Lewis: The right hon. Gentleman speaks for everybody present this evening and probably many who are not.

There is inevitably sadness, but there should be real anger because this situation is causing human misery to many people who have enough challenges in their lives without not being able to resolve this situation. It would not be right for any of us to pretend that these decisions are easy. NICE does a good job in very challenging circumstances, on the whole. In no way should we or do we seek to undermine its work.

Anne Marie Morris (Newton Abbot) (Con): The hon. Gentleman is being very generous in giving way. As he is reflecting on NICE and its process, does he agree that there should be a change in the way it measures or calculates quality of life when it comes to rare rather than ultra-rare diseases? If the condition was classed as ultra-rare, we may well have got the go-ahead.

Mr Lewis: I think that most people would accept that now is the time for a review of the criteria that are applied and the processes that are undertaken. Any organisation needs to be continually improving. We do not condemn NICE. In fact, we acknowledge that it has got many difficult decisions right, but it has also got some wrong. Time and again, the reason that it has got those decisions wrong—arguably—is that the criteria it is applying and the criteria it has been given by the Department of Health are out of date and flawed. I think we would all want to see a review of NICE's remit and the way in which it carries out its work over a reasonable period of time. It would be helpful if the Minister would respond to that point when he concludes the debate.

Rachael Maskell (York Central) (Lab/Co-op): My hon. Friend is making a very important speech. As I know from being a physio who worked with cystic fibrosis patients, when making an assessment of the cost of treating cystic fibrosis, we must look at the social cost, the economic cost and the immense cost of keeping somebody alive. Does he agree that Orkambi would be a solution to that, let alone addressing the human cost?

Mr Lewis: I entirely agree—my hon. Friend makes absolutely the right point. When there is an incomplete assessment in looking at value for money versus outcomes, that will lead to flawed decisions that are incredibly difficult to justify. We have a mismatch between the basis on which NICE is expected to make these decisions and appropriate processes. Instead of everybody hinting, “Yes, of course there's a need to review NICE—of course that would be a good thing”, we would like to hear from the Minister a timescale as part of the response to the specific issue of Orkambi in terms of NICE's roles and responsibilities.

Heidi Allen (South Cambridgeshire) (Con): Now is an opportunity because we have a new Secretary of State. I have already contacted him about this issue. The way that NICE is making its decisions is affecting not

only drugs like Orkambi but an awful lot of drugs that people in our constituencies desperately need. Does the hon. Gentleman agree that now is absolutely the right time to grasp this situation on Orkambi and challenge NICE about its decision-making criteria? Let us change the way it is looking at the value of quality of life and do that urgently, using Orkambi as a starting point.

Mr Lewis: I entirely agree. It is always very important, when a new Minister begins a role, that they have a very clear sense of a positive agenda on which they want to achieve change. This will be a very appropriate issue for the new Secretary of State to adopt and to drive forward.

Bambos Charalambous (Enfield, Southgate) (Lab): Orkambi would not be suitable for my constituent Holly, who is eight years old, but other drugs that have been manufactured would be more suitable for her. Does my hon. Friend agree that if NICE had more flexibility in looking at pipeline deals, that would help many more people such as my constituent Holly?

Mr Lewis: Of course I agree entirely. It must be very frustrating for Holly and her family to find themselves in this situation. There really is no excuse for delaying the beginning of a review. Members know full well how long these reviews can take, so let us get on with it. I think we are united in a belief that this is absolutely essential as part of the lessons that we need to learn from this situation.

Paul Girvan (South Antrim) (DUP): The hon. Gentleman alluded to having spoken to families of people who were on a large cocktail of drugs and the costs associated with that. Let us not say that it is just down to costs; I appreciate that NICE might well be using the wrong process. This cocktail of drugs adds up to a significant cost, and there can be a dramatic saving if they can come off some of those drugs, as well as losing the side-effects that come with them.

Mr Lewis: I agree entirely. We sometimes spend vast amounts of public money reacting to a problem, and the rhetoric is all about prevention and early intervention, but we end up doing the opposite. This is a very good example of that.

James Frith (Bury North) (Lab) *rose*—

Mr Lewis: I will give way to my hon. Friend and then I have to make progress.

James Frith: I congratulate my hon. Friend on securing this debate. Does he agree that there is a human cost to this gridlock for cystic fibrosis sufferers, who are victims of this disease and this disagreement? Frankly, NHS England should get in a room with Vertex and they should stay in there until they come out with an agreement to end this gridlock, so that cystic fibrosis sufferers do not see this debate just as yet another conversation but as delivering change and transformation of their lives.

Mr Lewis: My hon. Friend clearly wants to finish my speech off for me. Of course, he is absolutely right to make that point. The most important thing to see from this debate is action, not words. I will go on to talk about what those actions should be.

Lady Hermon (North Down) (Ind): Will the hon. Gentleman give way?

Mr Lewis: I am going to make progress, if I may, but I will perhaps give way once more later on.

Ian Austin (Dudley North) (Lab): Will my hon. Friend give way now, before he continues?

Mr Lewis: I will—my hon. Friend certainly deserves it.

Ian Austin: I am very grateful. This is a really frustrating process, and the Government have to find a way of bringing it to a conclusion. I agree that NHS England and Vertex have to get back into negotiations, which should not stop until this is resolved. Does my hon. Friend agree that it might be an idea for the Secretary of State to get Sir Simon Stevens and Jeff Leiden, the chief executive of Vertex, in a room—

Sir Mike Penning: And lock the door.

Ian Austin: The right hon. Gentleman could lock the door, but first he has to get them in there so that negotiations resume and are not concluded until they resolve this issue, because it really does have to be sorted out.

On that point, does my hon. Friend agree that it was worrying to read the word “final” in NHS England’s response to Vertex yesterday? It cannot be final. I really hope the Minister is listening to this. *[Interruption.]* The word “final” was in there. *[Interruption.]* Well, he is the Minister. The word “final” cannot be used until it is finally resolved. That is when it will be final.

Mr Lewis: I agree entirely with my hon. Friend, and I will develop his argument as I continue my speech.

A quote from Emma, Alex’s mum, sums up many of the frustrations of the constituents represented here today. She says, very movingly:

“Alex has a real love for life and all she wants to do is live a long and happy life without having to fight to breathe.”

That powerful statement says it all.

Since March, when we last debated this issue, NHS England and Vertex have met on four occasions. I welcome the fact that, during those negotiations, NHS England accepted the principle of a funding agreement that supports a portfolio approach to current and future drugs. That is undoubtedly a step forward and a positive response to the contributions parliamentarians made in the initial debate, but it is clear that these negotiations have not produced an agreement that is acceptable to both parties. Indeed, the public recrimination suggests that the negotiations had all but broken down. It remains to be seen whether NHS England’s written offer, made on the eve of this debate, is a basis for progress, but the early indications are not encouraging.

It would be inappropriate for anyone to make judgments about the validity of either party’s case without having full access to the information, which remains confidential for reasons of commercial sensitivity. I know I speak for all parliamentarians when I express concern about the fact that, as my hon. Friend the Member for Dudley North said, NHS England described its offer as “final”. It could lead to a stalemate that once again lets down patients and their families. To be clear, I respect the need for an objective process that delivers appropriate medication and value for money for the taxpayer. If

NICE did not exist, it would have to be invented, but—this point has been made time and again tonight—the shortcomings of the current assessment processes are well documented. That is why NHS England’s involvement in this instance is to be welcomed.

Equally, Vertex has the right to seek financial remuneration at a level that maintains its viability and supports the development of the company. Sadly, I am unconvinced that more of the same will lead to an agreement that will enable Orkambi and successor drugs to be made available to people with cystic fibrosis. Consequently—my hon. Friend the Member for Bury North suggested this—I urge the Secretary of State for Health and Social Care to facilitate an urgent meeting with the chief executive officers of NHS England and Vertex. In that meeting, they should seek to resolve any outstanding differences, and agree a rapid timescale for the roll-out of Orkambi across the country and an approach for other relevant drugs. People with cystic fibrosis have been waiting far too long.

Lady Hermon: The hon. Gentleman is well aware that health is a devolved matter in Northern Ireland, but we do not have a Health Minister because we have not had a functioning Assembly for 18 months. Will he join me in urging the Minister to liaise with the permanent secretary in the Department of Health in Northern Ireland to reassure the many cystic fibrosis sufferers and their families, who are desperately anxious, that we have a drug available? The health service must enter into final discussions to reach the outcome we all want.

Mr Lewis: I agree entirely. The absence of a functioning Executive is a source of continued regret to those of us who care passionately about Northern Ireland. Progress has been made, but there is now a stalemate. It is incredibly important that, in the absence of an Executive, Ministers ensure that any solution that is reached also benefits people with cystic fibrosis in Northern Ireland.

The UK Government need to commit to a proactive role to help secure a deal as soon as possible that will ensure access to these new treatments. They must fulfil their own stated ambition for NHS patients to be

“among the first in the world to get life-changing treatments.”

Vertex, the pharmaceutical company, must be fair and responsible with pricing to ensure that a deal on access to new treatments can be agreed—and agreed rapidly. The Government must consider looking towards the future pipeline of treatments for cystic fibrosis to ensure that a robust and fair system is in place for appraising high-cost new medicines to avoid similar issues about access to medicines with other companies and drugs in the future. The time for words is over; on behalf of our constituents, tonight we demand action.

7.55 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I say from the outset that there are 22 people in the Chamber for this Adjournment debate. Normally, it is me, the proposer of the debate and the hon. Member for Strangford (Jim Shannon). I say to the hon. Member for Bury South (Mr Lewis) that it is nice for other people to be here with us. I will say at the start that I will not take any interventions. A lot of Members have come to listen to this debate, and they

want to hear the Minister. There are things that I as the Minister need to put on the record, and I am going to put them on the record before we finish at 8.5 pm.

I thank the hon. Gentleman for securing this debate and for giving me the opportunity to speak once more on an important issue that matters to me and my constituents as much as it does to his. May I again place on the record the sterling work undertaken by the Cystic Fibrosis Trust? Its support for cutting-edge research, campaigns to drive up standards of care and support for the CF community is fabulous. We are lucky to have it.

Once more, we have heard hon. Members make compassionate—that is a very good word—pleas urging an immediate resolution in the ongoing discussions between NHS England and Vertex to make Orkambi available on the NHS in England. To the hon. Member for North Down (Lady Hermon), who raised this in an intervention, I say that, absolutely, I will make sure my officials are talking to the permanent secretary—the very hard-working and probably overworked permanent secretary—at Stormont, because we need to make sure we have a joined-up approach. I wholeheartedly agree with everyone's calls for exactly that: every effort must be made to ensure that precision medicines are made widely available to cystic fibrosis patients.

Many people have raised concerns this evening and in many other places about NICE's process for the assessment of drugs for rarer diseases. I said this in the last debate in Westminster Hall and I will say it again: it is a key commitment of this Government to ensure that people with comparatively rarer conditions, such as CF, get the same quality, safety and efficacy in medicines as those who have more common conditions. I assure the House that where a company is willing to set a fair price for a drug, NICE's technology appraisal process has been proven to be suitable for the assessment of drugs for rare diseases.

James Frith: Will the Minister give way?

Steve Brine: I said I would not give way, and I will not do so.

I thought the hon. Member for Bury South made a good point when he said if NICE did not exist, we would have to invent it. I agree. Indeed, NICE has been able to recommend a number of drugs for patients with rare diseases through its technology appraisal process, including pirfenidone for pulmonary fibrosis and mifamurtide—why they cannot produce easier names, I will never know—for a rare form of bone cancer, to name but two.

I know that it is distressing, to put it mildly, for patients and their families, as well as campaigners, when NICE is not able to recommend a treatment. Unfortunately, there will continue to be occasions when NICE is not able to recommend one for routine use on the NHS. As we know, NICE has not so far been able to recommend the use of Orkambi for treating CF, because the benefits were not sufficient to justify its considerable cost. At list price, the cost per quality-adjusted life year of Orkambi is many times higher than the upper end of the threshold used by NICE in deciding whether to recommend a treatment. NICE does not stick rigidly to a cost per QALY threshold, and it applies plenty of flexibility in deciding whether to recommend treatments where the decision is a borderline one. However, it must be stressed

that the cost per QALY is not an arbitrary measure, but a tool to assess what the impact would be on other NHS patients if the NHS were to spend money on a particular treatment.

I want to talk about the discussions with Vertex. As Members know, NHS England has been in intensive discussions with Vertex to encourage it to lower the cost of Orkambi to a level that would allow NHS England to fund its use without adversely impacting other patients. I and the Under-Secretary of State Health, Lord O'Shaughnessy, who sits in the other place—he leads on this area for us—have been keeping an extremely close eye on these discussion, as I promised the House in the Westminster Hall debate I would do. As Members will remember, we wrote to Vertex in April, urging it to commit to pricing that is responsible and proportionate. I have the personal assurance from NHS England that it is committed to seeking a way forward in these negotiations, and I think it has shown flexibility.

Sadly—I am not ratcheting up the rhetoric or name-calling, as this is just fact—Vertex has been unwilling to price responsibly thus far, which has, as we have heard today, meant that patients have missed out on two years of treatment. Vertex claims that it has made the NHS “the best offer in the world”—

but it has yet to substantiate that claim. I would challenge Vertex to waive confidentiality—which it can do: I cannot—so that we can all see, in the interests of transparency, the kind of prices it is trying to charge the NHS and, as a result, our constituents.

As mentioned this evening by the hon. Member for Bury South, NHS England wrote to Vertex yesterday to set out a proposed five-year deal with an option to extend, which provides the potential for Vertex to secure revenues from the NHS in the region of £500 million over the next five years. NHS England has made the content of this proposal public, to give patients and taxpayers the opportunity to make a judgment about the fairness of this offer. The proposed deal, if accepted, would guarantee immediate and expanded access, as clinically appropriate, to the two licensed medicines, Orkambi and Kalydeco—as was said earlier, Orkambi is not the only show in town. It would also provide immediate access for Symdeco from the date it is licensed for use in the UK, which is expected in coming weeks.

If Vertex is not willing to accept the deal, it must return to discussions with NICE and go through that process. Let me be clear that I truly hope it does not come to that, but until Vertex adjusts its prices, NICE will not be able to recommend the drug's use. I repeat that we have put a figure on the table. The ball is in Vertex's court. It has made a preliminary response today, saying that it is good to see that NHS England is negotiating. NHS England has been negotiating throughout. It is not Ministers who are negotiating on this.

Mr Ivan Lewis *rose*—

Steve Brine: I will break my rule and give way to the hon. Gentleman who secured the debate.

Mr Lewis: That is kind of the Minister and I thank him for his serious response to the debate.

We said the last time we met that we did not want Ministers to keep an eye on the issue: we wanted Ministers to be actively engaged in it. The Minister gave us an

[Mr Ivan Lewis]

assurance that his colleague would be actively engaged, not keeping an eye on it. Today, we repeat that we do not want NHS England and the drug company left in a room alone to work this out, otherwise we will be back here in six months' time. We expect the Secretary of State to be in the room with the chief executive of NHS England and the drug company to bang heads together and come up with a satisfactory conclusion. Will the Minister respond directly to that point and give us an assurance that there will be political involvement and engagement in the negotiations, because we have waited for too long?

Steve Brine: When I say “keeping an eye”, I do not mean it like keeping an eye on the football scores on a Saturday afternoon. It is just my turn of phrase. Ministers are keeping very close tabs on this and making sure that NHS England is in no doubt that we want it to come to a conclusion with Vertex. But it takes two to tango, as we are seeing in another negotiation right now. We need Vertex to tango. The ball is in its court, and it is time to return it.

I stand by what I said at the last debate: it is vital that we go through the right process here. There is a process. I do not think for one minute that the Opposition are suggesting that if they were in government, Ministers would be making these decisions like Roman emperors, as that would be totally wrong. It is an important

principle that the NHS must ensure that healthcare services get the best value for patients, and that is the approach NHS England is rightly taking.

NHS England has proven that it can strike innovative deals, working with the life sciences sector to make treatments available for patients, while securing fair value for taxpayers—our constituents. That includes hundreds of patients with multiple sclerosis who now benefit from a treatment called cladribine and the use of pertuzumab for breast cancer. It is important for me to be clear with hon. Members that Ministers should not make a decision on behalf of NHS England, which has the clinical expertise and the powers to purchase medicines.

I put it on record again that I urge Vertex to accept the proposal presented by NHS England, or it will only make those living with cystic fibrosis suffer. Yes, of course there are discussions among the new ministerial team. I spoke to the new Secretary of State just this evening in the Lobby. He is taking an incredibly close interest in this issue, less than a week into the job, and I pay tribute to him for that. I ask Vertex to recognise NHS England's flexible approach. It would represent the largest ever financial commitment of its type in the 70-year history of the NHS. I certainly hope that they can reach a deal. Many, including in my own Winchester constituency, are counting on them.

Question put and agreed to.

8.5 pm

House adjourned.

Westminster Hall

Tuesday 17 July 2018

[MR CLIVE BETTS *in the Chair*]

Non-EEA Visas: Inshore Fishing

9.30 am

Douglas Ross (Moray) (Con): I beg to move,

That this House has considered Government policy on visas for non-EEA workers on inshore fishing vessels.

It is a pleasure to serve under your chairmanship, Mr Betts. This is an important issue in my constituency and in other parts of Scotland and the UK. Last Wednesday, the right hon. Member for Orkney and Shetland (Mr Carmichael) led an Adjournment debate on this very issue, but it is important that Members across the House have another opportunity to express their views and opinions.

I am grateful to the Security Minister for responding; to use a fishing term, this has been landed on him because the Immigration Minister is in Cabinet today. I know he will respond on her behalf and I am sure that she will look closely at the points put forward by right hon. and hon. Members. I thank the Scottish White Fish Producers Association, the Fishermen's Welfare Alliance and the many others who produced briefings for this debate. Given its importance to the industry, many wanted to engage with Members before the debate.

Let me give some background on my own interest. Although this is a big issue on the west coast, the western isles of Orkney and Shetland, and Northern Ireland, it is also an issue in Moray, although perhaps not on such a large scale as in other parts of Scotland. Back in March, I was approached by three fishermen: Douglas Scott from Lossiemouth, Neil Sutherland from Burghead and John Davidson. They visited me in my Forres constituency office in the same week the Government announced their initial findings with the European Union on a future fisheries policy. I assumed that they, like me, were unhappy with what the Government had come up with in Europe and were pushing to put across those views. But despite everything in the news that week about fishing and our links to the European Union, they came to speak to me specifically about the inability to employ non-European economic area workers on inshore fishing vessels.

I met Douglas Scott again on Friday in Lossiemouth, just as he was about to head up to Shetland to go fishing. He made it clear when he met me in March and again this week that unless the Government do something about this situation, there is a real risk to the people who are going out on those boats: they are not crewed in sufficient numbers to ensure that everyone is safe. Indeed, some boats cannot leave the harbour at all. Douglas was unwell for some time and because he had no crew, his boat lay idle in Lossiemouth harbour, not making an income for him and leaving the waters unfished.

This is a hugely important issue for Douglas Scott and so many others. The solution is quite simple, and I will come on to it. Douglas is now a little better and is able to go out on his boat on his own. When I left him

on Friday, he was going to spend 24 hours on his own in his boat, steaming up to Shetland—port to port from Lossiemouth to Lerwick takes 24 hours. When he gets up there, he has to go back out almost immediately and start fishing, to start making some money, all on his own. It is a real safety concern if an individual who has not been well recently has to go out single-crewed because he cannot recruit non-EEA workers—who want to work with him: they are calling him on a weekly basis, pleading him to employ them again—because of visa changes and the problems being experienced with visas in this country.

We all remember the extremely successful concession scheme that operated from 2010 to 2012. That is basically what I am calling for: the Government should reintroduce that successful scheme, which worked successfully from 2010 to 2012, in which non-EEA workers were able to work within the 12-mile limit. We should dwell on the 12-mile limit for a moment: why do we make that division? Fishermen can fish 12.1 miles from the shore for unlimited amounts of time and are able to recruit non-EEA workers, yet at 11.9 miles or 12 miles they cannot. Mr Scott, who is currently fishing for squid off Shetland but fishes for many other species throughout the year, is not able to recruit these workers because he fishes within the 12-mile limit.

This Government rightly have concerns about immigration and have targets to ensure that it does not increase too much, but this is not a sector that would cause significant problems to immigration numbers. The catching sector employs 4,000 people across the country, 800 of whom are non-EEA workers and 400 of whom are from the EEA—we are speaking about a small number of workers. Should the Government introduce the concessions that I am asking for, the numbers would not significantly alter the migration and immigration figures that they rightly look at when they determine their future policy.

The Government were right back in 2010 and 2012 to have concerns about the welfare of these workers; unfortunately, there were some instances where the welfare of workers was not as good as it should have been. A briefing from the Fishermen's Mission for this debate cited a small number of examples about the conduct of employers towards their Filipino or other non-EEA workers that are not good enough. One received only four hours' sleep in 96 hours and had been forced to sign what was reported to be a contract of employment that stipulated that they would be paid far less than originally agreed.

Unfortunately, there are some examples of the system letting down the non-EEA workers, but I and other right and hon. Members have received representations that reintroducing the scheme with a strong emphasis on the welfare of the non-EEA workers will improve their terms and conditions, rather than reduce them. We could have a better system—not just for the fishing industry and the skippers, but for the people who come to work here. As I said, people want to work on our boats in Scotland, Northern Ireland and around the coast of the United Kingdom. If we reintroduce the scheme properly, we can meet not only the needs of the industry but the welfare aspirations of those who will work in it.

Let me now look at the skills required for the job. In an ideal world, we would have enough people in the local communities to do all these jobs—people born and bred in the local community who want to go to sea. That happened in the past, but unfortunately, as with

[*Douglas Ross*]

many other industries, it has dwindled. It may come back again and we all hope it does. To reference another fishing saying, there is a sea of opportunity from this country's leaving the European Union and the hated common fisheries policy. We will regain control of our fishing waters and fisheries and will be able to ensure that that sea of opportunity allows us to increase the number of local people employed in the industry.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on securing the debate. On skills, does he agree that the topic he has wisely chosen for debate is a perfect example of what we hear discussed quite often in the immigration debate—that we should decide what type, what quantity and what skills we need to try to help our industries here in the United Kingdom?

Douglas Ross: I absolutely agree with the hon. Gentleman and I will come on to that point. Skills are important. If a local workforce has those skills, that is great and we want to encourage it. Indeed, the Scottish White Fish Producers Association said in its briefing that this year has been its best year for recruitment, with 30 new people coming from local communities, doing their courses and ready to go out on to fishing boats.

But 30 is not enough to ensure all our boats are properly manned as we get ready to leave the common fisheries policy and the European Union—and, hopefully, to fish far more in our waters with more of our boats. The association believes it will take 10 to 15 years to have enough local employment to be able to fully crew the boats. In that period, we can either decide to do nothing and let the boats lie idle and go out of commission, or we can do something about it. As I said, there was a successful scheme that worked for two years between 2010 and 2012, which we can use in this country.

I want to spend a bit more time talking about skills because fishing has been deemed an unskilled form of occupation. I take great exception to that: I could not leave this place, go immediately on to a boat for several days and successfully deal with catching and processing fish. That is a skill in itself, and we should recognise it as such. As the hon. Member for East Londonderry (Mr Campbell) said, it is a skill we need and one we should be looking for.

After Mr Scott, Mr Sutherland and Mr Davidson visited me in March, I wrote to the chief executive of UK Visas and Immigration about what they had raised with me as well as the skill level of our fishermen and those we are trying to encourage into the industry. I said, "I invite you to spend a day on a fishing boat in Moray to see for yourself the skills involved in the profession," and was disappointed when the reply came with no answer to that point. Interestingly, the chief executive decided to ignore my invitation—I cannot believe anyone would ignore a kind invitation to come to Moray, let alone one that included a trip on a fishing boat. The reply did say, "We do not consider such workers to be unskilled, but they are not sufficiently skilled to meet the skills threshold for authorisation or permission to work under tier 2 of the points-based system, which is reserved for graduate-level employment."

I say as a member of the Home Affairs Committee that we must look at that skill level and how we determine skills. I will be careful in my use of quotations, because David Goodhart, who I quoted at last week's meeting of

the Committee when we were questioning the Home Secretary, took great exception to my confusing his words. I paraphrased him in saying—these are not his words—that he believed that some industries where there is a local skills shortage and for which we cannot recruit non-EEA individuals should wither and die.

Afterwards, David Goodhart contacted me on Twitter to say that I had totally confused his position. I will now read out his words precisely to get them properly on the record. We had a conversation in which he said that he believes that if we cannot recruit locally in certain parts of the country, we should not use the immigration system to get people in to do the jobs. I asked whether he meant he wanted to give up on fishing. He said:

"Not on fishing in its entirety, no, but in certain parts of the country perhaps, yes."

Mr Goodhart was quite clear that parts of the sector in parts of the country should be allowed to stop—basically, that is parts of Moray, with Mr Scott and Mr Johnson, as well as in the Western Isles, Orkney and Shetland, parts of north-east Scotland and other parts of the United Kingdom where they cannot get a labour force and it may take 10 to 15 years to ensure there are enough local people. I am sure Mr Goodhart will be tweeting me right now to say once again that I have confused his position.

I do not agree with Mr Goodhart. We should not give up on these vital industries, which have been the mainstay of our communities for so many years. Many communities in Moray have far fewer fishing boats than I would like, but those who want to be part of this great industry should be allowed to remain and flourish. If they need crew from non-EEA countries for that, we as a Government and indeed Parliament should ensure that that happens.

I mention Parliament, because this is not just a Scottish Conservative issue or Conservative issue. The right hon. Member for Orkney and Shetland, a member of the Liberal Democrats, had a debate on it, as I said; the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) has had meetings with the Minister about it; and Democratic Unionist party Members have also been in meetings with representative bodies and others. There is consensus across Parliament and across the parties.

When there is a Scottish debate in this Chamber or on the Floor of the House it can often be rather fraught, with much to-ing and fro-ing and disagreement across the Benches. There may be some disagreement today, but ultimately we all want the same thing: a relatively simple solution to a problem causing significant issues in our industry. Whether on the current problem of skills shortages or many others, it is important that the Minister notes that Members on both sides of the House and from all political parties are all saying, "Let's get this sorted. Let's do something about it."

I also want to focus on my party's manifesto from 2017. Much has changed since that election, but the points made in our manifesto have not. We said:

"Decades of profound economic change have left their mark on coastal communities around Britain"

and that we want to ensure that that situation changes going forward. We can stand by our manifesto commitment and ensure that we have the right people in the right numbers working on our fishing boats. Without them, we risk losing these inshore fishing vessels and a major part of our fishing industry.

I also want to focus on the arbitrary 12-mile limit, which annoys many fishermen. As I said, they can recruit non-EEA workers to fish at 12.1 miles, but not at 11.9 miles or 12 miles. That means we are fishing based on visa regulations, not on where the fish are or where they should be caught. That is nonsensical. How can it be right that our skippers must determine where they fish based on visa rules for recruiting staff rather than where the fish are and where they should be caught? That is not right, and it must change.

Several right hon. and hon. Members from across the House want to speak in the debate. I am grateful for that and for the cross-party support I had to secure the debate. I also make reference to the Backbench Business Committee, which was gracious in allowing us to have the debate today, which is important.

In response to the right hon. Member for Orkney and Shetland, the Immigration Minister said she was considering the report of the Migration Advisory Committee, which will not report until September. However, as I have said—I hope the Minister has heard this—we are not looking for a new solution or to consider the points of that committee, because it will surely come up with the same answers we have. This is an immediate problem, so we do not need to wait until September to find out what will happen and whether it will get worse. This problem exists now, and it also has a solution now. We do not need to wait for that committee to tell us the answer, because it is simple: reintroduce the system we had in 2010 to 2012, with caveats ensuring proper welfare standards for non-EEA workers, and allow our fishermen that sea of opportunity they want to use.

The Fishermen's Welfare Alliance said in its briefing that the new policy would provide for "controlled and limited immigration." The Western Isles Fishermen's Association and the Orkney Fisheries Association both say that just 60 experienced fishermen from outside the EEA would be required to crew the inshore fleet to the necessary levels and provide the volume of landings needed for the onshore factories to operate at a sustainable level. We need just 60 experienced non-EEA workers to ensure sufficient people in Orkney and Shetland and in the Western Isles—just one is all Douglas Scott is looking for. When we spoke on the harbour at Lossiemouth on Friday all he wanted was one non-EEA worker to take the strain away from him, to relieve the pressure and to ensure that his fishing boat can operate to the best of its ability.

We are not looking for a huge influx or to change targets. We are looking for the Government to be considerate and to listen to the views of the industry. The industry is crying out for that. It is a small problem in terms of the number of people involved, but it is huge for the communities involved—stretching north to south and east to west. It is a huge problem given the issues resulting from not being able to recruit non-EEA workers: boats tied up and left idle and fishermen going out on their own in dangerous conditions without the necessary support.

The solution to that huge problem is for a small fraction of our immigration policy to be changed. The reintroduction of the policy from 2010 to 2012 could have a huge benefit to our industry, to the Mr Scotts and to fishermen across the country. That is why I was so keen to ensure that this debate went ahead, and why I am interested to hear the response from the Minister for Security. Although the Immigration Minister cannot be with us today, I know she took on board the points

raised by all right hon. and hon. Members during last week's Adjournment debate. We need a solution to this issue—and quickly.

The Immigration Minister has agreed to come to Scotland during the summer recess—she did not agree to get on a fishing boat in Moray, but if the Security Minister would like to take up that offer, he would be most welcome. We need as many people as possible to go to those communities, listen to the Mr Scotts and others, and hear about the problems caused by the policy and the benefits that this small change could make to people's communities, boats and industry.

As I said, leaving the CFP and the European Union brings great opportunities for Scotland and across the UK. Let us not be brought down by the stubborn refusal of the Government to consider a sensible solution that is staring us in the face. I hope that the Minister and Government will review this policy and come up with a solution that meets the needs of fishermen in Moray, and across Scotland, Northern Ireland and the United Kingdom.

Several hon. Members *rose*—

Mr Clive Betts (in the Chair): Order. Five hon. Members have indicated that they wish to speak, so that leaves roughly eight minutes each to allow the winding-up speeches to start no later than half past 10.

9.51 am

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): It is a pleasure to serve under your chairmanship, Mr Betts, and not just on the same football team, which we have done from time to time here in the House of Commons. I congratulate the hon. Member for Moray (Douglas Ross). As we know, he is no stranger to football matches either, because he is our referee and a linesman. He is correct to say that this is a much-needed debate, because we need people, primarily from the Philippines and Ghana, to work in our communities on the west coast of Scotland, as well as other places in Scotland and Northern Ireland. I want those people to come, as do my community, islands, fishermen, processors, bosses and staff. The local council wants them to come, as do development agencies and the Scottish Government. In short, I cannot think of anybody in my community who does not want fishing boats to work with able and skilled fishermen from primarily the Philippines and Ghana, which are non-EEA countries. The men I have met from those countries have been cracking, fantastic people, and we are fortunate that they have chosen to come to our part of the world to work.

About a month or six weeks ago, there was a report on "Channel 4 News", and Alex Thomson came to my native island, Barra, to do a piece on why fishing boats were tied up. He could see clearly the lack of crew. As he was filming—this was one of the most instructive parts—Donald Joseph MacLean's phone went off, and it was someone phoning from the Philippines, asking when he could come back. He had worked on Barra before, but he found himself stuck in the Philippines, desperate to return to the Hebrides to work, but he could not. I know of examples of other fishermen who want to return not just to Scalpay and Harris, but to the very boats and fishermen they worked with in the past, yet they are not able to do so.

[*Angus Brendan MacNeil*]

Families want people to come back. These people are not immigrants; they are migrant workers and there is a huge difference. Their Government want them to come and the Philippine embassy in London wants them to come—I am struggling to think of anybody who does not want them to come. Indeed, these workers are much needed. The underlying case in our communities is that families are smaller. Thirty or 40 years ago, when I was a youngster, I was in a family of three and we were a small family. All the families I went to school with had six or eight children; one family had 14 children, and 10 or 12 was not uncommon. Now families have two or three children, and employment in my constituency is about half the UK average. When young people are trained, they usually do well in school and then go off elsewhere. Young people who get a start on fishing boats soon find themselves with capable handlers. They get a plethora of opportunities elsewhere, and they leave the fishing boats stuck without crew.

In many ways we are a victim of our own success, but unfortunately fishermen and fishing boats are at the bottom end of the pecking order. It is annoying that those boats are often tied up, as they are also the lifeblood of the communities that have enabled so many of us to put down an anchor. That situation of success is causing the current problems for fishing boats.

We need fishermen for the safety reasons outlined by the hon. Member for Moray. Imagine single-handedly taking a boat over 24 hours from the east coast of Scotland to Shetland. There are a number of reasons why, ideally, we do not want anyone to do such a job, but we need people with those skills. Despite what the Migration Advisory Committee says, these are skilled jobs. I will not go out on a fishing boat this summer to do a job that I know people from Ghana and the Philippines can do, and neither will the hon. Gentleman or the Minister for Security and Economic Crime. That is a fact of life.

Given all I have said, and the welcome that we wish to give people who come to the islands, the problem is simply down to a person in London saying, “No”. I have dealt with six or seven Immigration Ministers as, I am sure, has the right hon. Member for Orkney and Shetland (Mr Carmichael)—the rueful grimace on his face indicates that he has had much the same experience over the years. When the right hon. Member for Ashford (Damian Green) was Immigration Minister, he was not afraid to make things happen, but now what is the fear? The fear is *Daily Mail* politics. I gave one Immigration Minister an article from *The Mail on Sunday* that supported the rights of these fishermen to come here, and the tension almost eased from his face. Unfortunately, for far too long this Government have been led by nasty treatment and thoughts towards migrants, which is costing our economies badly.

I encourage the Security Minister, and the Immigration Minister, to realise that they have many allies in this matter, and they should not be afraid of newspapers, or whatever, that might misconstrue what is going on. I will stand full square by the Minister, and if he manages to get a change today, he will find that the first press release will be mine, praising him for his courage in bringing about that much-needed change.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): Immigration targets are important and the Government are right to have them, but does the hon. Gentleman agree that in this case the numbers involved are so small that the Government could make a sensible change without it affecting the overall target?

Angus Brendan MacNeil: The hon. Gentleman is on the path to righteousness—he is quite right. However, we can go a step further. I raised that point at the Home Office, and I was told, “Oh well Angus, it’s very easy for you to say that, but we’ve got our manifesto in one hand and the economy in the other hand”. I said, “It’s a no brainer; choose the economy”—they have ditched the rest of the manifesto anyway, as we have seen over the past couple of months. In reality, migrant workers come for 10 months and they do not affect the stats—the hon. Member for Banff and Buchan (David Duguid) knows that as well and he is nodding. This situation goes beyond worries about stats—I think those stats are spurious anyway, and they have led to many erroneous decisions—because we have a clear economic case. Let us get those people in, and get them fishing.

David Duguid (Banff and Buchan) (Con): The hon. Gentleman has touched on this point, but it is worth re-emphasising. These migrant workers are just that—they are not looking to come to the UK and settle. They want to go home to their families back in the Philippines, Sri Lanka and Ghana, and we must make that clear distinction.

Angus Brendan MacNeil: The hon. Gentleman is absolutely right. I cannot understand what people prefer about the sunny Philippines when they could be living on a fishing boat in the rain on the windy west coast of Scotland or Northern Ireland, but that is just me.

The Home Office also mentioned welfare, but I would argue that welfare is far better on the west coast of Scotland and Northern Ireland, where boats go home each night. If the Government are that concerned about welfare, they should check every boat outside the 12-mile limit. As the hon. Member for Moray said, those boats are fishing 92 hours on the trot, and giving people perhaps four hours off. We do not know what is happening on those boats. People are illegally working because they are outside the 12-mile limit. Just about the entire west coast of Scotland is inside the 12-mile limit, even though the waters go further than 12 miles. That is a good thing, and we welcomed it when it happened, because we kept those waters for our own boats on the west coast. Now we have been snookered by the Government in London and the Home Office, which are focusing on security rather than the economy. With the greatest respect to the Minister, it is instructive that they have sent the Minister for Security to deal with this immigration matter, and that will annoy many people.

The Minister for Security and Economic Crime (Mr Ben Wallace): With respect to the hon. Gentleman, I know he is a decent fellow but that is a slightly cheap point. I am here because the Immigration Minister is currently giving evidence to a Select Committee. She responded to the almost identical debate last week, but she cannot be in two places at once. She is incredibly happy to engage with all Members on this subject, and no discourtesy is intended by sending the Minister for Security to

respond to the debate. The Immigration Minister cannot be in two places at once—the hon. Gentleman might like to make politics out of that, but it is a simple fact.

Angus Brendan MacNeil: The politics to be made out of it are in the way the Home Office does not see the economy and its needs, but sees migration as a security issue. Migration should be seen as beneficial to the economy. The Security Minister being sent to the debate is a totemic point that says it all about our dealings with the Home Office in recent years. I must be straight with the Minister about it. He is a decent fellow and probably means well, but he wears a particular Government hat and it does not help that the Security Minister is here.

The case has been made time and again by all of us—for the economy, jobs and the vibrancy of communities. The matter is a competency of the UK Government. We need them to act; it is their responsibility. They guard the power jealously and will not devolve it. We are not like Switzerland where 26 cantons hold half the visas. Everything is held centrally and it is the Government's responsibility. The Republic of Ireland has an advantage, as the hon. Member for Strangford (Jim Shannon) has told me, because it can get fishermen in when it wants.

I am not sure how much progress we will get today but I make a plea to the UK Government, whose responsibility it is—the European Union is not to blame—to move. I am able to put things more strongly than Conservative Members from Scotland, although I am sure they feel the same frustrations. The UK Government—in particular the Home Office—must move, get on with the day job and get it done, so that fishing boats can go out and get on with their day job. The Minister may be smiling, but it is vital for people that the boats get to sea, the fish are caught, and jobs and the economy get going as a result. People in my constituency are frustrated, and I hope that I convey half their anger today. We need the pen to be lifted at the Home Office, to get the boats working and the people in question into the country.

10.2 am

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I thank my hon. Friend the Member for Moray (Douglas Ross) for securing this important debate on fishing fleets around the UK.

The fishermen I have met in Ayrshire and at Westminster have advised me that the fishing industry is having difficulty attracting workers from within the UK to join fleets. It is expensive to operate and maintain a fishing vessel, and few skippers can afford to have their boats tied up at the quayside for any length of time, particularly when that is because of the lack of experienced and skilled crew members. Succession planning for a skilled labour force in the fishing industry undoubtedly has its challenges, particularly given that the younger generation, whether family members or from outwith the family circle, do not always see it as an attractive career. There is a perception among some people, rightly or wrongly, that the current generation is put off by the early starts, the fact that there are no guaranteed return times, the unpredictable weather conditions and the hard graft that is undoubtedly involved in going to sea. It would not be seen by their friends as a “cool” occupation. Yet, as many in the Chamber know, it can be a very rewarding career.

Regrettably, careers advice sessions nowadays are not likely to focus on fishing as an occupation. Perhaps we should encourage people to go to sea and earn a living as their forefathers did. Yet schools focus on healthy eating, and the health service promotes to the public the importance of vitamin D, of which I understand fish is an excellent source. Local workers, across the age range, may turn out in the summer months, when the money is good, the weather is better and it is safer at sea. However, skippers go out in all seasons and need to be able to rely on dedicated, skilled and capable crew members.

Given the succession and recruitment difficulties, many fishermen who own their boats seek to employ migrant workers, often from the Philippines, who have previously gained experience from having worked in their country of origin on tuna fishing boats. They are said to have a can-do attitude to work, and to be skilled and reliable employees. In his recent Adjournment debate on the subject, the right hon. Member for Orkney and Shetland (Mr Carmichael) highlighted the fact that 800 non-EEA nationals are employed in the catching sector in the UK. However, work permits and visas prove problematic for Filipino workers and for others from the Indian ocean and south sea islands.

It is important that the Government—and it lies with them, as the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) said—should consider liaising with, and building on the previous involvement of, the relevant foreign embassies. I understand that those embassies assisted with seaman's books to facilitate migrants' compliance with the law. In the past, discretionary visas, which I believe were issued for two years, attracted those workers, who were happy to come to the UK, including Scotland. On visas, skippers of boats were obliged to provide onshore accommodation and confirm the condition of their boats, as is quite right. They should be safe—and they are, in the majority of, if not all, cases. I understand that the issuing of such visas may have ended simply because a small minority of workers failed to respect the requirement to return home. However, why should that failure condemn the majority who did faithfully comply and whose services proved to be an invaluable asset to the skippers and the fishing industry? Transit visas are currently available, but they restrict such non-EEA nationals to working outwith the 12-mile limit. The very term “inshore fishing vessels” reflects the fact that not all vessels are suitable to go further afield. Also, the best catch at any given time may not be beyond the 12-mile limit.

If the fishing industry is to survive—that opportunity awaits—and, indeed, prosper and more boats are not to languish in harbours, we must take action. That cannot be tomorrow or the next day, or in September or October. We need that action now, to facilitate such workers' entry, employment, safety and welfare. Yes, of course it must be policed, regulated and enforced, but not to the detriment of our fishing fleet or of a great opportunity to sustain but also expand it. To do that, we need the workers in question to be able to join fleets in Scotland and throughout the UK. In the long term, thought should be given to encouraging young people to make a career in the industry, as used to happen. As the hon. Member for Na h-Eileanan an Iar said, the numbers in fishing communities in the islands of the west coast may be dwindling, but fishing could still prove an excellent career in future. I ask the Minister to recognise and resolve the issues we are debating, without delay.

10.6 am

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak on this issue, and it is always good to see the regions of the United Kingdom of Great Britain and Northern Ireland agreeing on something. It is one of many issues that unites us; we can all sing from the same hymn book about it.

I thank the hon. Member for Moray (Douglas Ross) for bringing the matter to the House and clearly setting the scene. I was a member of Ards Borough Council and I have represented Strangford in the Northern Ireland Assembly and do so now as a Member of Parliament, and the issue we are debating has been a key issue throughout. Fishing is in my blood; I never worked on the boats, but my brother did and I understand the issues clearly. When I was introduced to the fishing fleet in Portavogie, I became aware of the heightened level of danger affecting fishermen and fishing boats. That reinforces the importance of fishing to people in Strangford, and in Portavogie in particular, as well as in Ardglass and Kilkeel.

With all the Brexit talk and the decisions over deal makers and deal breakers, there is no one among us who does not think about the subject during most of the hours of the day. Probably we all do: it is Brexit in the morning for breakfast, then for lunch and dinner and before bed—and on getting up in the morning it is all Brexit. We shall have more Brexit before the day is out, and I hope our appetite for it will be as strong as it was when it started. None of us wants to face the prospect of a no-deal exit from Europe, but there are things that are deal breakers, and to me the exclusion of non-EEA fishermen needs to be one of the things that is gone with the wind.

We need security of employment for the fishing fleet in Portavogie, Ardglass and Kilkeel. We understand there is a need for Filipino fishermen in particular, because they are dependable and they work hard. The whole thrust of their life is to do the job, which is why the fishing fleet owners in Portavogie, Ardglass and Kilkeel want them. Other Members have made a similar point about wanting Filipino fishermen to be able to come here. It must be possible to hire crew based on who can do the job, and not what someone's passport says. Fitness for purpose is something that has often been lost in the eurozone as we focus on nepotism as opposed to ability. We must ensure that, going forward, that is not the case and that if possible our vessels can be filled with home-grown crew, but otherwise with whoever can do the job and fit in best within the vessel.

We in this Chamber are all aware of the issues at play here. It is good to see the Minister in his place; I know this is not his direct responsibility, but we look forward to his response. There are five tiers to the points-based system. The tier 2 or general visa is the main category for bringing skilled non-EU or non-European Economic Area workers to the UK. Generally speaking, the tier 2 visa caters only for jobs that are classed at graduate level with a minimum pay of £30,000 per year, and for jobs that are on the official shortage occupation list.

Tier 3, for low-skilled workers, has never been used. It has always been assumed that any need for low-skilled workers can be met from within the UK or European Economic Area, but it cannot. That is why this debate is important and why the fishing fleets across the whole

United Kingdom of Great Britain and Northern Ireland need the opportunity to introduce this new tier system, enabling the Filipino fishermen to come to all the fleets across the UK and in Northern Ireland.

David Simpson (Upper Bann) (DUP): I thank my hon. Friend for giving way and I congratulate the hon. Member for Moray (Douglas Ross) on bringing this debate. My hon. Friend will know that we have a lot of people working across the wider spectrum of the agri-food industry from other parts of the European Union and from outside the European Union. Surely, if accommodation can be reached there, it can be reached on the fisheries side. It does not make sense.

Jim Shannon: I agree wholeheartedly with my hon. Friend and colleague. To reiterate the comments of the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), I must say that the hon. Members here who met the Minister are united on the simplicity of what we are asking for. It cannot be any more graphic or easily put together than it is.

Angus Brendan MacNeil: The hon. Gentleman is putting the case a lot more calmly than I did, because I am so frustrated by this. Was his heart lifted when he saw a few weeks ago, when the new Home Secretary came in, that the *Financial Times* raised the issue of doctors and nurses on the Monday and, by Friday, the pen was lifted and it was sorted out? It is as easy as, "Lift the pen. Sort it out, Home Secretary."

Jim Shannon: I thank the hon. Gentleman for his intervention. It is that simple. If we have a willingness to do it, let us just do it. We do it for the right reasons—not just because it feels good but because it helps the industry, as those of us who represent fishing villages know. My local fishermen cannot speak highly enough of the ability and work ethic of those from the Philippines, and yet they have been prevented from utilising people who, while they may not be highly skilled on paper with degrees and letters after their name, undoubtedly have the ability and fitness for purpose that is needed.

I often quote my mother in this House. I do so because she is a very wise woman, not because she is my mother and I am her son. She is very wise. My mum often says, "Letters after your name don't mean anything to someone whose house is flooded and needs a plumber." Letters do not mean anything in that trade; experience and know-how do. Fishing is the same. Degrees will not be able to read the sea or the sky, but experience will. A degree does not tell someone how to catch fish, to follow fish on a boat or to stand without falling over. This is one of the most dangerous jobs in the world, and we need the people to do it.

Bill Grant: In my discussions with local fishermen, I have found that they particularly value the Filipinos who come as migrant workers. They are far beyond labourers; they bring in immense skills, whether in engineering, safety or dealing with vessels. They bring important skills to the fishing fleet in Scotland, Northern Ireland and throughout the United Kingdom. They are more than simply labourers. They bring great skills to the fishing fleet. Does my hon. Friend agree?

Jim Shannon: My hon. Friend is absolutely right that they bring skill; I think if the Home Office looks at this issue it will see the skills that the Filipino fishermen have. They should fall into tier 2, where we can enable

them to be accepted. I think the hon. Member for Na h-Eileanan an Iar is right when he says it is a simple issue. I read the same article in the paper that he did. The Home Secretary accepted that there was a methodology that justified the right for doctors and so on to come in. By the same logic, that should happen here as well, and I would like to see it take place.

We want to see the Filipino fishermen allowed in. Under the transit visa provisions, non-EEA nationals cannot come to work on vessels that operate wholly or mainly within the 12-mile limit. People who work, or employ people to work, on inshore vessels after they have come to the UK on a transit visa or sought to enter at the border to join a ship are breaking immigration law.

Even more important, prawn trawlers, for example, operate by dragging a trawl net across the seabed to catch prawns, so only certain parts of the sea can be fished. The sea off the west coast of Scotland, containing the sea of the Hebrides, the Little Minch and the Minch, is a particularly good fishing ground for langoustines, but these areas are also well within territorial waters, as is most of the sea around Northern Ireland. Prawn trawlers have one of the highest demands for non-UK crew. Therein lies a key issue for my constituents and for the constituents of other hon. Members present. The difference is down to geography and, as usual, the postcode lottery does not work in favour of my constituents.

I, along with other interested MPs—the right hon. Member for Orkney and Shetland (Mr Carmichael), the hon. Member for Na h-Eileanan an Iar and the hon. Member for Banff and Buchan (David Duguid)—met with the Minister for Immigration and had a very forthright meeting, in which we tried to press collectively, from our four different parties, the importance of this issue. I know that the fishing organisations in my area are currently working hard to address the fact that, despite the demands of their difficult and often dangerous job, fishing vessel crew members are not deemed to be sufficiently skilled to fall within the ambit of tier 2. We need these workers to be elevated to tier 2, or tier 2 to drop down to that level. I feel the frustration that the hon. Member for Na h-Eileanan an Iar expressed; I am not always cool, but I try to make the case in such a way that people can understand the need to do it.

The Northern Ireland Affairs Committee, which I sit on with other colleagues and hon. Friends, is doing an inquiry into fishing. One of our recommendations is that the issue of Filipino fishermen should be addressed. I am conscious of the time, so I will make one last comment. The Department for Infrastructure in Northern Ireland did a trawl—if I can use that pun—across the whole of the UK and Europe for 150 job vacancies. That is the Department, not Jim Shannon or the local councils; it was the Northern Ireland Assembly when it was functioning. We got some 30 replies to that from the whole of Europe, and only 10 applicants were suitable for interview. Eight attended the interview; six were chosen, of whom one did not turn up; five took the jobs. We have 145 jobs that Northern Ireland's DFI cannot fill.

We have done everything we can on this. The local Assembly has tried. We now look to the Minister and the Home Office to do the same thing as for the doctors and nurses—to bring in the Filipino fishermen who would help our industry to thrive. When we are out of Europe, on 31 March 2019, we will need an industry that is able to respond to what we can do when we advance. I thank

the hon. Member for Moray again for introducing this debate. Everyone is united in this. All we need now is for the Minister to say, “Yes, let's do it.”

Mr Clive Betts (in the Chair): I have two more hon. Members who wish to speak. Some hon. Members have not quite followed the guidance, and we have to finish Back-Bench speeches by half-past 10, so it would be helpful if the remaining speakers could look at that and split the time between them.

10.17 am

Kirstene Hair (Angus) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Moray (Douglas Ross) on securing this important debate, one that is significant to his constituency and to my own. He has been a champion of the fishermen and the fishing industry in the north-east.

The fishing industry in the UK is a key component of our economy. In 2016 alone, the value of landings by the UK fleet was worth approximately £1 billion, with more than 10,000 jobs resting on the industry, and many others in the supply chain. Just last month, the Secretary of State for Scotland and I had the pleasure of visiting the Dawnfresh Seafoods site in Angus, a thriving business and a key employer in the region. That business demonstrates every day how fishing touches every corner of Scotland. Drawing its stock from the north-west of the highlands, with processing in both Uddingston and Arbroath, sustainability is at the core of what it does—a reflection of how Scottish fish management has improved dramatically in recent years.

Unfortunately, it is undeniable that the UK fishing industry has faced its difficulties over the last few decades, but our fishing fleets are largely family businesses that have devoted many generations of service to the industry, and we must do all we can to harness the potential going forward. In the wake of the recent difficulties, and given the importance of this industry to the UK Government, the Government must do everything possible to encourage and nurture this important sector. Ease of access to suitable labour is one area where change is desperately needed. We need a system that reflects the skills that this country needs.

As it stands, non-EEA workers play an indispensable role in assisting UK fishing crews in delivering fish from the ocean to our dinner tables. These foreign workers, frequently from south-east Asia, possess a level of skill and knowledge unmatched by potential workers already in the UK. This is skilled work, necessitating years of experience, but it is wrongly classified as unskilled.

We must not suggest that local workers must take up these jobs, as other Members have said. Just as for the soft fruit industry in my constituency, we need to bring in that labour in order to secure the long-term future of the industry. As I said before, if a job is available in the UK, it goes without saying that any British citizen should have the opportunity to apply for it. However, there are all too frequently not the candidates or even the necessary numbers to allow UK fishermen to carry on their trade. I hope the UK Government will take the necessary steps to ensure that non-EEA labour is made more readily accessible to the UK fishing industry, not only to protect our economy but to allow this vital sector the opportunity to enjoy fully the benefits of leaving the EU and the common fisheries policy.

[*Kirstene Hair*]

All the evidence suggests that the current situation is having a detrimental impact on our fishing industry, and I urge the Minister to give a glimmer of hope that the Home Office is seriously looking to mitigate the issues unnecessarily posed towards it. We need a resolution sooner rather than later.

10.20 am

David Duguid (Banff and Buchan) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Moray (Douglas Ross) on securing the debate. I recognise many of his concerns, as well as those of other right hon. and hon. Members, and they are shared by fishermen in my constituency.

The confirmation in the Government's fisheries White Paper that the UK will become an independent coastal state and will take back control of its waters is welcome. It lays the groundwork for the revival of fishing communities long neglected by the EU and by Governments of all parties. However, leaving the common fisheries policy is the start of the process, not the end. If the Scottish fishing industry is to achieve its full potential, it needs the full support of both our Governments. It would be painful to see the industry unshackled from the CFP, only to be held back by UK immigration rules. However, we face that risk if the Government do not act urgently to ensure that the Scottish inshore fishing fleet can access the non-EEA labour that it needs.

Of the roughly 4,000 crew working in the catching sector around Scotland, around 800 come from non-EEA countries, with a further 400 from within the EEA. After Brexit, 1,200 fishermen—30%—will need to be sourced from overseas. The industry has not always been so dependent on migrant labour; traditionally, almost all crew came from local coastal communities, with few coming from inland, let alone from further afield. Due to the constraints of the CFP over the years, there were simply too many UK vessels chasing too few fish, leading to decommissioning schemes at the start of the century that cut the number of jobs.

However, the industry is already working to encourage the resurgence of fishing as an attractive career, as other Members have said, and it must be encouraged to do so. Foreign crew rarely settle in the UK or climb through the ranks to become skippers, even though in many cases they will have been merchant seafarers or captains of larger vessels in their home countries. The talented skippers of tomorrow are the local recruits of today. Young locals leaving school today are probably not as inclined to join the industry as their younger counterparts, who will progress through their education with more certainty of a bright future in fishing, assuming that we make the most of the opportunities presented by Brexit.

The Scottish White Fish Producers Association says that, as we leave the CFP, even with Government support, greater innovation and further improvements in training and upskilling, it will take at least a decade or longer for the Scottish industry to close its current local labour shortage. Our coastal communities cannot afford to wait 10 years. Without access to experienced crew members, vessels will lie idle, as they do currently. We will take back control of our waters only to let them go unfished; in many areas, there will simply be no more fishing industry.

Access to skilled migrant labour—these people are skilled—is necessary if the industry, in Scotland and across the United Kingdom, is to truly reap the benefits of exiting the CFP. After Brexit we must work on increasing the capacity of our fishing fleet, but we can only do so if the industry has enough crew to cope with the increased supply of fish. Currently, as other Members have mentioned, the industry relies on transit visas, which are conditional on non-EEA crew working outside the 12-mile limit of UK waters. That adds unnecessary complexity to the job and limits activity to where workers are allowed to fish, rather than where the fish are. For smaller vessels, which tend to fish closer to shore, these visa rules are more restrictive, if not completely unworkable.

The UK Government previously operated a concession that allowed some visas to be issued to non-EEA fishermen to work on the inshore fleet. The re-establishment of such a scheme would be most welcome, at least until a longer term solution can be developed. Since 2012, demand for experienced crew has actually increased, which we hope to see continue as we leave the CFP. Such a concession would guarantee workers the same employment protections as anyone else. As the Fishermen's Welfare Alliance has made clear, any new scheme must have these protections. We must ensure that the sector can access the labour it needs and end the bizarre idiosyncrasies of the 12-mile limit while ensuring the welfare of the non-EEA workers in the sector.

However, there is perhaps a simpler solution: recognising that fishermen are skilled workers and adjusting our visa regime to reflect that. The industry faces not only a labour shortage but a skills shortage. Fishing is most certainly not unskilled work, and many of the non-EEA crew working in the industry here are talented, seasoned deck hands. Like the home-grown fishermen of the past, they were born into, or at least grew up in, a fishing or seafaring culture. As I mentioned, crew members from marine nations such as the Philippines, Sri Lanka and Ghana generally do not look to settle in the UK. In fact, much inshore fishing activity is seasonal, so a similar approach to that currently being considered for seasonal agricultural workers could be possible.

My constituents in Banff and Buchan, including in the increasingly busy ports of Peterhead, Fraserburgh and Macduff, elected me on a manifesto commitment to not only leave the CFP but to work to ensure that coastal communities enjoy the vitality and opportunity they deserve. That means ensuring that the fishing industry gets the access to the skilled non-EEA labour it needs. The industry cannot cope with the current restrictions any longer. If our coastal communities and fishing industry are to enjoy the revival offered by our leaving the CFP, we need change now.

While I am thankful that the UK Government have been willing to engage on this issue, I stress, as have other Members, the urgency with which we need that change. It is an issue that could make or break the future of our fishing industry and our coastal communities, and I look forward to the UK Government's swift action on it.

Mr Clive Betts (in the Chair): I thank hon. Members for their co-operation in making their speeches in a timely way. We now move on to the Front-Bench spokespeople. They have roughly 11 minutes each in which to speak, which will leave a bit of time for the wind-up speech at the end of the debate.

10.26 am

Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairship, Mr Betts. I commend the hon. Member for Moray (Douglas Ross) for bringing this important debate. I will mention a few points raised by him and by other hon. Members.

The hon. Gentleman highlighted the concerns he had received directly from fishermen. Those personal testimonies and experiences illustrate for us—better than the very good briefings we have received on this matter—the precise nature of the problems, including the Government's policy on the 12-mile limit and their attitude to migration. I will come on to that later. The fishermen also called for the more customised approach for which the Scottish Government have also called for some time.

My hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) is an excellent constituency MP, and he spoke with his usual passion on how much support there is across the board for non-EEA workers coming here, and of their being in many ways the lifeblood of fishing communities up and down the coast. He also mentioned how many allies the proposal has, and insisted that the UK Government begin to act on it.

The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) highlighted the difficulties that the industry has experienced in recent years in attracting local youngsters to the profession. The hon. Member for Strangford (Jim Shannon) gave us the Northern Irish perspective, as always, but also a personal viewpoint, given his family associations with the industry. He called for the UK Government to acknowledge the industry's simple point: that it needs people who can do the job now, not in 10 years' time. He also said that all in the UK are on the same hymn sheet.

However, it is worth remembering that Ireland is a part of the British Isles, and because of its independence it can in many ways make better choices specific to its own requirements; that contrasts with the situation that we are discussing, in which it seems that one size fits all. As I said, that is worth remembering. The hon. Members for Angus (Kirstene Hair) and for Banff and Buchan (David Duguid) reminded us of the UK Government's role, still, in turning on and off the tap of this vital labour source for Scotland and other parts of the United Kingdom and Great Britain without due regard for the devastating impact on small coastal communities.

It is very good to see cross-party consensus on the need for concessions on visas for non-EU crew to keep our fishing fleets safely on the seas. A sticking plaster over a rotten immigration policy it may be, but it is a much-needed one. My hon. Friend the Member for Na h-Eileanan an Iar, along with others in this place, has been championing this cause for some time, and it is good to see more recognition now of the absurdity of boats being tied up for lack of crew when people are available to do the job.

One of the things that sticks in my craw most about the rules on transit visas is that they squeeze hardest the smaller boats—those with one or two crew members, fishing daily from local ports. They struggle the most when staff are hard to find. The recent fishing White Paper said that the Government would encourage growth in the small boat sector. If they mean what they say for once, fixing this issue would be a good start.

I hope that the Security Minister and, through him, the Immigration Minister will reflect on the strength of the evidence that has already been presented and the importance of the fishing industry to Scotland and will act with greater urgency than they have indicated they are willing to do so far. It is clear from the figures that we have heard how dependent the whole industry is on non-EEA staff, so concessions should be the easiest decision that they have ever made. There are precedents: the offshore wind farm sector has a concession to allow non-EEA crew to operate inside 12 miles.

There is surely no need to wait for the autumn report from the Migration Advisory Committee, particularly as the MAC does not seem to be flexible itself when it comes to recognising shortage occupations and sectoral needs in Scotland. The issue seems to be that deckhands are not regarded as skilled by the great and the good who decide such things. I suggest to anyone who defines being a member of a fishing crew as unskilled work that they take time out this summer and get some work experience on a Scottish fishing vessel. When they have successfully mended a torn net in the face of a howling storm, they can come back to us and tell us that it is unskilled.

Fishing is not an industry that easily fits into a tick-box system for staff, but it clearly takes unique skills, experience and a certain type of character to do this job. The Scottish White Fish Producers Association, which knows a bit more about it than we do in this place, identified the need to recruit fishermen from outside the EU and found a similar skillset in fishermen from the Philippines, Sri Lanka and Indonesia. Skilled fishermen who are willing to leave their families and come to do a tough job over here should be welcomed and given all the rights and protections of our EU workers.

Angus Brendan MacNeil: My hon. Friend is summing up the debate fantastically well. I want to reiterate that I have prepared a press release into which I will insert the name of the Minister who lifts the pen and makes the change, with high praise. I hope that a Government who need some good news will at least grasp this one little straw and ensure that what we have asked for happens, and this summer. This is not a question of reports; we know what the arguments are. It has just got to happen.

Deidre Brock: I absolutely agree. I certainly hope that something will happen along those lines, although I remind my hon. Friend that last November the then Immigration Minister, now the Minister without Portfolio, promised to look into the possibility of running a pilot scheme in which seasonal workers coming from non-EEA countries could work for nine months to help the fishing industry on the west coast of Scotland. As of yet, I think, we have heard nothing further about that proposal.

Angus Brendan MacNeil: I do not know how many Immigration Ministers we have dealt with and had this same discussion with. We have to educate them, tell them, inform them—whatever. We get the promise of jam tomorrow, and before we know what is happening, they have been promoted, sacked, moved on or whatever and we are dealing with another one. It is groundhog day on this issue with each and every different Immigration Minister; and in a few months' time, given the rate of attrition in this Government, we will probably have someone else again.

Deidre Brock: My hon. Friend makes an important point. It is very difficult for the industry to deal with the revolving door of Ministers who constantly have to be informed of the important parts of their brief that they need to get up to speed with and deal with. Then they need to go round and visit all the different and important stakeholder groups and get to know them. Things are very difficult for the industry in those circumstances.

Jim Shannon: I congratulate the hon. Lady on the contribution that she is making to the debate. Does she agree that the pilot scheme that has been intimated to us on a number of occasions—indeed, the last occasion was the last meeting that we had—is something that we are all very eager to see coming into place? It is one that the industry and the sector will work with, as the hon. Lady said, and elected representatives will also endeavour to ensure that it works. All the safety and all the employment rights that are important for it to go forward are things that the industry is committed to. If ever you wanted a good scheme, do the pilot scheme now.

Deidre Brock: I absolutely agree. There is nothing to be lost by looking at this proposal. There is a general will across parties and across the industry to make the pilot scheme work. I am sure that if a Minister fronted up and actually committed to it, all of us would be cheering to the rafters, as my hon. Friend the Member for Na h-Eileanan an Iar points out.

I was referring to skilled fishermen and the fact that they are willing to come here to do this very difficult job. They should be welcomed and given all the rights and protections that EU workers have. The SWFPA chief executive, Mike Park, says that people have presented the case to the MAC and to various Immigration Ministers over the last few years, but on each occasion they were “basically told to go away”.

A new scheme for non-EEA workers would be lifeblood to our fishing fleets—we have heard the evidence that it could take 10 to 15 years to get fully staffed from local sources—but it would of course be even more sensible for the Immigration Minister to accept that the one-size-fits-all immigration system is not the right solution. If she is worried that any sensible concession for fishing might open the floodgates for other shortage occupations, the solution is not to bolt the door and hope that they go away. Perhaps she ought to ask how the MAC compiles its list, why so many sectoral cases can be made and whether the committee’s approach to immigration is working in the best interests of the economy. Reducing dependency on migration by killing an industry that wants to employ people hardly seems a sensible way to go about things.

The root cause of the problem is surely inflexible, old-fashioned British bean-counting bureaucracy. The UK Government cannot blame Brussels. As has been pointed out, this mess was made entirely in Whitehall. Defying logic, the Conservatives continue to pander to those who want to cut the number of foreigners in the country, setting policies that satisfy those who blame immigrants for all the economic woes that this Government have presided over. That approach is a disaster for the Scottish economy and the demographic challenges that we face. As an inquiry by the Select Committee on Scottish Affairs found, the populations of more than one third of Scotland’s local authority areas are projected

to decline, and future population growth in Scotland is expected to depend entirely on inward migration. We have the space and the need to welcome more people who want to live and work here, yet we are enforcing net migration targets that are entirely counterproductive.

The ever more hostile approach to immigration has not only been damaging economically; it has been distasteful and inhumane and it reeks of racism. Despite all the evidence of the benefits that migrants bring, the Tories have doggedly stuck to the notion that cutting numbers is more important than meeting need. I continue to hope for a change of heart from the Government, or for devolved control of immigration policies so that we can do that better in Scotland, but this concession for fishing would not even ruffle the feathers of the people counters in the Home Office. The number of skilled fishermen affected would be some 1,200 or so—a number far too small to make a dent on its silly targets, yet crucial enough to have a massive knock-on impact for coastal communities across Scotland.

I urge the Government to do the right thing for the fishing industry for once. Our fishing communities need flexibility from the immigration system if they are to survive. They need support from this Government through their currently reserved powers on immigration, not intransigence. The need and the solution are clear. Decisive action would be welcome.

10.38 am

Afzal Khan (Manchester, Gorton) (Lab): It is a pleasure to serve under your chairmanship, Mr Betts. I, too, congratulate the hon. Member for Moray (Douglas Ross) on securing the debate.

Fishing is an economically as well as culturally important sector for the UK. The UK fishing industry employs approximately 12,000 people, of whom an estimated 20% are non-EU migrants. As demonstrated by the passionate speeches in this debate, the sector faces an acute labour shortage. This is a common thread in a number of sectors: agriculture, care work, hospitality and the NHS are all already suffering from labour shortages. The net migration target, delays in the immigration Bill and lack of clarity in the Brexit White Paper all contribute to uncertainty and potential exploitation in these areas. The Government must get past Cabinet infighting on Brexit and provide these vital sectors with clarity and security for the future.

For the last eight years, the Government’s migration policy has been driven by a wrong-headed net migration target. Reducing numbers is put ahead of the concerns of business and our economy. Fishing is a prime example of a sector that has suffered under this target. The Home Affairs Committee found that the net migration target undermines public confidence,

“because it acted as a quarterly reminder that the Government was unable to control immigration in the way it had promised.”

As the Institute of Directors and many other business groups have pointed out, it is a completely random number, plucked out of thin air because it sounds good, absent of any understanding of the needs of our economy. Recent concerns around the quality of data underlying the target should be the final nail in the coffin for the net migration target. With such serious doubts around the data underlying these net migration figures, an immigration policy that drives only towards reducing the net migration numbers is impossible to defend.

The immigration Bill that was originally promised last year has been pushed back to the autumn, brought forward to this side of the recess and pushed back again to the end of this year. The Government have been saying for months that all migration concerns will be addressed by the Migration Advisory Committee's report. I found it astounding that the Government do not feel the pressing need to address this issue. While there are, of course, concerns about migration post Brexit, a number of sectors, such as inshore fishing, are suffering labour shortages now, even with access to the free movement of labour. These sectors cannot wait for the vague promises of clarity in the MAC report in September. The MAC's remit is broad. There is no guarantee for fishing, agriculture or any other sector.

Angus Brendan MacNeil: The hon. Gentleman is absolutely correct: we cannot wait until September for that. Although some of the newspapers might not be here, this debate is being watched outside. I have just received a message from my constituent. Christina MacNeil said:

"Surely this will be resolved as soon as possible—it's not rocket science to see the benefits that will be gained."

I thank the hon. Gentleman for making that point.

Afzal Khan: I agree with that comment. The sectors that are suffering will be central to the MAC's recommendations. Even if they are, we will have to wait for a Government response and it will take time to implement whatever the proposed scheme turns out to be. The Brexit White Paper published last week contained only 20 paragraphs on immigration. They are very narrow. There is no mention of what the proposals will be for low-paid, so-called low-skilled workers, often found in the inshore fishing industry. At this point, there is no time for the Government to bring an immigration Bill before the recess. I hope that when we come back in September they will move quickly to provide clarity and reassurance to sectors already suffering from shortages.

I would like to address briefly the risk of exploitation in this sector. In the last 10 years, deeply concerning reports of slavery and human trafficking aboard British fishing ships have come to public attention. Isolated working combined with poor regulations makes fishing workers particularly vulnerable to abuse. Remedies are often out of reach. Living conditions are often poor. Many migrant workers live aboard their vessels while in port. These vessels are not designed for long-term living. This sector is already hard to regulate. Certain visa arrangements are leaving workers at a higher risk of exploitation. The current transit visa system and 12-nautical-mile exemption leave loopholes open for exploitation. Without the opportunity to build a network in the UK, workers are less resilient. It is vital that whatever scheme we end up with, workers are not tied to their employers in the way that we have seen with domestic workers.

The Gangmasters and Labour Abuse Authority has done good work in the area of labour inspection and enforcement, but its remit is very narrow, covering only food processing, agriculture, horticulture and shellfish gathering. The UK's enforcement model is complex and confusing. A number of different bodies are responsible for different parts of the labour market. According to Focus on Labour Exploitation, the UK has one of the poorest-resourced labour inspectorates in Europe. The International

Labour Organization recommends a target of one inspector per 10,000 workers. The UK falls well below that target, with one inspector for every 25,000 workers.

It is vital that proactive inspection efforts are increased as we leave the EU and new opportunities for exploitation arise. Self-identification among victims of exploitation is low. The most vulnerable to abuse are the least likely to come forward. This includes migrants, who, faced with a hostile environment, are fearful about their immigration status and potential immigration repercussions for them coming forward.

In conclusion, the Government's migration policies have, so far, been driven by the net migration target and Tory infighting on Brexit. The inshore fishing sector provides stark illustration of the damage of this approach. The Government have again delayed the immigration White Paper. Sectors such as fishing cannot wait another year for clarity on their future workforce. The Government must get on with announcing their future migration policy and ensure that it provides adequate protection for vulnerable workers.

Mr Clive Betts (in the Chair): I remind the Minister to allow a minute at the end for the mover of the motion to respond.

10.46 am

The Minister for Security and Economic Crime (Mr Ben Wallace): Thank you, Mr Betts; it is a pleasure to serve under your chairmanship. I congratulate my hon. Friend the Member for Moray (Douglas Ross) on securing this debate. I noted earlier the point made by the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) about the Security Minister answering the debate. The Home Office means no discourtesy by asking me to answer the debate. The Minister for Immigration, my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) is attending Cabinet—not a Select Committee, and she answered a debate here only last week. She will always be available to do it.

I think they probably sent me, the Security Minister, because I represented north-east Scotland in the Scottish Parliament a long time ago. I have many fond memories—

Angus Brendan MacNeil: Will the Minister give way?

Mr Wallace: No, we do not have time. I am afraid the hon. Gentleman's Front-Bench spokesperson spoke for way longer than the other two so the Scottish National party has used up most of its time already.

I lived in Donside, with an office in Stonehaven, and have fond memories of meeting with the Scottish Fishermen's Federation, the Scottish White Fish Producers Association and the Scottish Pelagic Fishermen's Association. I remember learning the differences between pelagic and demersal fish and so on. I have some experience. Indeed, I sat on the European committee and looked at reform of the Scottish fisheries policy when I was in the Scottish Parliament. At that time, the hon. Member for Na h-Eileanan an Iar was probably down here in Westminster. That may be why they sent the Security Minister; he has some experience and knowledge of those things. My grandmother's family actually hails from Keith in Moray. A large part of my family, on both sides, are from Keith and Aberdeenshire. They were Unionists, I hasten to add, and still are.

[*Mr Wallace*]

I have listened carefully to the points that were made by all hon. Members and have noted the many concerns. It is tempting, as the Security Minister, to ensure that the Immigration Minister always attends these debates by simply going off script and just giving a commitment—I guarantee they will never ask me again.

I hear the strength of feeling, which is cross-party and deeply felt. When there is a skills shortage, whether in agriculture, fisheries or aerospace—which employs 6,000 workers in my constituency—it is incredibly important that skills requirements are met. Skills are like oxygen to an industry. We can debate regulation and tax, but skills are needed. That is not to say that we have to let employers off the hook for investment in their workforce. We should bear it in mind that while we remain members of the EU, we have a pool of 500 million people to recruit from. Youth unemployment in other fishing countries, such as Spain and Greece, is well over 30% or even 40%. It is interesting that we have been unable to recruit people from those countries. Employers have to ask themselves about wage rates and the Government have to ask themselves how we can do more to recruit people.

Jim Shannon: Will the Minister give way?

Mr Wallace: Sorry, we do not have a great deal of time. I am happy to speak to the hon. Gentleman afterwards.

Otherwise, we are in danger of constantly undermining employment rights and the basic standards that we expect by grabbing people off the shelf from further and further afield to meet demand. That is something that we should not take lightly. We have to ask why only 10% of the English fishing fleet's workforce are from the European Union or non-EEA countries, but 35% of the Scottish workforce and 53% of the Northern Irish workforce are. There must be a reason for the difference.

Jim Shannon: I referred to the Department for Infrastructure, which is responsible for this in Northern Ireland. It did a Europe-wide recruitment programme and filled only five out of 150 jobs. Clearly, a lot of effort has been put in by the Northern Ireland Assembly and by other bodies in the United Kingdom. With respect, that proves that we need to trawl more widely to recruit fishermen from the Philippines, because that is the only place potential workers are coming from.

Mr Wallace: The Northern Ireland Assembly has to be commended for making that effort, but we also have to mention salaries. Margins in fishing and agriculture are not large, which is a big challenge, because people cannot rustle up a high salary if they are not making much profit, but basic economics says that if someone cannot recruit, they have to look at terms and conditions, and obviously salaries.

My right hon. Friend the Immigration Minister and I have looked carefully at some of the good ideas put forward by the Fishermen's Welfare Alliance. I am open to the idea of the temporary scheme that existed between 2009 and 2012, and I will press the Immigration Minister, and the Government more broadly, to explore that to allow some of those issues to be addressed. We have also had representations from the trade unions, which wrote directly to the Home Office to

express their concerns about proposals to lower the bar for the admission of fishermen working in the inshore fleet. In their view, that might weaken our commitment to increase employment opportunities in the UK's domestic maritime sector.

As a Home Office Minister, I understand the industry's pressing need, but I also understand that that need is not unique to fishing but is clearly present in agriculture, whether that is soft fruit or other parts. It is also extant for other skills. When I was a Northern Ireland Minister, there was a need for skills in the tech and digital industries, because firms were moving from Northern Ireland to the Republic of Ireland because they could find the skilled workforce more easily there. We have to tackle the skills issue in a way that reflects the pressing need, and invest in our domestic workforce at the same time. The Home Office should be open to looking to relieve some of those pressures temporarily, however, as it has in the past. I will press the case for doing that for fishing in the Department and to the Immigration Minister, as they are doing for other parts of the economy that face those issues.

As we approach leaving the European Union, it will be easier to strike the balance between immigration policy and domestic skills policy. The Government will obviously be listening to the industry and stakeholders about that to inform a new immigration Bill, in line with the new fisheries strategy that the Department for Environment, Food and Rural Affairs published, which looks at what we will do with our fisheries after Brexit to ensure that we have the skills to match.

In the past, there have been successful short-term schemes, but we need to stimulate our domestic skills base as well and ensure that the terms and conditions are met in a way that looks after people who come here to work. In offshore fishing, where there has not been that restriction, we have seen considerable exploitation of workers in some cases. Border Force has stopped factory ships, where people are part of the human slavery that has been going on. We have to be alert to that position. [*Interruption.*] It is not independence, by the way.

We have to listen to the independent Migration Advisory Committee, which has previously looked at the issue. It is looking at several factors again as we approach Brexit, and we will be open to its research-based views and suggestions. The Immigration Minister has obviously heard the previous calls from hon. Members, and I will ensure that this debate is reflected to her when I see her later today.

Hon. Members should not think that the Government do not take the importance of the fishing industry seriously; we absolutely do. We do not think that people working on boats are unskilled—clearly, they are. I have been up to some of the fishing boats at places such as Fraserburgh and Peterhead, and my seat neighbour Fleetwood has one of the main fishing processors in England, so I am not blind to the industry. The tier 2 visa is for work at a graduate level. As a non-graduate myself, perhaps there is something to examine in the way we define skills after Brexit.

It is a serious matter, and we should be trying to get on and deal with it. We will listen to representations from all hon. Members, but we have to bear in mind the wider immigration picture, no matter which party is in government—the rules were set in 2008. It is true that immigration and skills affect the constituencies of the hon. Members present, who predominantly represent

north-east Scotland, but also Northern Ireland and the Western Isles, but they also affect all industries, and we have to address that in future.

There is no substitute for long-term planning for skills. I am acutely aware that employment, long-term planning and education in Scotland have been the Scottish National party's responsibility for a very long time. If the fishing fleets are desperate for workers, what have the Scottish Government been doing for the last 10 years to prepare their workforce and people to come forward and fill those places? The answer is that education in Scotland has declined under the SNP's leadership, which is tragic, because my forefathers in Keith were teachers. That is potentially why there is a big problem. *[Interruption.]* Although they are crowing from the side lines, the SNP—

Mr Clive Betts (in the Chair): Order. Occasional comments are okay, but let us tone it down a bit.

Mr Wallace: The best way to approach a skills problem is through long-term investment, coupled with short-term measures to fill the gaps. At the same time, we need to address conditions and workforce problems so that people want to work in industries such as heavy industry, fishing or agriculture. I have listened to the genuine concerns constructively expressed by my hon. Friend the Member for Moray, and I will take forward his ideas to my right hon. Friend the Immigration Minister and into Home Office policy.

10.57 am

Douglas Ross: It has been a pleasure to serve under your chairmanship, Mr Betts, and I am grateful for the way you have chaired the debate. I thank all right hon. and hon. Members who have contributed.

The hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) made a good speech, in which he described his local constituency issues and the issue that he has raised many times. In intervening on the hon. Member for Manchester, Gorton (Afzal Khan), he

mentioned some messages that he had received during the debate. I also received a message asking, "How many times will Angus Brendan MacNeil mention his pre-prepared press release?" It was a big part of his speech. I hope that he will be able to send that press release one day, and we are all able to see it.

My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) was right to highlight the skills of young people who want a career in the industry. We have to ensure that there are opportunities for young people in our communities to join the industry if they want, but there are not enough of them at the moment.

The hon. Member for Strangford (Jim Shannon) spoke passionately about the issue, which he has great experience of and has been dealing with for so long, as a council member, an Assembly member and now a Member of Parliament. It was useful to hear his experience of all those areas.

My hon. Friend the Member for Angus (Kirstene Hair) made a call for mitigation sooner rather than later, which was echoed by hon. Members across the Chamber. My hon. Friend the Member for Banff and Buchan (David Duguid) mentioned his considerable experience in the area, and rightly talked about the irony of taking back control of our waters, only to leave them unfished if we do not have enough people to work in them.

I am grateful that the Security Minister is present, and I understand why the Immigration Minister could not make it, because of a conflict with Cabinet. Like him, I served in the Scottish Parliament before I came down here so he has experience of the industry, having represented the north-east of Scotland. I was grateful to hear him say that he would press for a temporary solution and take back what has been said in the debate by hon. Members of all parties to the Immigration Minister and the Government. That is all we can ask for. An immediate solution would be great, but a temporary solution is one we would like. I am grateful for everyone's contributions.

Motion lapsed (Standing Order No. 10(6)).

Construction Industry Training Board HQ

11 am

Sir Henry Bellingham (North West Norfolk) (Con): I beg to move,

That this House has considered the Construction Industry Training Board proposal to move its headquarters from Bircham Newton, West Norfolk.

Thank you very much indeed, Mr Betts, for calling me to speak. It is a great pleasure to serve under your chairmanship for a debate on an issue that may not be of crucial national importance but is extremely important for my constituency.

The Construction Industry Training Board has been based in Bircham Newton in west Norfolk since 1964. CITB took over a disused RAF station—RAF Bircham Newton—and when the then Government gave it the base, which comprises about 300 acres, the quid pro quo was that it would move the National Construction College and the training activities to Bircham and, basically, take over the jobs that had been supplied by the Ministry of Defence and the RAF. Today, about 600 jobs are based at Bircham and they are spread in roughly four ways, among the headquarters, the National Construction College and other colleges, the card scheme call centre and the awarding body.

CITB raises about £300 million in income every year—in fact, the amount for the current financial year is £307 million—of which I believe 63% comes from the levy, authorised by Parliament, allowing CITB to raise money from the industry. That money is used on the grant scheme and charitable activities; in fact, CITB is a registered charity.

I am delighted to see that it is the Minister for School Standards who will respond to this debate, because although he is not the Minister responsible for this issue, his position means that he takes a great interest in the whole apprenticeship and skills agenda. The construction and civil engineering sector is a vital part of our economy. In order for it to be able to compete internationally and deliver the highest possible safety and skills, it is necessary to have an organisation such as CITB and, indeed, a levy, without which CITB would not be able to raise money from the industry.

I will not go into too much detail about why we need CITB, because I want to concentrate on its “Vision 2020” and what will happen in the future. Before doing so, however, I will just say a word or two about the proposal’s profound impact on my constituency. King’s Lynn in the centre of my constituency is a town of about 40,000 people and it is surrounded by many remote rural villages. Bircham is about 10 miles from King’s Lynn and CITB is a very big employer in a remote rural area. It provides high-quality jobs, and the links to the community, which have been established over all the years that CITB has been at Bircham, are extremely significant, because CITB has been excellent in its outreach to the community and in putting in place its community social responsibility.

Of course, there is also the multiplier effect, because an organisation employing that number of people on good wages in a remote area will have a profound impact on suppliers and on the small and medium-sized

enterprise sector. That multiplier effect underpins probably at least as many jobs as CITB offers directly, possibly many more.

There has been a really important link between the community of west Norfolk, my constituency and CITB. I also suggest that there has been a covenant, as it were, between CITB and the local area, because we have supplied it with a truly excellent place to do business, to carry out its training and to locate its headquarters; in turn, CITB has made investments in the area. That covenant between CITB and the local area is based on trust and partnership.

As the Minister will be aware, in 2017 a consensus process was carried out and, furthermore, Her Majesty’s Government carried out an industrial training board review. One of the conditions of CITB raising the levy, through statute and under parliamentary control, is that it needs to build consensus with the industry and get its support.

Obviously, the consensus process takes place regularly, and in 2017 consensus had to be built with the industry at a time when many smaller firms were finding the levy onerous, and a number of larger construction and civil engineering businesses were making it very clear that they wanted CITB to change. They all took the view—and I think the Government did, too—that CITB was underperforming, had rather lost its way and needed a new vision. The result was last year’s CITB’s “Vision 2020” paper and recommendations.

CITB submitted a business plan to adopt a simpler and more streamlined way of working, and described it as “levy in, skills out”. It wants to become an oversight body and an enabler, rather than a direct provider of different services. Part of the process of building “Vision 2020” is to exit direct training. At the moment, CITB provides the training itself through the National Construction College and other colleges, which are incredibly impressive. They operate out of a number of buildings in Bircham Newton, some of which are former RAF hangars and ideal for different types of training, including bricklaying. Outside those hangars—indeed, on the airfield itself—CITB can provide scaffolding training and heavy plant training. There is a huge amount of space and the National Construction College is a world-class college.

I certainly find it regrettable that CITB is going to exit direct training, because there is a cadre of really impressive instructors and support staff at the National Construction College. I understand the arguments—although I do not agree with them—that the CITB should exit direct training to become an overseer and an enabler.

The second part of “Vision 2020” is to hive off CITB’s non-core activities, such as the card scheme and the awarding body, and the third part is to co-locate the headquarters. Currently, CITB’s headquarters are split among Bircham Newton, London and a few satellite offices. Let us look at each of those in turn.

I have already mentioned the National Construction College and the world-class activity that goes on there. Any Minister who visits it can only be impressed at the calibre of the instructors, the ethos of the place and its reputation for delivering top-class training. Furthermore, a lot of money has been spent on the college’s training facilities, the hangars and the other support facilities, as well as on the student accommodation, which is

obviously vital. If the aim is to attract students sponsored by the different construction firms, those students require good accommodation and a lot of money has been spent on that in recent years.

I think that moving away from direct training is a bad decision and I believe that a more confident, better-run and better-managed organisation would have had the presence of mind to have made the case for retaining the direct training provision. However, that argument has now moved on, leaving, unfortunately, a great deal of uncertainty among the cadre of instructors and support staff, who feel they have been very badly let down. On the other hand, there are many construction and civil engineering businesses out there that I think will consider taking on that contract. I have spoken to plenty of firms that have great trust in Bircham and I think they will put in a bid to take on the contract to provide training.

Let us have look at the other parts of “Vision 2020”. The card scheme and the awarding body are non-core activities and will be sold off. In fact, the awarding body has already been sold off to a larger business, which has moved it to an innovation and technology centre in King’s Lynn. That is very good news indeed and there is no reason why the card scheme, which is based near a call centre, cannot stay in the area, too. The prospects are promising and I am working with CITB to ensure that that process makes progress.

As I have said, the headquarters are currently split among mainly London, Bircham Newton and a number of satellite offices. There has been a consultation on moving the headquarters, and CITB says that it wants to co-locate them. I absolutely get that argument because split headquarters do not enable the best possible streamlined management that we would expect. Unfortunately, the consultation has been extremely badly handled and the staff have been let down in many ways. Had there been a better consultation, the current situation of really poor staff morale might well have been averted. For example, at the start of the consultation process, incorrect letters were sent to a number of employees. According to middle management and the unions, which have proposed an alternative plan, that has led to a huge amount of stress and confusion. I certainly believe that that could have been avoided.

In its paper of 25 June, CITB makes the case for new streamlined headquarters. I get that, but I do not understand why it says that they cannot be at Bircham. It says that they need to be moved to a new location, away from Norfolk, that has better communications and a better pool of skills, and which clients, industry and the Government are able to reach more effectively and efficiently. Middle management and the unions made an alternative case for keeping the headquarters at Bircham, which I support 100%. At this juncture, for CITB to move from headquarters that it owns and has recently spent a great deal of money on makes no sense whatsoever.

I will go through the main arguments for staying at Bircham. If an organisation owns somewhere and then sells it to move to another office it owns, I get that, but CITB says that it will sell the entire Bircham site and rent an office, preferably at Peterborough. I have nothing against Peterborough. My constituency has great economic links with the city and, indeed, with Cambridge and Norwich, but Peterborough is about 40 miles away. Yes, it has good communications, being on the A1 and

having a main line rail service, but King’s Lynn also has a good rail service and, with modern working practices in place, and with the power of the net and more flexible working, there is absolutely no reason why the headquarters cannot stay at Bircham. Furthermore, the headquarters staff are trained up, highly motivated and know the area. They work in extremely congenial surroundings, on a former RAF base in beautiful countryside with the most fantastic views. Job satisfaction is incredibly high. They do not have far to drive to work—some probably cycle. It is a very happy atmosphere, which has been completely poisoned by CITB’s suggestions. What is worse, in the collective consultation’s supporting information the organisation has the nerve to say that middle management and the unions have not put forward an alternative location. They have, and it is Bircham. That statement is completely and utterly insulting.

Furthermore, staff must be kept on side. The process will be difficult and tough. If CITB moves out of direct training, it must have supportive and loyal headquarters staff who are motivated and who understand the organisation. What it has done so far is to collapse staff morale, creating real anger and bitterness, and I am very angry myself about how this has been handled. The organisation has been extremely badly managed at the higher level—middle management has done an excellent job—with an absolute absence of strong leadership and, indeed, proper vision. It keeps talking about “Vision 2020” but there has been no proper vision regarding how the organisation should move forward and, as a result, the staff are extremely angry. A new chairman has come in, Peter Lauener, for whom I have great admiration, but he has his work cut out. If the organisation is to recover in any way, shape or form, the decision must be reversed.

There are other arguments for staying at Bircham, which I will briefly put to the Minister. The first is that it is important to have a positive, constructive relationship with the new training provider, whoever that might be—it could be one of the large civil engineering companies, or a further education college. The training contract is worth many millions of pounds—possibly hundreds of millions. If the headquarters move to Peterborough and all the current staff are either contracted out, as some will be, or do not move—the staff surveys show that very few want to—there will be new management and historic knowledge will be lost. The current staff will not be on hand to manage the important relationship with the new provider. There are bound to be teething problems with the new provider, with the protocols and the specifications, but it needs to be a partnership. If the headquarters are moved to Peterborough or elsewhere—such as Milton Keynes, or even down to the south coast—that staff will not be on hand to oversee and work alongside the new training provider.

Another important reason why CITB must stay at Bircham—in the short term, at any rate—is the oversight of the masterplan for Bircham Newton. I will not go into details, but my right hon. Friend the Minister can talk to my right hon. Friend the Member for Esher and Walton (Dominic Raab)—I am glad to say that he is now right honourable—who, when he came to Bircham the other day, as Minister for Housing, which includes responsibility for planning, was incredibly impressed by what he saw. I think he was amazed at how modern and impressive the buildings were, and really blown away by the site and all it had to offer.

[*Sir Henry Bellingham*]

The site is more than 300 acres and is divided in half by the B1153. The eastern part, which is probably half of the total acreage, has been completely underutilised historically and it has the most phenomenal potential for all sorts of exciting, dynamic possibilities. There could be some new housing or a science park, and there is no reason why we could not have an offshore wind farm academy. Along the Norfolk, Lincolnshire and Suffolk coast there are vast numbers of offshore wind farms and there is a burgeoning onshore service sector. However, we need skills and training in that sector, and what better place to locate a college than Bircham Newton? There could be demonstration eco-homes on that part of the site, provided by different construction and housing companies that would bring their trainees from around the country to work in an environment that would be highly conducive to improving those skills. There could also be supply chain centres of excellence.

To oversee such a great programme of reform and innovation, we need a strong input from CITB itself; it needs to be on hand to oversee the masterplan. We have in place a taskforce of which I am a member, chaired by CITB and with the membership of the local councils, the borough council, the county council, the local enterprise partnership, the further education college and all the other bodies that really want to make the masterplan work. If we get that plan right, we will have something to be proud of. As the Minister knows, Norfolk and Suffolk have far too many disused RAF bases that have not had a masterplan and have been subjected to inappropriate development with no proper oversight or consistency, and all the things that can go wrong with ad hoc development on a brownfield site have gone wrong on some of those airfields. They are not places to be proud of. If we get this right we will have something we can be really proud of, but we need CITB on hand to work alongside the MPs—my right hon. Friend the Member for North Norfolk (Norman Lamb) and me—and the local councils, the LEP and so on. Getting it wrong does not bear thinking about.

What I suggest to CITB is a compromise arrangement. I will go along with plans to diversify training and sell off non-core activities, and I also support the plan to co-locate the two headquarters, but what I am saying to the incoming chairman, Peter Lauener, is that he needs to keep the headquarters at Bircham for at least three to four years. If he does that, he will not hollow out senior management, lose a huge amount of historic knowledge, go through very costly disruption or spend a lot of money that CITB probably does not have on renting new offices, and he will be on hand to oversee the training partnership and the masterplan.

What I find depressing is that the state of mind of CITB senior management seems to be such that it has made a decision and is determined to go, even though it says in letters that there is ongoing consultation on Peterborough and the preferred location for the joint headquarters. It says that is not a final position and that collective consultation remains open for the unions, middle management and elected employee representatives to submit for consideration any proposal that includes an alternative location. We have submitted exactly that—staying at Bircham.

Peter Lauener has two choices. He can either go ahead with this ill-thought-out, illogical move now—in other words, take a decision later this year and move towards the end of next year or in early 2020—or put things on hold and we can all see what the position looks like in, say, three years' time. That would enable us to see how the training partnership and the masterplan develop. If the jobs are secured, would it be the end of the world if CITB then said, "We have overseen this great success story and we are going to move to somewhere that is nearer to our client base"?

Alternatively, it can carry on with the current policy, which will result in the organisation going into meltdown. There will be a further, complete collapse in staff morale and a withdrawal of co-operation and good will from the staff. There will also be a significant backlash from MPs in the region and county, the local councils and the LEP. There will be a dissipation and destruction of that good will, which will make life very difficult for CITB. It will be difficult to continue its current "Vision 2020". If CITB carries on like this, MPs will say that the organisation is not fit for purpose, does not deserve the levy and deserves to close down completely.

Will the Minister make it very clear that although he supports "Vision 2020", Ministers do not have a strong view on the organisation moving to Peterborough or any other new headquarters? Ministers should listen carefully to what I am saying, call in the new chairman and make clear to him that he is in danger of presiding over a complete disaster area. A once proud organisation will fail completely, unless action is taken.

11.22 am

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) on securing this debate.

At the heart of our industrial strategy is having a skilled workforce that supports the continued development of our economy. The construction workforce is fundamental to that development—to building new homes, hospitals and schools and creating new jobs across the country. The workforce needs to be of a high quality, and the Construction Industry Training Board plays an important role in ensuring that the construction workforce grows and is trained to a very high standard.

I appreciate my hon. Friend's concerns about CITB selling Bircham Newton as part of its wider reform plans, and I have listened carefully to what he has said. He made a compelling case for the CITB HQ to remain at Bircham Newton in his constituency. I can confirm that Ministers do not have a preference for where the HQ should be located. We support the reform programme and "Vision 2020", which emerged from the industrial training boards review. I also appreciate that the local community is understandably apprehensive about the impact the reforms and this particular proposal will have on them.

CITB is an industry-led statutory body established under the Industrial Training Act 1964. It has a central role in training the construction workforce. It provides a range of services, including setting occupational standards, funding strategic industry initiatives and paying direct grants to employers who carry out training to approved standards. CITB is funded by a levy on British construction

firms in England, Scotland and Wales. The levy is approved every three years by a consensus vote of industry federations. There is a serious risk that without that levy-funded training, there would not be enough skills training in construction and the sector could face a serious skills shortage. Construction has a weak track record of investment in skills and is characterised by high levels of self-employment and the use of subcontractors. Indeed, those are two fundamental reasons why we have a levy and why CITB was established.

In the autumn Budget and the housing White Paper, the Government announced a target of building 300,000 new homes a year by the mid-2020s. That relies on having a skilled, highly trained workforce. The UK construction sector needs highly skilled people with the capacity to carry out that scale of work. CITB's strategic oversight of construction skills training is critical in ensuring that.

A recent Government report on industry training boards concluded that industry training boards with levy-raising powers remain the right model to support the construction and engineering construction industries. It recommended that CITB reforms its operating model and re-focuses on addressing the market failure to train enough skilled staff. It saw the need for CITB to concentrate on driving improvements in skills and training outcomes in line with its statutory purpose.

The industry itself recognises the need for change. The 2017 levy consensus consultation saw equally clear calls from the industry for CITB to reform. In response, CITB announced a major reform programme on 15 November 2017. Its aim was to reposition and repurpose itself to deliver the skills required by the industry. The reform programme has three key elements: the divestment of CITB's skills training sites; the outsourcing of back office facilities in line with public sector activity—including human resources and IT, among others; and the creation of a single, centrally located headquarters.

CITB will no longer directly train construction workers in its network of training centres located around the UK or run the industry-led construction skills certification scheme, as my hon. Friend referred to. At present, CITB has significant conflicts of interests as it is the provider of training and the body responsible for setting standards. Leaving the training market will allow CITB

to focus on its core functions of market sustainability, quality and standards. Outsourcing back office functions will enable CITB to make substantial savings. It is standard practice. CITB will work with future providers to minimise any effects on staff.

CITB's head offices functions are currently spread over seven sites. Unsurprisingly that results in duplication and inefficiencies, as well as creating an unwieldy decision-making process. Creating a single head office will streamline CITB's decision making, as well as increasing business co-ordination and continuity. The location of the head office is important. CITB covers the whole of the UK. A central location therefore makes sense for practical and business reasons. As I mentioned earlier, as Ministers we have no view on where that central location should be.

On 27 March 2018, CITB opened a consultation on the creation of a single head office and its location. All parties that could be affected have been involved. CITB is consulting a total of 133 head office staff from the sites in London, Bircham Newton in Norfolk and Thurmaston in Leicestershire. The Norfolk site has the largest number of head office staff, as my hon. Friend said. There is local concern about the future of the site, and the consultation process is still open. On 4 July, CITB discussed its intention to proceed with the head office relocation with its affected staff. CITB remains open to any proposals that meet its long-term requirements.

I am grateful to my hon. Friend for highlighting the issue. There is a strong public interest in having a highly skilled and efficient construction industry. The country's economic success and social progress rely on building more homes and delivering key infrastructure projects. We need a highly skilled construction workforce with the capacity to carry out the Government's house building ambition and key infrastructure projects. CITB has a vital role to play in delivering that skilled workforce. It is crucial that CITB is able to deliver its reform programme to undertake that role and to retain the trust and support of the industry it serves.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.

Homelessness among Refugees

[SIR HENRY BELLINGHAM *in the Chair*]

2.30 pm

Sir Henry Bellingham (in the Chair): Before we start the debate, it might be of interest to colleagues that there will be a Division at half-past 3. If anyone would like to remove their jackets, they are welcome to do so.

Kate Green (Stretford and Urmston) (Lab): I beg to move,

That this House has considered homelessness among refugees.

It is an enormous pleasure to lead the debate under your chairmanship, Sir Henry. I draw the House's attention to my entry in the Register of Members' Financial Interests on the financial support I received for research capacity in my office in relation to my work on asylum seekers, refugees and migrants. I apologise that that notification was not given in advance of the debate—I very much regret that omission.

Many of the debates that we have in this place regarding refugees and asylum seekers concentrate on the process of applying for refugee status. Prolonged delays, poor decision making, the irrational and cruel use of immigration detention, and the meanness of financial support provided through the National Asylum Support Service all rightly attract fierce criticism. However, what receives less attention—and this is the issue I wish to raise in today's debate—relates to what happens when someone has the good news that they have been granted refugee status.

It is deeply concerning that even once asylum is granted, many refugees continue to experience homelessness and hardship. The homelessness charity Crisis reported that in 2016-17, 478 people—7% of those who approached it for help—had nowhere to live after leaving asylum accommodation. That was more than double the number in 2014-15. In a sample of night shelters over the winter of 2017-18, the No Accommodation Network report, "Mind the Gap", which was published in May, found that 48 out of 169 people requiring emergency accommodation were refugees. In one shelter, 50% of the refugee guests had left asylum accommodation within the previous six months.

John Howell (Henley) (Con): The hon. Lady raises a list of things that surprise people regarding how refugees are treated. Does she share, as I do, the concerns expressed by the recent Jesuit Refugee Service report on the discredited nature of information about refugees' home countries? Given the breadth of our Foreign Office's reach, how does she think that has come about?

Kate Green: It is obviously not the same for every single country or every individual asylum case. It is important that we recognise that our obligation to give refuge is shaped by international treaties and conventions that we are long signed up to, and which look on a case-by-case basis at the danger that an individual faces in their country of origin. We need to be clear that we have a robust decision-making process that properly assesses that danger, and be confident in presenting to the country that our process works well. Sadly, at the moment, delays and poor decisions mean that often it does not.

For those who gain refugee status, there is an issue of becoming homeless once they are recognised as refugees. The Refugee Council interviewed 54 refugees for a study in 2017, and found that none had secured accommodation by the time they left asylum accommodation, and that more than half had slept rough, or in a hostel or homeless shelter, after being granted status. The decision to grant status—a moment that should represent relief from fear and the chance finally to rebuild a shattered life—can instead become the start of a new nightmare.

The problem lies fundamentally in the incredibly short move-on period, which allows refugees a mere 28 days to leave Home Office accommodation after they have been granted refugee status, and to move from NASS to mainstream benefits. In that time, they must obtain their national insurance number, open a bank account, receive their biometric residence permit, navigate a complex benefits system, and find somewhere to live and, if they are able to work, a job, while settling into their new life. For many—mentally traumatised, struggling with poor English and disconnected from mainstream services—it is simply too much to cope with.

Gavin Robinson (Belfast East) (DUP): The hon. Lady is making entirely the right points. In 2015-16, Northern Ireland had more than 100 refugees who we believed were in destitution. Is she aware that Belfast City Council commissioned the Law Centre of Northern Ireland to produce a refugee transitional guide? The Select Committee on Work and Pensions recognised that guide as describing best practice, and asked the Department to distribute it right across the United Kingdom so that when people find themselves navigating that system and process they get the best advice and help possible.

Kate Green: I am aware of the work of the Northern Ireland Law Centre, which was one of a number of organisations that helpfully briefed me for the debate. As the hon. Gentleman says, that guide is an extremely useful resource.

Although voluntary groups are providing such resources, the system is fundamentally making things harder for refugees. Their first universal credit payment will not be made for more than a month. Although advance payments are available, they cannot be paid until someone has a national insurance number and a bank account, and their availability appears not to be well signposted by either the Home Office or Jobcentre Plus. Meanwhile, local housing allocation rules may not give priority to new refugees, particularly those who move into a new area to be with other members of their community. Those factors are placing refugees at grave risk of homelessness and destitution.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Lady on securing today's debate. It must have struck all of us in the Chamber that any of the challenges she has outlined that refugees face in beginning to engage with life in the UK—whether it be opening a bank account, getting a national insurance number or accessing appropriate healthcare—would be difficult for a British citizen to do within a 28-day period, let alone somebody who may not have English as a first language and who may well have a number of complex needs and family needs related to the reason

they were granted refugee status in the first place. Does she agree that the key, take-home message from the debate is that the 28-day period needs to be reviewed, and the Government need to do more to facilitate extra support for a very vulnerable group?

Kate Green: I very much agree with the hon. Gentleman. Those points will be the thrust of the remainder of my speech.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I congratulate my hon. Friend on securing the debate. I am glad that she mentioned the 28-day move-on period, which the all-party parliamentary group on ending homelessness also recommended scrapping. Does she share my hope that the Minister will accept that recommendation for inclusion in the strategy, which is due by the end of the month?

Kate Green: I do, and I will be very interested to hear the Minister's response.

I am grateful to charities and individuals who have shared stories to illustrate what it means for those who become refugees without either the resources or the home they need to rebuild their lives. The Boaz Trust, with which I have had the privilege of working in Manchester, told me about what happened to Mohsen, a 28-year-old man from Iran who arrived in the UK in 2015 and was found asylum accommodation in Manchester. He says:

"I left NASS in January 2018. They let me stay on for two more weeks because they knew I didn't have anywhere to go. Then I stayed outside for 2 nights. It was very cold. After that I stayed in a shelter. After 3 weeks the NASS support stopped. Then after maybe three weeks my money came in from the Job Centre... When I left my NASS accommodation, I went to the council and registered with housing. I knew to do this because I have been here a long time. They said I am not priority, and I cannot have any hostel place. I applied for housing and I waited two months... At first the Council say there will be something in 4 weeks, then 8 weeks. In that time, I stayed at Boaz night shelter. Now I am in hostel and I am waiting for a house. I am bidding every week. It was hard staying in the night shelter, staying in different areas every night. During the day I have nowhere to go".

Sadly, that is far from an untypical story.

Paul Blomfield (Sheffield Central) (Lab): My hon. Friend is describing a situation that we certainly experience in Sheffield. Voluntary organisations and charities that work with refugees have identified another growing problem that is contributing to homelessness, which is an increasing number of people getting discretionary leave to remain. They are falling through the middle—they lose out on the support they were getting as refugees but do not have recourse to public funds. Does my hon. Friend recognise that that is another serious problem that the Government need to address?

Kate Green: I am grateful to my hon. Friend for raising that matter. It cannot be right that we allow anyone to be destitute in this country, whatever circumstances they find themselves in.

Mohsen's story is far from untypical and the situation is even more dire for families with children, sometimes creating serious safeguarding issues. Asylum Matters told me about Bao, who was originally trafficked from Vietnam and received refugee status in November 2017 after going through the national referral mechanism. Less than one month later, his daughter was born.

The family survived on £35 per week in asylum support, but that stopped and he did not know how to apply for benefits. When he tried to find a home, the council told him he would need to find private rented accommodation. The private landlords all wanted a deposit or guarantor, which he could not provide because he had no savings. An integration loan could have helped him, but he was refused a loan by the Home Office, which claimed he was already integrated because he had been here for such a long time. That meant he could not secure a private tenancy because he had no money to pay for the deposit. He and his baby daughter were destitute for nearly four months, forced to survive on the charity of friends for food and milk and somewhere to sleep—on their floor.

Such cases are cause for enormous concern. I am glad that the Government have accepted that there is a problem and have attempted a number of measures to deal with that, but although it is a pleasure to see the Minister in his place this afternoon, I am a little disappointed that the debate is not being answered by a Home Office Minister as I requested. Fundamentally, we need cross-governmental action to address a mismatch of policies across different Government Departments and the failure of any one Department to own the problem. I believe the Home Office should be taking the lead in joining up policy and procedures. I hope the Minister will share the breadth of my concerns with all of his ministerial colleagues.

Tim Farron (Westmorland and Lonsdale) (LD): The hon. Lady is making some excellent points. Does she accept—I am sure she does—that a contributory factor to refugees being in severe hardship once they have been awarded status is that they are not permitted to work during the time that they are here? Would it not be better, not just for them and their families, but for the country, if they were able to potentially build up savings and contribute and pay taxes during the time they are waiting for their asylum case to be heard, so that they are ready to be fully fledged members of our society at the point at which they are given status?

Kate Green: I am grateful to the hon. Gentleman for making that point. I strongly support the right of asylum seekers to work when the Home Office has singularly failed to meet its own obligations to process cases and make a decision within the given timescale. As the hon. Gentleman says, allowing them to do so would enable them to maintain their skills, build up some savings and remain connected with the wider community. Although that may not be a matter for today's Minister to address, it is certainly one that I strongly support.

Let us consider what action has been taken to date by the Government, because some initiatives have been welcome. The Home Office is rolling out the post-grant appointment service to smooth the referral to Jobcentre Plus for making an initial benefits claim. That follows a pilot in two regions last year, but there were some reports of problems. During a two-week period in February, the refugee support team at the British Red Cross asked 20 individuals in South Yorkshire about their experience of the warm handover pilot. Only one individual stated explicitly that they had received a phone call from Migrant Help, which provided the service. Eight individuals said they had not received any contact, while 11 were

[Kate Green]

unsure whether they had. It may be that those are isolated cases, or that problems have since been resolved, but in a parliamentary answer to Baroness Lister on 29 June, Baroness Buscombe refused to publish the results of the Government's evaluation of the pilot.

Although the commitment to provide advice and support to new refugees in the move-on period is a welcome addition to the new advice, issue resolution and eligibility contract, charities have seen communication from the Home Office that suggests that the support will be limited to operating the post-grant appointment service only. Advice and guidance in the move-on period must be more comprehensive if it is to address the issue of refugee destitution. In particular, closer working between the Government and third-sector providers is needed. I urge the Minister to encourage ministerial colleagues to publish the evaluation report on the post-grant appointment service pilot and to ensure that the lessons about the wider advice needs of refugees are acted on.

Of course, I am pleased that 35 asylum support liaison officers are now being appointed in a number of local authorities, funded by the controlling migration fund, but it is not clear how their work will be monitored and evaluated. I hope the Minister will say more about that this afternoon. The Government's integrated communities fund is also intended to provide support for refugees, but again there is little detail as yet on how it will do that. Perhaps the Minister will be able to enlighten us.

It is welcome that national insurance numbers will now be included on the biometric residence permits that refugees receive. Usually, though not invariably, they arrive within a matter of days. That is helpful, because a national insurance number is required for payment of universal credit, although it is not necessary for making an application. The payment is essential for new refugees to pay for, among other things, their accommodation.

Significant problems continue with the issue of national insurance numbers. Some 65% of the new refugees seen by the British Red Cross in South Yorkshire over a two-week period in February during the move-on period had not had an application made to the Home Office for a national insurance number. Those who do not have one must complete the application process over the phone, which often takes 40 minutes. Apparently, 10 questions are asked at the start of the process before the individual is offered the services of an interpreter. Following that phone conversation, the new refugee has to attend a face-to-face appointment before the national insurance number is issued.

Those who lack a national insurance number include people who have joined a partner in the UK under the Dublin rules on refugee family reunion. The result is that sometimes quite large families are struggling to survive on the income from one single parent's jobseeker's allowance claim for six weeks or more, while their partner awaits their national insurance number. I have raised this issue previously with Home Office Ministers, but the problem remains unresolved.

Ultimately, this all places unnecessary barriers in the way of enabling new refugees to settle, receive benefits or wages and access suitable accommodation. Can the Minister say anything about what conversations are taking place across the relevant Government Departments

to streamline and support refugees and to ensure that national insurance numbers are always issued swiftly and smoothly?

The Minister will be glad to know that I am now firmly in his ministerial territory. The Homelessness Reduction Act 2017 should be helpful, but its operation needs to be clarified and extended for refugees who are homeless or at risk of homelessness. Under the Act, from this October public authorities will be required to refer those at risk of homelessness to the local authority. That provision should be extended to cover providers of asylum accommodation.

Andy Slaughter (Hammersmith) (Lab): I am glad my hon. Friend has mentioned the Homelessness Reduction Act. I led for the Opposition on that. There was a healthy degree of consensus then, as there seems to be in this debate. Is she, like me, looking for an assurance from the Minister that that consistency will now apply to extending the 28-day period to 56 days?

Kate Green: In a moment, I will ask the Minister exactly that.

Newly homeless people can get easement from job search requirements, being asked to focus instead on basic actions such as finding accommodation. That is at the discretion of their Jobcentre Plus work coach. It is not clear whether new refugees will be able to access a similar concession. In addition, refugees are treated as tier-two priority for alternative payment arrangements under universal credit. Alternative payment arrangements would mean, for example, that rent could be paid directly to their landlord, potentially making it easier for them to secure a tenancy. Will the Minister confirm whether any discussion is taking place between his Department and the Department for Work and Pensions on reprioritising refugees as tier one for alternative payment arrangements and on granting them easement from work search obligations so that they can concentrate on looking for accommodation?

Although the changes made to date are welcome, more is clearly needed to make them fully effective. The most important policy change to make, however, as has been alluded to around the Chamber this afternoon and which would ensure that newly recognised refugees do not end up destitute and at risk of homelessness, is to maintain Home Office support until mainstream benefits are ready to start, by extending the 28-day move-on period.

I am aware that on 3 July Baroness Williams claimed in a written answer to Baroness Lister that NACCOM's "Mind the Gap" report

"does not show that these problems will be resolved by extending the 28 days period",

but Ministers must be aware that there is widespread agreement among campaigners and, it would appear, in this House that it would do so.

At the very least, the move-on period should not start until someone receives all documentation, including a national insurance number, but I invite the Minister to be bolder. The Homelessness Reduction Act extends to 56 days the period during which someone can be deemed threatened with homelessness, and the universal credit waiting period is five weeks. The move-on period should be extended in line with those timescales—to have it otherwise is perverse and illogical.

In conclusion, the Government have more to do to ensure coherent, whole-system support across national and local government for those newly granted refugee status. We can be proud to give refuge to those who flee persecution and seek safety here and proud that refugees are welcome in our country, but too many begin their lives here in penury, and the system is to blame for that. Today, I hope that the Minister will take the chance to tell us the steps the Government will take to improve things.

2.51 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Sir Henry.

I commend the hon. Member for Stretford and Urmston (Kate Green) for securing the debate. I also pay tribute to my intern, Gillian Hughes, who is working with me for a few weeks and helped to prepare for this debate.

Given the complexity of Home Office procedures and the conscious decision of this Government to create a hostile environment, it is not surprising that so many asylum-seeking constituents come to me for support with their cases. However, it is even less palatable to know the new range of problems that refugees often face after going through the harrowing process of achieving leave to remain, not least the loss of their financial support and accommodation within only 28 days of a successful decision from the Home Office.

I am in the process of moving house and I can testify that it is a stressful event, even when done voluntarily and with the chance to prepare financially, so imagine trying to do it within 28 days, after having been restricted to not working, while surviving on an income of £37.70 per week and despite language barriers, unfamiliarity with the area and often no support network. In such circumstances, homelessness is a real threat.

It stands to reason that support from the National Asylum Support Service ends when someone is no longer in the process of claiming asylum. However, that should be a managed transition over a reasonable period of time. To end support abruptly makes it extremely difficult for new refugees to move forward, and places a burden on other Departments, local authorities and charities that are already at breaking point.

Last month, I held a special asylum and refugee surgery in Cranhill in my constituency in conjunction with a fantastic Glasgow charity called Refuweegee. It provides practical support in the form of donated clothing, food, toys and other necessities, and it collects welcome letters written by people from all over the city to our newest Glaswegians. One such letter that struck me recently was from a wee girl called Kiera. Kiera had written a beautiful note: "Please don't worry, you are safe now." How do we explain to Kiera that of 54 refugees interviewed by the Refugee Council in September last year, not one had found secure accommodation by the time their asylum accommodation was withdrawn, and half of them had been forced to sleep rough or in a night shelter?

Local authorities normally consider homelessness to be imminent if someone is within 56 days of it becoming a reality. Refugees, however, are expected to be able to move on within only half that time. It is not a practical timeframe to impose on some of the most vulnerable within our communities, especially if the Government are serious about their pledge to halve rough sleeping by 2022 and to eliminate it by 2027.

A secure home, as I am sure everyone in the Chamber agrees, is the cornerstone of building a new life and establishing roots. Housing insecurity is a major barrier to education, employment and integration. For example, at the weekend I met a Baillieston constituent, Agatha Mazengera. Recently Agatha was granted refugee status. She has already passed her 28-day mark, but she has not yet been able to secure a permanent home.

Agatha and her daughter have been moved, temporarily, to a bedsit in the opposite end of the city to where their asylum accommodation was. Agatha was very active in her former neighbourhood, as part of the parent council and parent teacher association at her daughter's school, and as a member of the local church. She tried to keep some sense of familiarity for her daughter by continuing to travel across the city for school each day, but sadly, after a while, that became unworkable. Agatha's daughter Mychaella therefore had to leave behind her friends at a crucial time in her education, and had to start again at a new school. The ongoing uncertainty about their living conditions means that Mychaella may have to move school yet again. A managed transition, with some professional support would have enabled that family to continue to contribute to the community of which they had become such valuable members.

A leave to remain decision might enable someone to stay in the country, but as the system stands, a clock starts to tick, giving a mere 28 days for people to find work and leave what has been in essence their home. That is a tall order when they have been living hand to mouth, have no savings and often do not even have a bank account, and are learning a new language. I have no doubt that the majority of new refugees are as keen to move to a stable home and into work as the Home Office is for them to do so. We must therefore move away from the culture of hostile practice and provide a bit of support to do that.

We must take some simple, common-sense steps to reduce unnecessary incidences of homelessness or transient housing caused by that unrealistic timescale. Allowing 56 days to move on and providing access to mainstream homelessness prevention services could dramatically increase people's chances.

Neil Coyle: Even when refugees play by the rules and do the right thing, Home Office error often leads to complications that end up with people being made homeless. That happened to Mr Musari and his family in my constituency. It took two years to overturn a mistake by the Home Office. Would it not be simpler to reverse the retraction of legal aid under the coalition Government, so that civil legal aid was available to refugees and others subject to Home Office decisions or affected by Home Office policy?

David Linden: The hon. Gentleman's intervention chimed with some of what I see in my constituency, such as issues with legal aid, in particular in devolved areas. It can only be even more difficult for the Home Office if it is not following its own procedures. That is a very valid point to make.

Allowing 56 days to move on and providing access to mainstream homelessness prevention services could dramatically increase the chances of people finding a suitable longer-term property. Being awarded refugee status should, at the very least, mean a fair chance

[David Linden]

of having a place of refuge. As Refuweege in Glasgow states, “We’re all fae somewhere”, but right now our asylum accommodation system is failing people and leaving them with nowhere in the world to call home. I think everyone in this place would agree that we must do better.

2.58 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): It is a pleasure to serve under your chairmanship, Sir Henry, and thank you for calling me to speak. It is a pleasure to speak in this debate, and I pay tribute to my hon. Friend the Member for Stretford and Urmston (Kate Green) for her powerful speech.

A local Member could pick up many issues to champion in this place. As well as fighting for workers’ rights, for a better deal for the people of my constituency and for a Labour Government, I have chosen to focus in part on refugees and the crisis that they face throughout the world. Earlier this year, I led a Westminster Hall debate about refugee family reunion. It was a good debate, with colleagues from across the House making sensible and at times moving contributions about the situation that refugees, often women and children, are facing here and in other parts of the world.

Let us be clear that those seeking refuge are fleeing violence, famine, disaster and oppression, and they deserve the right to something that we all have and that we fight for for our constituents—a safe, secure and long-term home. The crisis facing refugees has many elements, and the homelessness element is key. The Refugee Council noted that for many years the refugee sector has highlighted the high rate of homelessness among new refugees who have recently been granted status in the United Kingdom.

Almost 160,000 households experience homelessness across the United Kingdom, and around 9,000 people sleep rough on our UK streets on any given night. We see that in London and in Westminster, and I have seen it across Scotland. The high rate is caused by the short period in which new refugees are expected to move into mainstream accommodation. That is made far more difficult by the pressures on local government and housing associations, which have seen an increase in homelessness across the board. There are delays in accessing the social security system that is there to support those without.

We have all seen the Tory Government’s sustained and at times inhumane welfare policy, which has simply made things worse. Let us look at personal independence payments, universal credit, the cuts to housing benefit and the sanctions dished out for not turning up to work or an interview. Brexit chaos—a disaster made in Downing Street and in the office of the hon. Member for North East Somerset (Mr Rees-Mogg)—will make it even more difficult for refugees to secure the support and training needed to enter the workforce. Getting a job at all will be difficult if we crash out of the European Union as many on the Government Benches would like us to.

We have to act; we have to deliver; we have to do more. Members from all parties will agree that we need improvements to the way we support refugees and honour our responsibilities to the most vulnerable. I would

like the Government to give this House and millions of people in our United Kingdom and across the world the assurance that Britain will focus on our responsibility to vulnerable women, men and children who come to Britain seeking peace and safety.

I wrote to the Minister for Immigration following the debate I led in February 2018, but I still have not had any reply, despite sending several follow-ups. No response. That is disappointing, and I hope my requests for information and answers will not be ignored today. In the context of the Government’s recent integrated communities Green Paper, what specific measures will they take to address refugee homelessness in this country? What discussions have taken place with the devolved Administrations in Cardiff and Edinburgh and with the Secretary of State for Northern Ireland to ensure that there is a co-ordinated response to this crisis across our United Kingdom? What discussions have taken place with housing associations to see how they can assist with the provision of safe and affordable homes for those who need one? What discussions have taken place with the Local Government Association to identify what support local government needs to be able to play its part? Finally, what thought has been given to introducing rent controls so that rogue landlords cannot lead us in a race to the bottom?

The housing crisis in our country needs addressing immediately. Hon. Members from all parties in this House know that this Government can act. I see a lot of young people sitting in the Public Gallery; they know what the housing crisis is like. Let us give them all a chance.

3.3 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I thank my hon. Friend the Member for Stretford and Urmston (Kate Green) for opening the debate. Many people have been shocked by the recent report from the No Accommodation Network, which found that 28% of guests of its night shelters were refugees. But that statistic is not surprising when we consider what this Government have done to restrict and dispossess refugees in this country.

I am not surprised by the statistics, since asylum seekers are not allowed to work and are forced to rely on state support of just £36.95 a week. I would be unable to live on that and I suspect that many people present would be unable to live a decent life on that, either. When claiming asylum, refugees are given no choice of accommodation or location; they are nearly always placed in hard-to-let properties where other people do not want to live and conditions are poor—damp and mould are rife. They are not the kind of conditions in which I, hon. Members or members of our community would expect to live, so why on earth do we put some of the most vulnerable in those kinds of properties?

The Home Office gives those newly granted asylum fewer than 28 days to start a new life, to leave accommodation and find housing, benefits, employment and a national insurance number. I am not surprised by that, because this Government have a hostile environment policy. The report found a direct link between this Government’s failed move-on policy and the high amount of homeless refugees in the UK. There is a direct link between this Government’s inaction and the more than 17,000 people who approached the charity Crisis last

year with nowhere to live after leaving asylum accommodation. That figure has more than doubled in the three short years since 2015.

I am not surprised by the report, because the end game of this Government is an immovable commitment to the politics of restriction. Restrictive policies are designed to prevent and deter individuals from seeking asylum, and to be less welcoming and deny safety to those who need it most. It is precisely because of those policies that we need to have this debate. Why do refugees account for 28% of those in night shelters for the homeless, when refugees account for just 0.25% of the population? Why do refugees deserve less?

Some people claim that refugees do not deserve the same rights as British-born people. Some people say that refugees present a threat to our sovereignty and our security, because anyone who reaches the border is clearly a threat. The reality, however, is that it is the dangerous fanatics who are a threat, so why are this Government pursuing policies that those fanatics would applaud? Rights are not claimed by virtue of being British born or even of having citizenship, but by being a human being. The UK has signed up to commitments that we must fulfil. As a human right, the right to a decent place to live is no exception.

The Government must take steps to ensure that the Homelessness Reduction Act can be extended to refugees and that it is properly enforced, particularly in respect of support for an extra number of days. The Government's inaction is drastically out of sync with the efforts of certain Departments to prevent homelessness and reduce rough sleeping in other parts of the population. How can we claim we have made progress if we have not supported the most vulnerable in our society? Refugees escape war, torture and see the most horrific things imaginable. They deserve to be welcomed and to be given decent accommodation.

Under the last Labour Government, the refugee integration and employment service offered 12 months of support for refugees' access to housing, education, social security and the job market.

Thangam Debbonaire (Bristol West) (Lab): I thank my hon. Friend for mentioning the last Labour Government's refugee integration strategy and the comprehensive plan for employment and support. Is he aware that that strategy was cancelled by the Liberal Democrat-Tory coalition Government in 2010?

Lloyd Russell-Moyle: Exactly—it was cancelled by the Conservative-Liberal coalition, to treat some of the most vulnerable in our society worse. The refugee integration and employment service was not perfect, but rather than building on it and improving it, the Conservative-Liberal Government scrapped it entirely, in a disgraceful move. I add my voice to those asking the Minister: will he ensure that people who are granted asylum are given the 56 days outlined in the Homelessness Reduction Act to find accommodation? If he commits to that today we will have started to take decent steps forward.

Over many years, Conservative Governments have given in to the demands of their populist right and the UK Independence party. They peddle the same myths and scare stories about migrants, refugees and people who claim asylum. Let us have an end to that. Why do the Government not stand up to that today? Last year we gave 10,000 people refugee status. Every minute that

they wait in poor accommodation is a minute too long. We need change and we need compassion. We need to enable refugees to contribute to our society, and the way to do that is to contribute to their wellbeing and provide decent housing. It is not too much to ask. I beg the Minister to take action.

Sir Henry Bellingham (in the Chair): The hon. Member for Brighton, Kemptown has made a passionate and impressive speech. He wrote to the Chairman to say that he would not be here for the wind-ups because he has to go to a Select Committee. Is that still the case?

Lloyd Russell-Moyle: Yes.

Sir Henry Bellingham (in the Chair): He has apologised to the Minister in advance. I now call Thangam Debbonaire.

3.10 pm

Thangam Debbonaire (Bristol West) (Lab): It is truly a pleasure to serve under your chairmanship, Sir Henry, and to follow my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle) and others who have all made such great contributions. I will not repeat what others have said. I will move on to a specific aspect, which, I am afraid to say, is possibly outside the Minister's area of responsibility. None the less, it is entirely relevant to the topic under discussion: the right to work.

First, I thank my hon. Friend the Member for Stretford and Urmston (Kate Green), who is chair of the all-party group on migration, for securing this important debate and for working so closely with me as chair of the all-party group on refugees. We work closely together and I am very pleased about that.

I launched the "Refugees Welcome?" report just before the general election last year. The APPG on refugees produced it after an inquiry of many months. We took evidence from refugees, refugee organisations, local authorities and health organisations. There are copies available: my office has paper copies, but it is also online. We looked at various things, some of which the Government have now taken up. I am pleased about that and I thank them for doing so. For instance, the issue of national insurance numbers—my hon. Friend mentioned their inclusion in documents—was holding up many refugees needlessly and pointlessly, but that is supposed to have been sorted out now. I am still getting evidence that it is not completely fixed, but at least the intention is clear.

On the 28-day move-on period, we kept finding more and more egregious examples of how it ended up turning into destitution and homelessness. The impact of detention and the two-tier system between the resettlement scheme and refugees who come via the asylum route have also been mentioned. That is not directly relevant today, but some of the things we picked up had a specific impact on homelessness. As my hon. Friend has said, the 28 days turns from delirium to despair. The news that someone is being given refugee status should be a day of joy and celebration, but for many refugees it very quickly turns to despair when they realise that they will become either homeless or destitute—or both—within 28 days, for reasons that others have mentioned.

Our report recommended a move to 56 days, which would be coterminous with the universal credit timetable, so it makes sense. I urge the Minister to urge his colleagues at the Department for Work and Pensions to

[Thangam Debbonaire]

reconsider the matter, because that would be most useful. I must thank Jon Featonby, previously of the Refugee Council but now of the Red Cross, for his help with the report, particularly the careful drafting.

On the right to work, I thank *Forced Migration Review* for its June 2018 edition on refugees and economies. Such a focus would really help to prevent refugee homelessness. Even though the issue is a DWP competence, it is relevant to the Minister's work at the Ministry of Housing, Communities and Local Government. I also refer him to the fact that the integration strategy—it is not a refugee integration strategy, which I would like—is part of MHCLG's competence, and I want him to re-examine that strategy's specific impact on refugees.

The 1951 convention relating to the status of refugees affords refugees the right to work. I want to be clear: our legal obligations require us to give refugees the right to work. When we give refugee status, they are able to work. However, there are problems with waiting until that point. Nearly half of the 145 states that are party to the convention declare reservations in applying the right to work. Even those that do apply the right to work usually impose conditions and limitations. There is very little consistency in implementing the right to work and there are significant variations among those countries.

We should consider some examples of good practice in order to help prevent refugee destitution and homelessness. Jordan, a non-signatory country, provides a quota of work permits. Turkey is not a particularly wealthy country, but it has 3.3 million refugees and they can apply for work permits after six months. In Chad and Uganda, refugees are allowed to settle in host communities and some are granted arable land for agricultural purposes. In Ethiopia, the International Labour Organisation, the United Nations High Commissioner for Refugees and the Government of Ethiopia collaborate on an out-of-camp policy, which relaxes conditions of residence and movement so that refugees can work. They can set up their own businesses both inside and outside camps.

In Kenya, community organisations help refugees with language classes and links to employment and support. In the UK, various businesses are active, including Starbucks, Ben and Jerry's, IKEA and, I am sure, others. I declare an interest, because I hosted a dinner recently for Starbucks to discuss its refugee employment programmes. I urge right hon. and hon. Members to consider the role played by private industry. When private industry wants to take a responsible role, we should welcome that, and I do.

In Bristol, as in countries across the United Kingdom, volunteers and campaigning groups such as Bristol Refugee Rights, Borderlands, Bristol Hospitality Network and others do fantastic work to prevent refugee homelessness and to help refugees into work in order to prevent homelessness and destitution. Yet refugees and asylum seekers tell me of their frustrations at not being able to work sooner and of the gaps that that imposes on their CVs. They tell me of the limitations on volunteering.

Alex Sobel (Leeds North West) (Lab/Co-op): While people wait for a decision, after 12 months they can apply to work but only in jobs on the shortage occupation list. Is that not one of the barriers? Should not that stipulation be dropped?

Thangam Debbonaire: I am grateful to my hon. Friend for that intervention because he has saved me from making that point later. I absolutely agree with him. I urge the Minister to take that key recommendation to his colleagues. There is a 12-month limitation and then they can work but only in a job on the reserved list. That includes being a professional ballet dancer, by the way, which is not exactly a route to employment for most refugees. Without wishing to stereotype, it has not yet come to my attention that there are out-of-work ballet dancers among the refugees that I have met.

The policy is very unhelpful. It is contrary to refugee integration and, as I have said, integration is the Minister's departmental responsibility. Good integration is in all our interests. Homelessness prevents integration. Lack of money, gaps in employment, and language difficulties all increase the risk of homelessness. The 28-day move-on period increases the risk of homelessness. Cuts to English classes make everything harder. Lack of documents increases the risk of homelessness. All of those are fixable problems; most of them fixable without a large amount of money. In fact, it would save us money. If we got refugees into volunteering, employment and training, it would be good for everyone.

Mr Gregory Campbell (East Londonderry) (DUP): Will the hon. Lady join me in paying tribute to the many faith-based groups that help homeless refugees? They work not only among the refugees, but with other groups such as ex-service personnel, many of whom suffer from post-traumatic stress disorder, to try to get them to restart and build a new life.

Thangam Debbonaire: I am grateful to the hon. Gentleman for that intervention. Like magic, he has anticipated my next paragraph. During the inquiry, when we asked Jonathan from Survivors Speak OUT whether he felt that refugees were welcome in the UK, he said that the asylum system did not make him feel welcome. He was traumatised and angry during the entire five years it took to get status, but he also said that during that time he was made to feel welcome by the people of this country. When he was destitute and homeless while stuck in the process, he was supported by a church. He was given a home by a family and was welcomed into the community. So I ask—not for the first and probably not for the last time—for this country's systems to live up to the shining example set by this country's people in truly welcoming refugees.

The all-party group would like the Government to improve on the following, all of which would help to end or prevent refugee homelessness. We would like a national refugee integration strategy, or, if not that, for the integration strategy as a whole to have a dedicated aspect that should be expanded, particularly with regard to refugees. We would like the restoration of full legal aid for all asylum seekers. We would like to introduce the provisions for refugee family reunion that are contained in the private Member's Bill promoted by the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil). I love saying the name of his constituency. We would like an end to indefinite immigration detention—28 days is quite enough, and ideally it should not ever happen to pregnant women. We would like full restoration of English language classes. Refugee after refugee told us about their sterling efforts to learn English and how hard it was when classes were cut. One told us he could

not afford buses to get around London, so he walked from class to class, wherever he could go to learn English. He told us all that in immaculate English, so the method worked, but it should not be that hard.

We should reform the rules on the right to work and volunteer so that, at the very least, asylum seekers can apply to work and start to try to look for work at six months. If the Home Office cannot meet its own service standard, why should refugees have to suffer a gap in their employment, which will affect their future ability to get work? We would also like the principles of the global compact on refugees to be integrated into UK law when the process is completed later this year.

I want to end by quoting another refugee, whom I would like to speak of as a friend—Kolbassia, of Survivors Speak OUT. Giving evidence to the inquiry of the APPG on refugees, he said:

“I’m part of this country. I need to make this country great. And that is the case for most refugees who are here. We are grateful for what is given to us and we want to do everything to repay this country. But we need help and that help will come from policy makers.”

Sir Henry, what a call to action that is. If we heed it we can end refugee homelessness and make refugees feel truly welcome.

3.21 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Stretford and Urmston (Kate Green) on setting the scene for us very clearly. There have been some significant and helpful contributions on an issue that we all feel strongly about. I have been very clear about the need for a manageable number of vetted refugees. It is not enough to tell people that they are free to live in the UK without also giving them the tools to begin their new life, find work and integrate into the community that they have been moved to. For every refugee whom we agree to take, there must be funding and the will in the community to integrate those people. If those things are not there, we are failing them, and we need to do something about that. I am clear that we have a duty to help, which does not mean simply moving them from a refugee camp in Europe to one in the UK. We must move them into communities, and we cannot do that when we oversubscribe.

I recently spoke to the inspector who had the task of settling refugees in my area. He said they integrated into communities best when they were in small family units that the neighbourhood wanted to help. An example of that is happening in my town, Newtownards. Four Syrian families were relocated together. It was important that they were together; they were clustered in one area, and had houses together where they had contact with each other. My colleague and hon. Friend the Member for East Londonderry (Mr Campbell) referred to the importance of faith groups, and they are important in my constituency. It was faith groups who came together to help the refugees when they arrived in Newtownards. It was the Minister and people of Streatan Presbyterian church, and the Link group in Newtownards, which brings together a number of churches. Whenever—I say this gently—Government Departments were not as quick off the mark as they perhaps should have been, Link helped, physically, with getting furniture and giving clothes and food, and with being someone to talk to.

I met the Syrian families. I thought it was important to do so, first to welcome them to the area, and secondly to show them that politically they had support at the highest level. There was no bother about relocation in Newtownards. There never would be; but there is a language barrier and it is important to deal with that early on. Other hon. Members have referred to it and I know how important it is. Being able to speak the language is necessary to get a job and do the shopping, and so that children can go to school. The children are going to school, and we have many good people working together to make those things happen.

My hon. Friend the Member for Belfast East (Gavin Robinson) has a Red Cross group in his constituency. It does excellent work. I met someone from the group at Westminster last week, and have met others locally. They do tremendous work on integrating people and helping them to settle across the area.

Gavin Robinson: I am glad that my hon. Friend has mentioned the role played by the Red Cross across Northern Ireland. It is still a profound regret to me that not one of the Syrian refugees who relocated to Northern Ireland has been housed in East Belfast. There is a barrier to the provision of houses to those individuals, who desperately need them. There is a welcoming community that wants to host them if they come to my constituency. Does he agree that the situation needs to change?

Jim Shannon: I am almost flabbergasted by that news, Sir Henry. Given that we have been able to relocate four families close together in Newtownards, with the support of the local churches in making it happen, I am really disappointed by that. It is a big issue to be addressed, and that should be happening now. I am sure when my hon. Friend phones those concerned to remind them about it, their ears are burning.

I thank the many sterling workers who think long and hard about, and put hours into, making the transition into British life easier for those who come, and the community where they are placed. The hon. Member for Stretford and Urmston mentioned Law Centre NI, and I shall quote a briefing it produced. It is important to set out the changes that it wants, and how they would make integration a wee bit easier. I promised that I would raise the matter on its behalf, and bring it to the attention of the Minister, whose response I look forward to. Refugees are given 28 days to leave Home Office accommodation and find housing, benefits and employment. If it had not been for the people of Newtownards—the churches, committee groups and Link group—coming together for local individuals, we would not have had the smooth integration that was needed, when it was needed. If people are far from home in a community that they are not familiar with—a different culture and tradition—they will all of a sudden feel very much on their own. What has helped those people has been their faith and their integration into church life in Newtownards town.

In the 28-day period, people are expected to apply for social housing, but single adults are rarely found to be in priority need and there is a shortage of social housing, as my hon. Friend the Member for Belfast East said. If they want to find private rented accommodation,

[Jim Shannon]

they have in reality less than 28 days to arrange it. There can be delay in relation to their notification of status. We can see how problems multiply. The law centre said:

“The move-on period for people granted status should be extended from 28 days to at least 56 days to reduce risks of homelessness amongst refugees and bring Home Office policy in line with changes recently introduced under the Homelessness Reduction Act and that the impact of procedural adjustments within the move on period introduced in recent months are unclear so a full evaluation of the Post Grant Appointment Service and the pilot that preceded it should be published urgently.”

Law Centre NI is clear about what is needed:

“Learning from this should shape the support that refugees receive around housing and benefits across various government departments.”

Its experience, and the importance of that, are clear.

People who have been financially supported by the Home Office on £37.70 per week during their asylum claim, and who have not been permitted to work, will have been unable to save the funds needed to access private rented housing in advance. Having been placed in no-choice accommodation during the asylum process, they will also often have limited networks to rely on after they move in. There are significant obstacles to getting access to essential support such as benefits and universal credit, such as proof of address and incorrect advice from the jobcentre. Law Centre NI points out that integration loans should be adjusted and monitored to reflect the private rental market more accurately. It refers to the

“public body with a duty to refer”

refugees to local housing authorities under new regulations under the Homelessness Reduction Act 2017.

There are those who say that we can help, and clearly we must. We must help and put our money where our mouth is, like the man with the starfish. We all know that story, about the man picking up stranded starfish and putting them back, who when told “You can’t help them all,” says “I can help this one.” That is what we are doing—“Helping this one.” It must be done in a manner that provides security, hope and a future. If that means that we limit the numbers that we have, to ensure the care that we give people is appropriate and worthy of the British name, that must be the case. Homelessness in the UK is not what we want to offer; we want to offer hope, community, education, healthcare, friendship and freedom to live and work. We must seriously consider the requests of Law Centre NI on behalf of the Refugee Council, the No Accommodation Network, Crisis and Asylum matters.

3.29 pm

Sitting suspended for Divisions in the House.

4.10 pm

On resuming—

[SIR EDWARD LEIGH *in the Chair*]

Angela Crawley (Lanark and Hamilton East) (SNP): Thank you, Sir Edward, for calling me to speak. It is a pleasure to serve under your chairmanship.

I congratulate the hon. Member for Stretford and Urmston (Kate Green) on securing this debate. As we have already heard, those who have been granted refugee status are given 28 days to receive the required identity documentation, to secure a source of income and to find somewhere to live before any current support from the Home Office is terminated. For most, this proves absolutely impossible and, sadly, the majority of people without children become homeless. As we have heard, if someone has claimed asylum and been given refugee status, asylum support will stop 28 days after the decision and in the case of section 4 support it could stop as early as 21 days after.

I echo the words of the hon. Member for Stretford and Urmston, of my hon. Friend the Member for Glasgow East (David Linden), and of others, who have stated that the 28-day period is simply not sufficient and that a review of it must be undertaken.

I will also touch on the comments about the support that the Home Office provides. The outsourcing of that support— asylum accommodation—to private companies could have made the process more seamless, on the basis that there would be more opportunity for different types of accommodation to be provided. In reality, the system does not work quite like that. That has meant, for example, that local authorities such as Glasgow City Council, which had expressed an intention to submit a bid, realised that the system was far too unwieldy and the tender process would have made things impossible. Essentially, we are stuck with exactly the same providers and a very similar model, despite the criticisms of the system in a Home Affairs Committee report last year.

Move-on support has been mentioned. Too often, those who are granted refugee status are evicted from their asylum accommodation and simply left to get on with things. To anyone, that would be challenge enough, but to someone who is an asylum seeker or who has been granted asylum in this country, simply having 28 days to start to review their life and to bring everything together is undoubtedly a challenge.

The Government should be providing more extensive support with a new scheme called the warm handover, but in practice this scheme does not appear to be working. Also, it takes a long time before the handover to the benefits system actually happens. We have heard instances of constituents who have waited for three to six months, or for even longer, and that is simply not good enough. For those who are unable to work, because the right to work has not been granted, that delay can leave them in destitution and potentially in dangerous situations, either living on the streets or relying on temporary accommodation.

The Home Affairs Committee recommended that the 28-day move-on period to transition between Home Office support and housing to mainstream benefits should be extended, and that view has been echoed throughout the Chamber today. It is a sensible suggestion, particularly given the delays in benefits such as universal credit being sorted out; it is the only way in which people can move forward in their lives.

At the end of the day, refugees are people and they deserve to be treated with respect. Discretionary leave and humanitarian protections are eligible for allocation from a council to refugees, so they can get the help they need if they become homeless, including helping them to claim housing benefit. Obviously, however, that is

constrained and across this country local authorities are doing the very best they can, but ultimately people are reliant on the third sector—the charity sector, faith communities and others—and the good will of people generally to ensure that they are not left homeless or destitute.

That means that many who are seeking asylum or are in a period of move-on support are often heavily reliant either on local government or on charity sector providers such as Refugees at Home and Room For Refugees. Those organisations offer help in finding a spare room, volunteered by a member of the public, to those who have been granted refugee status following a successful asylum application but then have only the 28 days, those whose application for asylum is ongoing, and those who have been refused asylum and are appealing.

The reality, as outlined by the hon. Member for Bristol West (Thangam Debbonaire), is that those who have not been granted the right to work or who have been caught in the bureaucracy of the process are stuck in that limbo for longer than anyone would wish them to be. It is a mantra of the Government that everyone should want to get back into work, but there are people who want to work and provide for themselves but are not being granted the ability to do so, and that is a barrier to progress and integration.

As we heard from the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), the poor conditions of the accommodation and the limited financial support is seriously damaging life chances and opportunities. Room For Refugees, which has hosted a total of more than 61,000 nights of shelter and has transformed thousands of lives, has seen a 279% increase in the numbers hosted in the last year, which alone should tell the Government that there is a problem they need to do more to address. As the hon. Member for Strangford (Jim Shannon) outlined, Northern Ireland has led the way with the transition guide provided by its law centres. That could be rolled out nationally and be one way in which to signpost people through, whether it be the 28 days or a period voluntarily extended by the Government, giving people a step for a hint about where to start.

The asylum process is complex and its causes often extreme. It requires the difficult task of collecting convincing evidence of an ongoing threat to life or freedom in a person's country of origin. During that period, many who have sought humanitarian protection, due to circumstances such as forced marriage, female genital mutilation, domestic violence and human trafficking, live in fear of being returned to their country. They are often traumatised, and some have experienced torture, rape or imprisonment. Many have lost family, homes and livelihoods and some have serious physical and mental health problems. They are granted asylum and are then forced into myriad bureaucracies. It is simply untenable to say that in 28 days they can turn their life around. Facing refusal and subsequent homelessness and destitution greatly exacerbates their difficulties, as they become unable to meet basic needs. I challenge anyone to try to live on £37 a week—it is unrealistic. How torturous must it be for those who have been stuck in the system for a long time, knowing that they want to work, and could work, but are simply not allowed to?

Those who receive a positive decision on their application—which is after appeal in about 50% to 60% of cases—are then permitted to work and must move on to find their

own accommodation. That sounds laudable in reality, but if they have already had to go through an appeal process how much longer will it take them? Without support, it can be a difficult process, and it can be one of the reasons refugees find themselves homeless.

The purpose of this debate is to consider homelessness among the asylum community, but those who are seeking asylum and are refugees require support and encouragement and the Government could do more. Ultimately, this is producing costs in many other areas. I hope that the Minister will take on board all the comments from across the House and consider what further action can be taken.

4.17 pm

Melanie Onn (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Stretford and Urmston (Kate Green) on securing the debate. The question she asked at the outset is absolutely right. Without any disrespect to the acting Minister, why has the debate been bumped to the Ministry of Housing, Communities and Local Government rather than the Home Office? With the best will in the world, the acting homelessness Minister will not be able to comment on some of my hon. Friend's fundamental points relating to the reasons why those granted refugee status find themselves without funding or housing. He cannot take action on national insurance numbers, the minimum level of expected treatment of refugees and respect for their status, the responsibility of the state for those vulnerable people who have fled war or persecution, or the post-grant appointment service. He cannot tell us what has happened to the pilot. He cannot tell us where the review is, or anything about access to interpreters to help asylum seekers and refugees navigate our systems. He cannot respond to the important points raised by my hon. Friend the Member for Bristol West (Thangam Debbonaire) on work permits for refugees.

As he is unable to assist with all those things, I hope that the Minister will undertake to hold a meeting with the relevant Home Office Minister, have discussions and feed back to my hon. Friend the Member for Stretford and Urmston the Government's thoughts on these important issues, or facilitate a joint meeting. It would be a fine example of the Government working cross-departmentally to tackle the gaping holes in Government policy, which will ensure that the very good Homelessness Reduction Act 2017 will not meet its stated aims. The Minister must agree that the Government's failure of process, exacerbating a problem elsewhere in government, is ludicrous.

However, there are some things on which the Minister can comment. He can say something about prioritisation on housing waiting lists, and whether the systems—particularly local connection requirements for refugees—are fit and fair for purpose, from his experience and understanding of them. I am interested to know whether he recognises that some people in category 3 or 4 on waiting lists will be left there for years in limbo—usually single people and those at highest risk of homelessness.

The Minister can also say whether he believes that the Homelessness Reduction Act properly covers refugees and providers of asylum accommodation. There was very little discussion of that aspect of the Bill during its passage, with most of the consideration focusing on the

[Melanie Onn]

roles and responsibilities of local government. Perhaps the Government intend to say that asylum seekers are covered because everyone who is homeless is covered, and that it is the local authority's responsibility to deal with it in the best way for their local area. That would be a wholly inadequate response.

We know that the implementation of the Act will prove very challenging. Local authorities are already stretched to meet the needs of their local areas. Indeed, just before the debate I had a meeting with representatives of Centrepoin, who told me that, in the year 2016-17, 86,000 young people presented as homeless. They have concerns about how addressing that will be funded, let alone meeting the specialist needs of refugees who may be traumatised, face language barriers, and have little or no knowledge of our less-than-straightforward systems. If the Government are truly concerned about the prevention of homelessness, what action do they plan to take to tackle the immobility of people in accessing housing, and not leaving them for excessive periods hoping for a home? Will they review the funding settlement for local authorities before the expected October implementation date?

The Minister can also tell us where the Government's rough sleeping strategy is. The Opposition heard rumours that it would be published last week. Surely it is not the intention that it will be slipped out on the final day before Members leave Parliament for the recess.

Thangam Debbonaire: Whenever that is.

Melanie Onn: Indeed. Whenever that is.

As my hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) rightly said, refugees are people who have gone through the trauma of leaving their home and possibly their family. Yet rather than offering a safe haven for those vulnerable people, our current system creates further difficulties and challenges at a time when many would think that their troubles were over. Given all that, it is little surprise that there are calls from the all-party parliamentary group on ending homelessness, the all-party parliamentary group on refugees, St Mungo's, the Refugee Council, NACCOM, Crisis and others to extend that 28-day grace period to at least 56 days, and to implement a number of other recommendations.

In response to the Home Affairs Committee report, the Government pledged to introduce a new vulnerable persons service. Yet data from the Combined Homelessness and Information Network revealed that the number of new rough sleepers in London with refugee status increased in the period 2017-18 compared with the previous year, and is up nearly 75% from just two years ago. My hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle) said just how disproportionate was the number of refugees in the homeless population and that, when we do house them, they end up in sub-standard, low-quality, poor housing. The Government must recognise that and take account of it. That is consistent with NACCOM's findings that nearly 30% of people requiring emergency sheltered accommodation last winter were refugees. It bears repeating that those people are fleeing persecution, war and possible famine. All those things often come with health complications

that would make a harsh winter extremely difficult for a rough sleeper to withstand. It is not Government policy to track the deaths of rough sleepers, so we do not know how many refugees have lost their lives as a result of rough sleeping. The Government aim to end rough sleeping by 2027, but if they want to get anywhere near that target, they must realise that their current reforms and actions are nowhere near enough.

More than half the people in the Refugee Council study have endured a period in a hostel, night shelter or on the streets, and the reality is that someone who has been granted asylum in the UK is only 28 days from the possibility of homelessness. That is half what the Homelessness Reduction Act prescribes as the period after which councils must step in if someone is threatened with homelessness. Why are refugees who have been granted asylum given less state intervention and support than other citizens threatened with homelessness?

Guidance in the application and roll-out of the 2017 Act has not been openly consulted on, so I am not clear who the acting Minister has spoken to. Has he considered extending the list of public bodies with a duty to refer to include those that provide asylum accommodation? Undertaking to do that would go some way to easing the concerns of those operating in the sector.

The UNHCR definition of a refugee states that a refugee has the "right to safe asylum". The UK has a proud history of providing that, but we must ensure that it is a genuine safe haven for refugees and does not contribute to stigmatisation through lackadaisical policy-making or an unwillingness to make things right. We need a cross-Government approach to ensure that no new refugee ends up on the streets, and I hope that the Minister will tell us how he will do that.

4.26 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): I congratulate the hon. Member for Stretford and Urmston (Kate Green) on securing this crucial debate. It was a little interrupted, and I am grateful to hon. Members for coming back to the Chamber to hear a response from the interim Minister—I guess we are all interim Ministers in this job, as it is ultimately down to the will of the electorate.

Melanie Onn: Is the Minister going to resign as well?

Nigel Adams: I have no intentions in that regard.

I thank the hon. Member for Stretford and Urmston for her work in this area. Her important work with the all-party group on refugees has raised the profiles of issues that impact on refugees, and I thank all right hon. and hon. Members for their contributions today.

We have a proud history of providing protection for those who need it, and the Government are committed to ensuring that all refugees can take positive steps towards integration and realise their potential. This country should work for everyone, especially the most vulnerable in our society, and we remain committed to ensuring that everyone has a roof over their heads and receives the support they need to rebuild their lives.

As hon. Members have said, our manifesto pledged to halve rough sleeping during this Parliament and end it altogether by 2027, and that is in addition to an ambitious homelessness reduction programme. We are

making good progress on our refugee resettlement commitments. Last year, more than 6,000 vulnerable refugees received protection under one of our resettlement schemes, and we are now more than half way towards meeting our commitment to resettle 20,000 refugees fleeing the Syrian conflict by 2020. There is much good practice from the Syrian vulnerable person resettlement programme, and we will build on that as we go forward.

A key commitment in the Government's integrated community strategy was to work with civil society, and others, to increase the integration support available to those granted refugee status after arrival in the UK. That is a significant development in our approach, which recognises the importance we place on integration for all refugees. We agree that for newly recognised refugees, securing accommodation and accessing benefits or employment are crucial first steps without which longer term integration simply cannot happen. That is why we have introduced a number of initiatives to support refugees during the 28-day move-on period, to which the hon. Member for Stretford and Urmston rightly referred.

The post-grant appointment service is a joint initiative with the Home Office and the DWP, which helps refugees access benefits by arranging an appointment with a local DWP office—a jobcentre. The process is now being rolled out across the UK. Hon. Members referred to the pilots and issues that have been found in them. It is crucial that we monitor the progress of this work. I am sure that my colleagues at DWP have heard such comments and will follow up on them. The process has been rolled out. We plan to publish information about the schemes shortly, but the indicators are that, provided refugees attend the appointment, benefit claims can be processed quickly and a payment can be provided, before the 28-day move-on period expires.

MHCLG is currently funding the first year of a two-year pilot of 35 local authority asylum support liaison officers in 19 local authority areas in England with some of the highest numbers of asylum seekers. They will offer tailored support to newly recognised refugees. That will include working closely with the local authorities and a range of third-sector agencies during that 28-day move-on period, to secure accommodation for new refugees to move into, following a successful asylum decision. That should thereby reduce this vulnerable cohort's risk of homelessness and rough sleeping. We want to work with civil society, local authorities and other partners, to consider what more could be done to support newly recognised refugees in the move-on period and the longer-term journey to integration.

More broadly, homelessness and rough sleeping is a key priority for the Government. As I have mentioned, we have allocated more than £1.2 billion to tackle homelessness to 2020. That funding will assist people to get the help they need and prevent homelessness and rough sleeping in the first place. Newly recognised refugees are entitled to homelessness assistance from their local authority and will benefit from the changes we are implementing through the Homelessness Reduction Act 2017, which many hon. Members have referred to. That came into being in April. We believe it is the most ambitious legislative reform in decades. Some of the changes introduced in the Act should mean that more people, whether they have priority need or not, are

receiving the right support. For clarity, the new duties in the Act include providing and developing personalised housing plans based on an assessment of that person's need, help to find accommodation and to access debt advice, and, potentially and crucially, help towards finding work.

For refugees, I recognise that the 28-day move-on period is less than the 56-day prevention duty in the Act. Home Office accommodation providers for asylum seekers already have a contractual duty to notify the local authority of the potential need to provide housing where a person in that accommodation is granted status. Combined with support from LAASLOs, the post-grant appointment service and the strengthened multi-agency approach to preventing homelessness, this referral by those providers should mean that the refugees get a range of support to access mainstream accommodation and services within the 28-day move-on period.

In order to deliver the new duties under the Act, we have provided new burdens funding of £72.7 million to ensure that local authorities can deliver their new duties. Funding, however, is not enough to ensure the Act is implemented correctly. That is why we have created the homelessness support and advice team. They have worked with authorities over the last year on a range of issues, but in particular they have supported them in the implementation of the Act.

We are going further on homelessness by committing to halve rough sleeping, as I have mentioned previously, in this Parliament and ending it entirely by 2027. In answer to the hon. Member for Great Grimsby (Melanie Onn), the Opposition spokesman, we will be publishing the rough sleeping strategy this summer, to set out our plan on how to achieve this. We are taking action now through the rough sleeping initiative. It is providing £30 million this year and the money has been allocated to the local authorities with the highest numbers of people sleeping rough. It is the product of many months of work by our cross-governmental rough sleeping and homelessness reduction taskforce, supported by an advisory panel of experts from across the sector and local government.

We have announced £28 million for Housing First pilots in Greater Manchester, the West Midlands and the Liverpool city region, which will focus on housing around 1,000 people with some of the most vulnerable and complex needs. The pilots will provide individuals with stable, affordable accommodation and, more importantly, intensive wrap-around support, which will help them to recover from complex issues such as substance abuse and mental health difficulties, and to sustain their tenancies. We expect the first people to move into the accommodation in the autumn. I very much look forward to the positive impacts of those pilots being realised.

To help local authorities support non-UK national rough sleepers, the controlling migration fund has funded projects that are working to support rough sleepers into accommodation and employment, and to return home voluntarily where that is appropriate.

I would like to respond to a number of points raised by Members. I apologise if I do not manage to respond to them all, but I will write to everyone who has contributed today with full answers to the points raised.

[Nigel Adams]

The hon. Member for Stretford and Urmston asked whether refugees would be given priority in housing services. Newly recognised refugees are eligible for assistance under legislation for homelessness and must be provided with accommodation if they have priority need, for example, if they are pregnant or have children. If they have been supported by the Home Office, they are deemed to have a local connection with the local authority in which they have been accommodated.

The hon. Lady asked about local authority asylum support liaison officers and the assessment of how they are working, and tier one classification and national insurance. Each of the 19 pilot areas will produce a report at the end of the first and second years. My Department is in the process of deciding how the evaluation of the pilots will fit into a broader evaluation of the controlling migration fund. On conversation with the DWP regarding reclassification to tier one, I do not know the answer, but I will ensure that the hon. Lady is written to and that she is updated.

On national insurance cards, refugees do not need to have a national insurance number to claim benefits because DWP centres provide one if an individual does not have one. From January 2018, procedures were put in place that mean that the national insurance number is now printed on all biometric residence permits provided to refugees.

The hon. Lady talked about social housing allocations. Certain people must be given reasonable preference under social housing allocation schemes, including people who are homeless. That is to ensure that the priority goes to those who need it the most.

In the time I have left, I will try to respond to hon. Members who are here in the Chamber. The hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) mentioned the integrated communities strategy. The Green Paper, published in March, recognised the importance of integration for all refugees, as well as committing to working with civil society. The consultation closed on 5 June and we are currently considering the responses. Last week, we launched the £7 million integrated communities fund.

The hon. Member for Bristol West (Thangam Debbonaire), who does fantastic work on the APPG, asked about access to English classes. English language tuition is fully funded for refugees who are unemployed

and looking for work. I know she raised lots of other points and I will certainly write to her on them. I am conscious that I want to give the hon. Member for Stretford and Urmston a short period to sum up.

4.38 pm

Kate Green: I thank all hon. Members who participated in this excellent debate. It was really good to have interest from parties on both sides of the House, sharing the concern about how we welcome and look after refugees.

Nigel Adams: I apologise for interrupting the hon. Lady, but I did not manage to mention this point. I know that she is keen for the Home Office to engage with this matter and I will ensure that the relevant Minister from the Home Office meets her and interested colleagues to take these issues forward.

Kate Green: I am very grateful to the Minister. I am sure that the all-party parliamentary groups that my hon. Friend the Member for Bristol West (Thangam Debbonaire) and I chair will be very happy to facilitate that meeting.

As we heard in the debate, what refugees, in common with all of us, need to be able to settle and build their lives is a chance to be in contact with their families, a chance to have a decent job if they are able to work and, importantly, a chance to have a secure home. As the Minister, I think, has acknowledged, that requires a response right across Government, and I am very grateful to him for his offer to pass on details of this debate to his colleagues in other Departments.

We have obligations—international obligations and human rights obligations—to ensure that we care for refugees here properly, and that will require an approach that extends right across national and local government, as I have said. I hope that the promises that the Minister has made of new policies and strategies delivering an improved service for refugees will come to fruition and will mean that some of the problems identified in today's debate become a thing of the past. I can assure him and his ministerial colleagues that if that is not the case, we will be back here again to press the case for action in the best interests of refugees.

Question put and agreed to.

Resolved,

That this House has considered homelessness among refugees.

Green Belt (Penistone and Stocksbridge)

4.41 pm

Angela Smith (Penistone and Stocksbridge) (Lab): I beg to move,

That this House has considered planning policy relating to green belt and green space in Penistone and Stocksbridge.

It is a pleasure to serve under your chairmanship, Sir Edward. My constituency of Penistone and Stocksbridge is a cross-border constituency, taking in north Sheffield and everything west of the M1 in Barnsley. In fact, it crosses the M1 in Dodworth to go right into the heart of Barnsley itself, with the boundary lying just west of the district hospital. One third of the constituency, on the western flank, sits in the Peak District national park. Even the eastern flank is for the most part made up of small towns and villages separated by farmland, green open spaces and woodland. I am sure that my constituency is the sort of place that those who originally devised green-belt policy had in mind when they wanted to protect areas from urban sprawl in the early post-war period. Indeed, it is estimated that approximately 70% of the land in my constituency enjoys green-belt status.

I think that everyone agrees that this country has a housing crisis. We simply do not have enough stock to supply today's needs, never mind the needs of future generations. It is not a new problem: successive Governments have failed to get new homes built and to reform the broken housing market.

As we know, under the former Labour Government, housing requirements were calculated at national level and targets were set for each regional planning authority. The regional planning mechanism had then to allocate numbers from that target for each local planning authority, with land set aside by the latter authorities to satisfy the target. Of course, once land had been zoned for housing, individual planning applications were more likely to be approved—a principle that is still in place now.

That all changed with the accession to power of the coalition Government and the subsequent abolition of regional spatial strategies. Decision making was, apparently, being returned to local level and democracy was being restored. I remember well the debates here on the claim made by the Conservatives when they were in opposition. Despite the abolition of housing targets, local authorities were still required, under the new arrangements, to set aside enough land to satisfy housing demand. The mechanism for doing that has been dubbed the local plan. Part of the planning process for that requires the development of a strategic housing market assessment to assess housing need. In other words, local authorities have been required through the national planning policy framework to identify enough land for housing growth.

The impact of that policy change is already being seen. According to the Campaign to Protect Rural England, the number of planning applications approved year on year both on greenfield sites in the green belt and for largescale housing development within areas of outstanding natural beauty has nearly doubled since the national planning policy framework came into force in 2012. The impact of the planning process is therefore significant. In Barnsley, for example, meeting the target would involve building 20,000 new homes. In 2017, the CPRE identified 5,700 threats to the borough's green belt, and we shall soon see what the allocation for

Sheffield looks like, as the draft local plan is imminent. I need to point out, however, that in 2017 the CPRE reported 6,100 threats to green-belt designations in the city.

As I said, we all recognise the need for more housing. Despite the Government's pledge that green belt land will be protected, the truth is very different. Indeed, in both the authorities that cover my constituency, the green belt has had to be examined during the process of putting together a draft plan for publication and consultation. Those reviews have taken place, though, alongside a call to developers for suitable sites for consideration in the local plan. In effect, that has had a dramatic cumulative impact. High target numbers have combined with green belt review and the traditional call to developers to put previously out-of-reach sites within the grasp of those who want to put shovels in the ground. Thus it is that our green belt protection is in danger of being eroded in my constituency.

Worse still, the idea that brownfield sites should come first has been downgraded. Brownfield sites unfortunately often require intensive preparation and—I acknowledge—soak up significant resource. Local authorities have to be proactive to get such sites fit for market as housing land. No wonder developers tend to go for the easy option—I do not particularly blame them for that—which in any case offer better returns.

In the Barnsley part of my constituency, the local plan is almost complete. As I said, we are about to start the process in Sheffield. We are told by the Government that democracy is at the heart of the process, but the experience of my constituency is somewhat different. Indeed, a criticism made in 2016 by the Campaign to Protect Rural England was that the Government's local plan expert group completely failed to grasp the need for meaningful public involvement in the development of local plans. It was clear to the CPRE, and very disappointing, that the Government preferred instead to consult on a fully drafted plan, rather than allowing sufficient time for focused consultation on issues and options. In other words, the plans are developed in private, behind closed doors, and then put out as a complete draft, with no significant involvement of local communities.

Even in areas where local people have spent many hours working up their own neighbourhood plans—a concept encouraged and legislated into place by this Government and one that I support—we have seen those plans ignored by the Government's inspectors. In one example in my constituency, a neighbourhood plan made reference to an area of green-belt land that local people thought should remain designated. The strong local view was based on an acceptance of the need for more housing, and the plan incorporated more housing, but it was to be affordable and located on the developed site of the Don valley.

That aspiration was completely ignored at public inquiry by the inspector, in effect forcing Barnsley Council to put the other sites in the next draft plan. They were totally contrary to the neighbourhood plan. Only when the unelected Historic England intervened were the sites removed, because their development would have threatened the historic setting of a listed packhorse bridge that crosses the River Don. "Thank God for Historic England," I say—but where is local democracy in all of this? Neighbourhood plans are supposed to represent the

[Angela Smith]

best of local democracy, but planning inspectors are riding roughshod over them. As I have said, Sheffield is about to embark on its own formal consultations, as required by the local plan process. The city's population is approximately twice the size of Barnsley's and the urban area much more densely populated, but it is nevertheless a city where green spaces are enormously important. Indeed, a significant proportion of the city lies within the boundary of the Peak District national park.

I must say that the early signs are worrying. The city council is adamant that brownfield sites are to be prioritised and that only by having a robust plan will we be able to keep the right balance between the ambitions of developers and the best interests of the city. I believe the council is genuinely committed to those outcomes, but history tells me that it will have to work very hard to achieve them, especially after what we have seen in Barnsley, where the planning inspector insisted that significant extra sites in our villages were included in the plans that Barnsley submitted. In this case, as with Barnsley, the odds are somewhat stacked against success, yet CPRE informs me that there is no need to build on green belt or green spaces in Sheffield. It has five years of deliverable land supply on brownfield land, and 11 years of land supply on brownfield in total—land for 13,145 homes.

In view of Government policy, I remain sceptical of Sheffield's ability to avoid that outcome. Past experience has also shown that all too often affordable housing plans are overturned in favour of houses that deliver a higher profit margin. Promised infrastructure upgrades are seldom completed, and green sites are used instead of brownfield sites that are more expensive to develop. In evidence, I turn again to CPRE, which reports that, "nearly three-quarters of the housing proposed on land to be released from the Green Belt will be unaffordable for most people living in the local area".

In fact,

"planning consultants Glenigan found only 16% of homes built in Green Belt since 2009 were affordable".

I started this contribution by making it clear that we all understand that more housing needs to be developed, in order to meet the current and future demand, but I reiterate the key point that it must be the right housing in the right places. A significant proportion of the new housing we need should be affordable, whether it is for sale or for rent, and as much as possible of that new stock must be provided in urban areas, on brownfield sites.

What are the chances of achieving that, given the current shape of Government policy? The calculation of housing need, for instance, is opaque, but CPRE says:

"The Government should make the method for calculating housing need clearer, but this should also be more clearly integrated with what is realistically achievable".

It then goes on to say:

"One of the key flaws of the...approach is an over-emphasis on market signals",

as part of objectively assessed need assessments. That is exactly the problem. The provision of new housing promotes valuable economic activity, yes—as I say, I do not blame developers for pursuing attractive green-belt

sites—but it also meets an extremely important social need. We need a policy that delivers the housing necessary for our young people, for people on low incomes and for single-person households, but we will not achieve that crucial social outcome within the current policy framework.

What we will see, if we are not careful, is over-development in small towns such as Penistone in my constituency, which is threatened by a 30% increase in size—a small market town facing a 30% increase. That will destroy the character of Penistone, and the houses that will be built will not be the ones we need for local people, but rather more expensive offerings that will change the social mix of the communities that make up my largely rural constituency. The social divide in the county is huge, and there is a 14-year discrepancy in life expectancy between one part of Sheffield and another. How can we justify a policy that threatens to destroy the reasonable, well-balanced social mix that we enjoy in those areas, and will make that divide even deeper and more difficult to deal with?

At the heart of green-belt policy is a desire to stop urban encroachment.

4.54 pm

Sitting suspended for Divisions in the House.

5.19 pm

On resuming—

Angela Smith: The interruption was welcome, because we are now joined by my hon. Friend the Member for Barnsley Central (Dan Jarvis), who is also the elected Mayor of the Sheffield city region. I am pleased that he has joined us.

As I was saying, at the heart of green-belt policy is a desire to stop urban encroachment and to preserve our smaller towns and villages. Although I appreciate that green-belt land sometimes does not serve that purpose any longer and should be changed, the majority of the green belt still fulfils that important role. It is also worth noting the potential impact on our natural environment. Our green belt covers 53% of farmland subject to environmental stewardship schemes and 30% of the local nature reserves created between 2009 and 2015. How on earth can we expect to meet our biodiversity targets—the Government's targets—if we pursue our current trajectory? Worryingly, the Ministry of Housing, Communities and Local Government is consulting on a weakening of protection for local wildlife sites in the NPPF. I would appreciate his comments on that key point, which is a source of great concern for the Sheffield wildlife trust.

Time and again, we have heard this Government talk about protecting the green belt, but its "call for sites" approach to local plans effectively encourages reviews of green-belt land by local authorities, such as Sheffield and Barnsley, with a significant proportion of green belt. In Sheffield's case, that proportion is 63%, and Barnsley's green-belt coverage is 79%. Will the Minister give us assurances that green-belt policy is more than just warm words, and that "brownfield first" really means that?

Local democracy and involvement should be at the heart of the process of creating a local plan, yet in my experience the opposite seems to be the case. Time and again, constituents have told me that they feel outside

the process, and I applied for the debate because they asked me to bring the matter up in this place. They tell me that consultations feel like tick-box exercises, and that they often feel faced with *faits accomplis*. Can the Minister give us assurances that local people's views matter, and will he instruct councils that they should take local people with them when forming their plans? Will he also tell his planning inspectors that the same standard is expected of them?

Will the Minister look at reviewing housing policy to ensure that we deliver the homes we need where we need them? A large number of my constituents have lived in small villages and towns for generations. They love their communities. All the research by the Countryside Alliance demonstrates that one of the key factors for people living in rural areas is their genuine love of the communities they live in. It is not *nimbyism* to want to preserve the integrity of those places. They accept that new housing is needed. In Oxspring, the village I referred to earlier, the neighbourhood plan reflected the need for new housing. Indeed, most of my constituents recognise that their children will benefit from a proportionate increase in housing stock in their communities.

When will the Government drop their ideological approach to this policy area, adopt the mantle of Macmillan and previous Tory Governments, and deliver the housing we need rather than the housing that developers think we need?

5.23 pm

The Minister for Housing (Kit Malthouse): It is a great pleasure to serve under your chairmanship, Sir Edward. Apologies if I delayed proceedings during the Divisions.

I congratulate the hon. Member for Penistone and Stocksbridge (Angela Smith) on securing this important debate. I am delighted to be able to respond to the points she raised, not least because I, too, represent a beautiful rural constituency and they are close to my heart. It is clear from everything she said that both the green belt and green spaces are important to her and her constituents. I am grateful for the opportunity to speak about those issues and to underline the Government's commitment to maintaining strong protection.

I should first point out that, as Members know, the Secretary of State has a quasi-judicial role in the planning system. I am sure they understand that it therefore would not be appropriate for me to comment on the detail of individual decisions or plans. However, I can talk about the broader issues raised. I shall set out what more we are doing to protect our natural environment while building the homes we need, as well as our national policy on the green belt and green spaces.

The Government are committed to protecting our precious environment and place great importance on striking a balance between enabling housing and commercial development, and continuing to protect and enhance the natural environment, minimising the impact on biodiversity. In particular, our planning reform package, which includes the revised draft national planning policy framework and reforms to developer contributions, is fundamental to ensuring that we are improving the environment at the same time as delivering the homes we need. The revised NPPF will be published shortly.

One of the key ways we are continuing to protect the environment is through the provision and protection of green spaces, which are part of our natural heritage. They provide balance in urban areas and improve the quality of life for all. Safe and accessible green infrastructure can play an important role in addressing health and wellbeing needs, which is particularly needed in our local communities, and indeed, in modern society generally.

The Government recognise the development pressures that areas such as green spaces face, particularly in the current housing crisis, but we are committed to their continued protection. To do that, the NPPF sets out that planning policies relating to open space, sports and recreation facilities, and opportunities for new provision should be based on robust and up-to-date assessments of need. That means that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken. The assessment should show that they are surplus to needs, or that their loss will be mitigated by making equivalent or better provision in a suitable location.

The framework also encourages communities to use their local and neighbourhood plans—an issue that is important to me, too—to identify green areas of particular importance to them. They can then be given special protection by designating them as local green spaces, which means that they cannot be affected by development. Hon. Members will be pleased to know that the draft revised NPPF maintains those protections.

Angela Smith: The point I made in my speech is that in one community in my constituency, the Government's planning inspector attempted to override the provisions made in the neighbourhood plan.

Kit Malthouse: The hon. Lady may not know, but as a Back Bencher, I, too, had that experience in a village called Oakley in my constituency. As a result, the Neighbourhood Planning Act 2017 strengthened neighbourhood plans in the considerations of planning inspectors, particularly prior to referendums. One pledge that I can make to her is that in my tenure in this job, however long that may be, I will do my best to promote, enhance and strengthen neighbourhood plans. I agree with her that they enable local communities to feel that planning is done by them, not to them; that very often, they result in more housing, not less; and that we should use them more across the country.

The green belt is another key feature of our natural heritage that fundamentally aims to prevent urban sprawl by keeping land permanently open. It is a national policy, but it is applied locally, with green-belt land defined and protected by local planning authorities. By providing strong protection for the openness of green-belt land, the NPPF prevents inappropriate development. It makes it clear that most new building is not appropriate there, and should be refused planning permission except in very special circumstances. That sets a high bar for developers, and is part of the reason why protection of the green belt has proved so effective over the past half century.

The draft revised framework remains committed to that protection. It states that changing green-belt boundaries is possible only in exceptional circumstances, using the local plan process of consultation and rigorous examination by the Planning Inspectorate. It proposes a clarification

[Kit Malthouse]

of the exceptional circumstances test and sets out that a strategic plan-making authority will be able to alter a green-belt boundary only if it can show that it has examined all other reasonable options for meeting the development needs it identified. That means that an authority's strategy should take into account several different factors.

For example, planning policies and decisions should give substantial weight to the value of using suitable brownfield land in settlements for homes and other identified needs, and support opportunities to remediate degraded or underused land. Another factor to be considered is the optimisation of the density of development, to ensure that authorities have significantly raised minimum densities in towns and city centres, and in other locations well served by public transport. Furthermore, the authority's strategy should be informed by discussion with neighbouring authorities to see if they can take some of the necessary development.

Sometimes, exceptional circumstances may require land to be removed from the green belt. However, that does not mean that we are concreting over the beautiful landscapes for which England is known around the world and to which the hon. Lady referred.

Angela Smith: The Minister's words are very welcome. He is being very generous with his time, and is very well-meaning, but the point is that 425,000 new homes are proposed on the green belt in local plans as things stand now. How can that represent exceptional circumstances?

Kit Malthouse: Proposed they may be, but the point is whether they will make it through the inspection procedure. It still remains the right of the Secretary of State, of course, to call in proposals where they are of national importance. There are particular safeguards.

I would point to the fact that the decisions are made by local democratically elected politicians. The hon. Lady raised an issue about engagement and the decisions that are made. I urge her to take that up with her confrères and colleagues on the councils concerned. She should be raising her concerns with them as well, as I hope and assume she has.

She asked about local housing need. A further consideration to green-belt policy is the calculation of local housing need. House prices are simply unaffordable in many places, meaning that too many people are unable to get on the housing ladder. Each local authority should assess local housing need and plan to meet it in full where possible. As part of the package of planning reforms, we have introduced a more transparent standard method for calculating housing need, which aims to make sure that we take the crucial first step of planning for the right number of homes. Although green belt acts as a constraint, the draft revised framework sets out that the calculation should be carried out before assessing where the need could be met. That is because constraints such as green belt are relevant when assessing how to meet need, rather than when assessing the scale of need.

Once again, let me thank the hon. Lady for securing this valuable debate. Before I close, I want to raise one issue she talked about. Local wildlife sites are of particular importance to me. The revised national planning policy framework will clarify protections for local wildlife sites. My predecessor as Minister for Housing met with the Wildlife Trusts and wrote to MPs confirming that. We can dig out a copy of that letter for the hon. Lady.

Finally, I emphasise the importance to me personally of neighbourhood plans. In my own constituency, I have been at the forefront of promoting those plans as a way of controlling and directing the right kind of development, in the right place, which suits local people and is responsive to their needs. As I say, I will do my best in this job to try to promote them in the future.

Question put and agreed to.

Nord Stream 2

5.32 pm

Mark Pritchard (The Wrekin) (Con): I beg to move,
That this House has considered Nord Stream 2.

I am grateful to Mr Speaker for granting me this debate and it is a delight to hold it under your chairmanship, Sir Edward. It might seem intriguing or even peculiar to discuss Nord Stream 2—the construction of a 1,300 km gas pipeline so far away from British shores—in this place, in this House, in this Parliament. I hope over the next few minutes to set out why Nord Stream 2 matters to Europe's national interests and the strategic interests of the United Kingdom, as well as to our NATO allies and partners in the European Union and in European neighbourhood countries as well.

If it comes on stream, Nord Stream 2 will provide 12% of the EU's energy demand. On the face of it, that sounds like good news, but it will remove about \$1.8 billion of transit fees that currently benefit the Ukrainian economy, from the Progress and Trans-Siberian pipeline systems. I also understand why Germany wants to increase its imports of external energy. Again, on the face of it, that is a very laudable aim. Certainly, as Germany switches off its nuclear power stations and seeks to reduce its coal consumption to meet the EU's climate change targets, it will invariably find itself more reliant on imports of foreign gas and oil, although I note that those sources of energy are also fossil fuels.

It is also understandable to believe that the Ukrainian objections to Nord Stream 2 are commercial in nature. I am sure that, in large part, that is true; I have already mentioned the transit fees. However, is the \$3 billion of transit fees alone enough of an incentive for its objections? I do not believe it is.

Pre-eminent in Ukraine's objections are the geopolitical levers Russia could—would, in my view—deploy should Nord Stream 2 go ahead. That is not geopolitical guesswork but a fact-based opinion reliant on Russia's actions over the last decade, during which it has deliberately and systematically misused the supply of energy to Ukraine and other parts of Europe as a stick to beat any state that seeks to be closer to the European Union and NATO.

Notwithstanding that reality, Russia's current transit dependency on Ukraine affords Kiev some protection from further Russian aggression. Yes, Russia may have its stockpile of nuclear weapons and its exports of oil and gas, but its economy is not in good shape and is no larger than that of Spain, despite Russia's geographical mass. Moscow is therefore all too aware of its reliance on an uninterrupted revenue stream from its gas exports. At present, Ukraine is an inconvenient transit country to Russia, but it is a transit country. While gas prices are comparatively low, Russia is prepared to moderate and tolerate some aspects of its expansionist foreign policy against Ukraine. I should say moderate. I do not think tolerate is the right word; the Ukrainian population certainly do not tolerate it.

Russia's reluctant restraint, owing to its reliance on energy transit adversaries, as it would see it, is exactly why it sees the diversification of its gas transit routes as a top foreign policy priority, and as a possible stepping stone to further annexation of Ukrainian territory in the future and to attacking the Ukrainian economy through a major loss of its transit fees. In short, the

completion of Nord Stream 2 will allow Russia to pursue an even more aggressive foreign policy towards Ukraine.

The clock is ticking. The agreement between Russia's Gazprom and Ukraine's Naftogaz is set to expire on 1 January 2020. Set against the 2019 completion date for the Nord Stream 2 project, the time for German platitudes and, dare I say it, the UK's apparent unwillingness to come to a firm and fixed view on Nord Stream 2, has to end. Surely the key question for the UK Government is: "Will the development of Nord Stream 2 be in the UK's medium and long-term strategic interests, and the strategic interests of our friends and allies in the European neighbourhood and in NATO?"

I know that several EU countries have a financial stake in the pipeline—or, at least, companies from countries including France, Austria, the Netherlands, and Germany. I also acknowledge that British interests are at stake. However, there is always a political risk with international and large-scale energy projects. My primary concern is not the potential commercial losses for those private companies, or even the success—or lack of success—of former German Chancellors in their deal making, but the strategic interests of the United Kingdom and our friends and allies. That is why I welcome Chancellor Merkel's recent comments at the EU-Ukraine summit, at which she said

"it is not just an economic issue...there are also political considerations".

However, actions, not just words, are now needed. I am happy that the Minister of State is a man of action, not just words, and I look forward to his—as ever—informed and detailed response.

Of course, Ukraine can take its own action. Ukraine should not just be reliant on supportive EU partners for its economic and energy outlook, or debates like this taking place in Parliaments throughout the European Union. Ukraine can and should take action on, for example, replacing its ageing energy infrastructure, deregulating its over-regulated energy market, examining its own pricing structure, liberalising its own internal energy market and further diversifying its energy suppliers.

Another point for our German partners to recognise is that Nord Stream 2 will undermine the EU's own energy strategy and energy union. Nord Stream 2 is incompatible with the objectives of the EU's energy policies. Moreover, the pipeline will undermine other EU projects that seek to diversify energy supply markets and locations. Indeed, Donald Tusk, the President of the European Council, has previously said that Nord Stream 2 goes against the EU's wider energy security interests. He has called for, at the very minimum, the pipeline to be regulated, and he repeated that at the recent Ukraine-EU summit. He went on to call for the pipeline's construction to be halted in a joint statement with the President of the Commission, Jean-Claude Juncker.

The EU could also do more to ensure the diversification of its energy supplies. For example, it could get on with building liquefied natural gas storage areas in Lithuania, Latvia, Slovenia and other EU countries. Europe is perhaps also over-reliant on gas from the middle east. Perhaps it is time to look westwards across the Atlantic for a more secure and reliable energy partner.

For all the criticism of President Trump, much of it justified in my view, he has made the US into a net exporter of energy again. He has reduced America's

[Mark Pritchard]

reliance on foreign energy supplies. That is clearly to its geopolitical and economic advantage, but it is an advantage, and it is one that we need to replicate.

In conclusion, it is clear that there is a lot of unease among our European partners about the Nord Stream 2 project, as the Prime Minister noted in her NATO statement yesterday. At a recent energy conference in Europe—I refer Members to my entry in the Register of Members' Financial Interests—I met a former Prime Minister of Italy, a former President of Poland and the current President of Latvia, all of whom expressed strong views on the need to increase, not decrease Europe's energy security. In fact, all the Baltic countries oppose Nord Stream 2, as do many other countries, including Slovakia and Slovenia. The Prime Minister of Poland was perhaps the most perceptive when he called Nord Stream 2

“a weapon of hybrid warfare”

and

“a poison pill for European security”.

James Heappey (Wells) (Con): I congratulate my hon. Friend on securing this debate. I agree that the issue is not just the geopolitical leverage the pipeline gives to Russia or sorting out Germany's dependency on Russian gas. If the Foreign Office can take the lead in discouraging Germany from the scheme, it would send a clear message about the enthusiasm of all European countries to decarbonise. With that comes greater energy security through a better mix of renewables and the energy security that brings.

Mark Pritchard: My hon. Friend makes a very good point. As someone who sat on the Environmental Audit Committee many years ago, I remember a report we did called, “Keeping the lights on”. He is absolutely right that the whole of Europe, and in many ways Britain, has led the way on renewables. Germany, which prides itself as being green as a nation and being green politically—perhaps more so than some in Chancellor Merkel's party would want—needs to ensure that it diversifies its energy supplies and its energy mix. That is good for energy security, the environment and reaching our climate change targets.

Bringing things back to the United Kingdom, I am also aware of the comments made by the former Foreign Secretary, my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), in a letter to some colleagues. He apparently wrote that he feels that Nord Stream 2 is divisive and could leave the EU's supply reliant on “a malign Russian state”. Is that the view of the Minister of State?

Sweden and Finland have both reluctantly given the go-ahead to the project, given that they had little choice but to do so, because, as colleagues will already know, Nord Stream 2 passes through those countries' economic zone waters rather than their territorial waters. My hon. Friend the Member for Wells (James Heappey) just intervened and what I say next might address some of his question. The pipeline passes through Denmark's territorial waters and, if the Danish Parliament and/or Government object to the pipeline, they could block the project. The pipeline could then be diverted, but with a significant delay, which might also give Poland a greater

say in the project and might help Ukraine in negotiating a new transit agreement with Russia, given the timetables that I set out earlier.

I accept that the Danes are under pressure, both from those opposed to Nord Stream 2 and those in favour of it. In that regard, can the Minister say what representations the UK Government have made to the Danish Government on this issue, and what the precise nature of those discussions was?

I am sure that colleagues will be aware that Denmark's Prime Minister Rasmussen is the same Danish Prime Minister who gave the go-ahead for the Nord Stream 1 project in 2009. However, times have changed, not only in the political balance and make-up of the Danish Parliament and the Danish Government, but in Russia's overt, asymmetric, hybrid continual aggression throughout the European Union and the European neighbourhood. It is clearly understandable that Denmark wants to avoid confrontation with Russia over its disputed Arctic territory and the countries' overlapping areas of the continental shelf, but Denmark must also decide whether Russia is a reliable and trustworthy energy partner.

Some suggest that Nord Stream 2 falls foul of the EU's third energy package and in some respects that is true. However, both Russia and Ukraine are regarded as third countries, and in legal terms the third energy package is predominantly, as the Minister will know, an internal market policy and directive. So it is perhaps less of a defence against Nord Stream 2, although the project completely undermines Europe's stated policy of an energy union; I think that is quite clear for all to see.

I accept that Nord Stream 2 is an economic project—I am not arguing against my earlier point, which I made in my introduction—and indeed a commercial prospect. However, it is also and predominantly a political project—a Russian geopolitical project. That must make European capitals wake up and count the cost of ending construction of the project now, rather than potentially counting a far higher human cost and territorial cost in the future.

The question that Germany and EU partners, and I would carefully suggest, the UK, need to ask themselves is this: can Russia be trusted to supply over the medium and long term affordable, reliable and secure gas to the peoples and businesses of Europe? If there is any doubt or hesitation in formulating a positive reply to that rather simple question, surely Europe's security and economic competence will be put at high risk by this project.

5.48 pm

Mr John Whittingdale (Maldon) (Con): I begin by warmly congratulating my hon. Friend the Member for The Wrekin (Mark Pritchard) on securing this debate, which covers a matter of considerable concern, both in this country and across Europe. I think we saw evidence of that yesterday, when the Prime Minister gave her statement following the NATO summit. In the questions that followed, five hon. Members raised the issue of Nord Stream 2 and expressed concern about its consequences.

That concern has been echoed in Governments across Europe. My hon. Friend said that he had spoken to the President of Latvia, the former President of Poland and to Italy. As he knows, I chair the all-party parliamentary groups on Ukraine, Moldova, Lithuania and Belarus, and when the Moldovan and Lithuanian Foreign Ministers visited London they raised Nord Stream 2 as a specific

concern and potential threat to the security of their countries. Last week at the OSCE Parliamentary Assembly in Berlin, I participated in a meeting organised by the Ukrainian delegation to highlight many of the points that my hon. Friend made so forcefully.

When my right hon. Friend the Minister has discussed Nord Stream 2 in the past—I have raised it with him—he has suggested that it is primarily a commercial matter and, because the UK is at the far end of a long pipeline, it is of less concern to us. However, I hope he will recognise the security implications that we must take seriously. First, is this a commercial matter? It is hard to see any commercial justification for the massive investment that Nord Stream 2 will require. The existing pipeline, which crosses through Ukraine, does a pretty good job. It is highly flexible, allowing fluctuations in gas pressure, and it has spare capacity. It may need some investment to bring it up to modern standards, and that could cost an estimated \$100 to \$300 million a year.

James Heapey: On a recent trip to Brussels, I spoke to the Commission about its plans for a net-zero target, which would bring a significant reduction in gas demand across north-western Europe. One would think that that would revise yet further the commercial case for a new pipeline such as Nord Stream 2.

Mr Whittingdale: My hon. Friend makes a good point. The more one looks at the economic case for the investment, the harder it is to see. The cost of building Nord Stream 2 is estimated at \$17 billion, and it will not add to capacity as there is spare capacity in the existing pipeline. Ukraine moved about 94 billion cubic metres of gas last year, which left 55 billion cubic metres of spare capacity. It difficult to see any significant increase in demand—in actual fact, as he points out, there may well be a reduction.

The commercial justification simply does not add up. In a recent analysis of the economics, Sberbank said, “The Power of Siberia”—another gas pipeline—

“Nord Stream-2 and Turkish Stream are all deeply value-destructive projects that will eat up almost half of Gazprom’s investments over the next five years. They are commonly perceived as being foisted on the company by the government pursuing a geopolitical agenda.”

We are extremely familiar with the idea that Gazprom is used by the Russian Government as an instrument to deliver their political objectives. In the last decade or so, we have seen the Russian Government use gas as a weapon on numerous occasions—particularly in 2009 and 2014—either reducing the amount or, in some cases, cutting off supply altogether.

The Russians use gas because they have the overwhelming supply for most of Europe, and they do not hesitate to deploy it as a political weapon. The new chairman of the Ukrainian gas company Naftogaz, Clare Spottiswoode, will be familiar to many of us here, as for a long time she was the regulator for energy markets in the UK. She did a fantastic job in the UK of fostering competition among gas suppliers, because she believes, as I do, that the way to provide the best service to consumers is by increasing competition, yet she points out that Nord Stream 2 will have a detrimental effect on competition. It is anti-competitive and it will increase the monopolistic stranglehold of Gazprom, and behind it the Russian Federation.

As my hon. Friend the Member for The Wrekin pointed out, Nord Stream 2 is essentially a political tool. The Polish Prime Minister has described it as a new hybrid weapon. If it replaces the Ukrainian gas pipeline—I think all of us believe that is the long-term objective—the consequence will be for Ukraine to lose up to 4% of its GDP, with an effect on government spending of a cut of about \$2.3 billion. This is an economy that is already suffering, with Ukraine having part of its territory under occupation, notably its manufacturing heart in the east. The loss of the pipeline would be a further economic blow to a country that is already finding things difficult.

The consequences for Ukraine, however, are not only economic. The building of Nord Stream 2 and Europe no longer having to rely on Ukraine as a transit country for its supply of gas would remove one of the critical obstacles that stands in the way of further Russian aggression against Ukraine. The need to preserve the existing pipeline has to some extent acted as a disincentive to Russia; removing that disincentive could allow it to increase its military aggression against Ukraine.

As my hon. Friend said, Germany is phasing out nuclear power and, in all likelihood, we shall if anything increase our dependence on Russian gas, and yet at the same time we are engaged in hybrid warfare, as has been pointed out in debates in Parliament on a number of occasions: Russia occupies a part of Ukraine in the Crimean peninsula; it supports separatist movements in eastern Ukraine; it interferes in elections, in particular in the United States and in France; it runs a disinformation campaign through black propaganda; and of course our Government hold it responsible for the murder of a British citizen on UK soil and for the attempted murder of several others. This is not the time to make ourselves more vulnerable to Russian pressure by allowing Russia to increase its stranglehold on gas supply into Europe.

I therefore very much agree with my hon. Friend, and I congratulate him. I hope that the Minister will express—perhaps in stronger terms than we have heard before now—the concerns that exist in the British Government should that project go ahead.

5.57 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): I, too, congratulate the hon. Member for The Wrekin (Mark Pritchard) on securing this debate. I can only lament that more Members are not present to take part in it, because it is without doubt important, and the timing should be on all our minds. We sit here on the fourth anniversary of the shooting down of MH17. Four years ago to the day, 298 people were killed, and only last week G7 Ministers said that Russia needs to account for its actions in that murderous affair. In May of this year a Dutch-led investigation concluded that the Government of Russia were, without doubt, responsible for the incident.

In his opening remarks, the hon. Gentleman said that it might seem peculiar that we are having a debate about a pipeline that is many hundreds of miles away, but in the rest of his speech he outlined why it is not peculiar at all. Indeed, the chair of the all-party parliamentary group, the right hon. Member for Maldon (Mr Whittingdale) followed up on that. The debate is an important one for all of Europe and, indeed, for anyone who believes in western democracy and democratic institutions—to which I shall return later.

[Stewart Malcolm McDonald]

Earlier this year, just a couple of months ago, I had the pleasure of visiting Ukraine with colleagues from the Scottish National party. We spent time in the capital and in eastern Ukraine, going as far as Avdiivka, much to the horror of the British ambassador in Kiev—I can see the Minister looking at me disapprovingly, but I made it back. Nord Stream 2 came up all the time—in fact, literally from the first meeting we had—with the Deputy Speaker of the Parliament, the Foreign Relations Committee, the British-Ukrainian friendship group, several other Members of Parliament and civil society activists. All of them wanted to talk about Nord Stream 2, very much in the same terms used by the two previous speakers.

The big question is: where will the money go? What will it be used for? What will this instrument of hybrid war be used to do? Yes, of course it will be used to deteriorate further the situation in Ukraine—there is no doubt that it will be used economically and politically against Ukraine—but I believe, as does the Speaker of the Parliament of Ukraine, that the money will be used to further undermine western democracy and democratic institutions across the western world.

It is popular in some quarters to be anti-western, but I think that western democracy is something worth fighting for—[*Interruption.*] I rather suspect that I am about to be cut off, but I shall keep going until you tell me otherwise, Sir Edward. The Government must have made an assessment of the situation. It cannot simply be the case that they believe that Nord Stream 2 is not really a matter for them. It must be, given the clear and obvious danger that the Government of Russia present.

Sir Edward Leigh (in the Chair): Order. I understand that there will be two Divisions, so we will resume as soon as all the participants in this debate get back to this Chamber after the second Division.

6.1 pm

Sitting suspended for Divisions in the House.

6.41 pm

On resuming—

Stewart Malcolm McDonald: Well, that was worth it, Sir Edward. Before we stopped for the Divisions, I was saying that the Government must have taken into account what the money that the Russian Government gain from the Nord Stream project will be used for. The Speaker of the Parliament of Ukraine believes it will be used to finance right-wing groups all across the continent of Europe that seek to undermine democratic institutions, national Governments and Parliaments, and the big international institutions on which we all rely, such as NATO and, of course, the European Union.

I will bring my remarks to a close, because I am conscious that more votes are coming up, but the line that we would like the UK Government to take is very clear. They should oppose the Nord Stream 2 project and be at the front of an international campaign to halt it in its tracks. It was somewhat galling to see the US president at the NATO summit leading on that issue in the way he did. It deeply pains me to say it, but what he had to say was absolutely right. However, given the scenes that followed in Helsinki, it cannot be left to the White House to stop this project in its tracks. I say to

the Minister, who is eminently qualified, highly experienced and a former oil trader, no less—I cannot think of a Minister in the Government who is better placed to do what I am asking—to show us some muscle and ensure that this project stops now, before it is too late and we all regret it.

6.43 pm

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): It is always a pleasure to serve under your stewardship, Sir Edward. I thank the hon. Member for The Wrekin (Mark Pritchard) for raising this important debate. It is a much-needed debate addressing the security of the whole of eastern Europe and the region around there, particularly the fears those countries have regarding the current security climate.

The Nord Stream 2 line will have a capacity of over 110 billion cubic metres per year, or 70% of the total gas from Russia to Europe—quite a significant supply. Currently, the only permits obstacle it faces is from Denmark, which is refusing to allow it. Obviously, there are concerns in relation to the Black sea and how that will work. Ukraine, as the hon. Gentleman mentioned, has significant fears about the situation. It currently has the Brotherhood line going through it, which earns about 2% of its GDP; if that lifeline is taken away by the Nord Stream 2 scheme, it fears that it will face serious economic consequences. Having the Brotherhood line protected in a certain way would allow a far better situation in Ukraine, and would allow Russia to work on it.

The debate is based on the export of Russian gas to Germany, which Germany needs to look at very seriously. It cannot just be about its need. When it decided to move to green energy from its previous energy generation mechanisms, the calculation was not made in terms of gas. That is why these issues have arisen. It is very important that we see that.

A number of European countries are currently opposed to the project and have huge security concerns about their future, including the Czech Republic, Estonia, Hungary, Latvia, Poland, Slovakia, Romania and Lithuania. They have significant concerns about what has gone on. Germany needs to look at the way it has handled its energy supply.

We need to look to Russia to see how it can be a corporate partner and a political friend to Europe, rather than antagonising the whole of the EU. If it wants to do such trade across Europe, it has a responsibility to behave in the manner of somebody who wants to work with Europe rather than against its interests. It should certainly be aware of those interests, because of the need to export. Germany also needs to look at what sort of alternative energy it has access to, rather than relying on this pipeline.

The issue will continue. The hon. Member for The Wrekin rightly pointed out the EU's current role. It is good to see him recognising the fact that the European Union has a function of stability in Europe and is therefore able to put pressure on Russia. I accept the point he makes.

The right hon. Member for Maldon (Mr Whittingdale) raised some serious issues about some of the countries I mentioned. He has a huge amount of experience in that region. His words are very wise and should be listened to. A number of countries, and the EU particularly,

have tried to regulate the energy transfer to Germany. It has not yet quite succeeded and we need to know what is going on.

The American line is very strong on this issue. At the moment, we have not had a consistent line. We need to make sure that we can move forward and try to resolve some of the issues. It is a very important issue and a very important debate, and it is important that we pay it attention. I know that the debate has taken a significant amount of time and we are under time pressure because of today's votes. I would like the Minister to address the steps that we are taking to secure our energy in the UK. The Government have refused the Welsh wave power project and other green energy projects, and I hope the Minister will look at those.

6.48 pm

The Minister for Europe and the Americas (Sir Alan Duncan): I express my gratitude to my hon. Friend the Member for The Wrekin (Mark Pritchard) for securing this debate. I recognise his long-standing commitment to foreign policy and security issues, particularly in this region. I am also very grateful for the very constructive comments made by other hon. Members. I will try to respond to the points.

I start by saying that President Trump's criticism of Germany's energy relationship with Russia at the NATO summit drew the world's attention to the proposed Nord Stream 2 gas pipeline. Hon. Members who have followed the issue will know that the Government have been clear about our own significant concerns, which we have expressed both in public and in private.

From a domestic point of view, and that of sheer national interest, Nord Stream 2 would not particularly affect the flow of gas into our own homes. The UK has a diverse and dependable gas supply. The vast majority comes from our own production and from imports from stable producers such as Norway and Qatar. Only about 1% comes from Russia. If we were faced with an interruption to our current supply, we would not be dependent on Russian gas. In such circumstances, we could increase imports of liquefied natural gas and import from many different alternative producers. So Nord Stream 2 would not have a direct impact on the energy security of our own country, but it could have serious implications for other European countries and for Ukraine in particular. There are also serious, wider, strategic implications around the proposed construction of the pipeline.

Last year, 37% of the European Union's gas imports originated in Russia and some member states were wholly dependent on Russian supplies, so we recognise that Russia will remain a major player in the European gas market. However, we do not believe that Nord Stream 2 is necessary to meet future European demand for gas.

A number of our European partners have raised concerns about the potential impact on European energy security if 80% of Russian gas supplies were to be concentrated through a single entry point into the EU. The Government share those concerns. At a time when Europe should be diversifying energy supply, Nord Stream 2 risks entrenching dependency on Russian gas in the European energy market for decades to come. It would increase Russia's ability to use energy as a political tool in a manner that could go to the heart of certain countries' economic wellbeing.

To counteract that, it is essential that European countries support initiatives that diversify and strengthen the wider European gas market. To that end, we support, for instance, the southern gas corridor that would bring gas from Azerbaijan into the EU. That project offers increased diversity of supply to south-eastern Europe and it would contribute to enhanced energy security across the wider continent.

Proposed amendments to the EU gas directive, which are under discussion, would also help to alleviate the risks associated with Nord Stream 2, as they would require Nord Stream 2 and all other interconnected pipelines between EU member states and third countries to be fully compliant with EU rules. We support efforts to implement those amendments, as they will help to ensure a level playing field and a competitive market for gas in the EU.

As has been mentioned, the potential impact of Nord Stream 2 on Ukraine is a particular concern and has come to dominate the strategic assessment of this proposed project. Ukraine hosts the largest existing transit pipeline for Russian gas, and transit fees made up 2.3% of Ukraine's GDP last year. If constructed, Nord Stream 2 would divert supplies away from Ukraine, with significant consequences for its economy. Furthermore, Russia has historically used gas as a political tool against Ukraine, for instance causing serious gas disruptions in 2006, 2009 and 2014-15. At one point, Russia threatened to do so again this year. So Ukraine's energy system would only become more vulnerable if it was replaced by Nord Stream 2 as a transit route.

The current gas transit agreement between Russia and Ukraine expires in December 2019. It is essential that there is a new agreement in place beforehand, to provide long-term certainty for the Ukrainian Government and the Ukrainian people. I welcome Chancellor Merkel's statements in April that Nord Stream 2 has a political dimension and would not be possible without clarity on the future transit role of Ukraine. I also welcome the EU Commission's efforts to facilitate gas transit negotiations between Russia and Ukraine.

I take this opportunity to reiterate our long-standing and unwavering commitment to Ukraine. The UK is, and will remain, one of Ukraine's strongest supporters. We provide political and practical support that strengthens Ukraine's sovereignty and resilience. Over the next year, we will provide another £35 million in technical and humanitarian support to Ukraine. We will press on with training the Ukrainian armed forces, to strengthen their ability to defend their country. We will help Ukraine to counter Russian disinformation; we will help Ukraine with reforms to its energy market; and we will work closely with the Ukrainian Parliament's fuel and energy committee.

Stewart Malcolm McDonald: Forgive me, Sir Edward; this question is certainly related to the debate, although it may not seem so on the face of it. Can the Minister say whether any of the support that the Government plan to give, now and in future, involves resolving the ludicrous visa situation that exists?

Sir Alan Duncan: That is slightly tangential, as the hon. Gentleman admitted in his first sentence. Wherever I go, visas are a serious diplomatic problem. They cause a lot of upset in many countries when people, quite

[Sir Alan Duncan]

rightly and with reasonable intent, wish to travel here, but find that it is very expensive, it takes a long time and it is sometimes very inefficient.

Mark Pritchard: The Minister may be coming on to make some remarks about Denmark, but I hope that he will be able to address the question I set out in my speech: what representations have the UK Government had with the Government of Denmark over Nord Stream 2, and what was the precise nature of those discussions?

Sir Alan Duncan: I can answer that straightaway. I am fully aware that Denmark has not yet issued the relevant permits for the construction of Nord Stream 2—which would be in its territorial waters, as has been mentioned. We have raised our security of supply concerns with Denmark, and we anticipate its decision in the autumn. The former Foreign Secretary, my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), raised the issue with the Danes, and I have discussed it in the margins of foreign affairs committees in Brussels in the past.

We give all that help to Ukraine because it is essential for Ukraine's future security and prosperity, and because it is essential for upholding European values and the wider security and prosperity of Europe. I fully recognise the concerns that hon. Members have expressed and I am grateful to my hon. Friend the Member for The Wrekin for drawing attention to this important issue by securing the debate.

Let me be clear: Nord Stream 2 represents a risk to European energy security and to Ukraine. Existing pipelines already provide enough capacity to meet the European demand for gas. We do not believe that Nord Stream 2 is necessary and we remain concerned that its construction will be harmful to European interests and those of Ukraine.

For that reason, we will continue to express concerns in discussions with partners across Europe, as I did with the German Minister, Michael Roth, last week. As the Prime Minister noted yesterday, she has been discussing it around the EU Council table for some time. We back amendments to the gas directive to ensure that all interconnector pipelines operate within EU internal energy market rules, and we will continue to support initiatives that strengthen and diversity the supply of gas to the European market. I assure hon. Members that we will play our full part in defending the interests of Ukraine, and we will not shy away from having a strong opinion about such an important strategic proposal.

6.57 pm

Mark Pritchard: The Minister's comments are the most robust that I have heard from any Government Minister, including the Prime Minister yesterday. They are welcome remarks, although perhaps more in Ukraine than in the United Kingdom. He uses the word "risk", which I also used in my speech, and said that he felt that Nord Stream 2 was not necessary because of the existing supplies in the European Union.

Notwithstanding the Minister's comments on Denmark, I encourage him to go further, given that he is also the Minister for the Americas. The British Government may have had some differences with the White House—in particular, with President Trump—in the last few hours vis-à-vis our policy on Russia; none the less, on this issue we can agree with the White House and even with President Trump. I hope those discussions will prove fruitful—not only for our bilateral relations with the United States, but for Ukraine's future.

Question put and agreed to.

Resolved,

That this House has considered Nord Stream 2.

6.58 pm

Sitting adjourned.

Written Statements

Tuesday 17 July 2018

TREASURY

Fiscal Risks and Managing Fiscal Sustainability Report

The Chief Secretary to the Treasury (Elizabeth Truss):

Today sees the publication of two reports which underscore the need for continued fiscal responsibility: the Office for Budget Responsibility's (OBR) 2018 Fiscal Sustainability Report (FSR) and the Government's report on Managing Fiscal Risks [CM 9647]. The publication of the FSR fulfils the OBR's legal obligation to publish an analysis of the sustainability of the long-term public finances and an assessment of the public sector balance sheet at least once every two years. Managing Fiscal Risks fulfils the Government's obligation to respond to the OBR's 2017 Fiscal Risks Report (FRR). These reports have been laid before Parliament today and copies are available in the Vote Office and Printed Paper Office.

These reports come at a turning point for the public finances. The Government have made significant progress in repairing the public finances over the past eight years. The deficit has been cut by over three quarters from its post-war peak of 9.9% of GDP in 2009-10 to 1.9% in 2017-18. The debt-to-GDP ratio is now forecast by the OBR to have peaked last year and to begin its first sustained fall in a generation from this year.

Both reports illustrate the long-term pressures and risks to the public finances, underscoring the importance of locking in this hard-won progress and continuing to reduce debt. As analysis by international experts and the OBR's own fiscal stress test has shown, Governments with high levels of debt are more vulnerable to shocks and have less room to use fiscal policy to mitigate their impact on the economy. Moreover, leaving Government debt at current levels would see the burden of servicing that debt rise to levels not seen since the mid-1980s if interest rates normalise in the way assumed in the OBR's long-run projections. This would pass an unacceptable burden on to the next generation. The Government are therefore committed to continuing to reduce debt as a share of GDP.

The 2018 FSR projection shows that, left unaddressed, demographic change and non-demographic cost pressures on health, pensions, and social care would push the debt-to-GDP ratio to over 280% of GDP by 2067-68. One of the most important drivers of the long-run fiscal outlook in the FSR is health spending, which the OBR projects will rise from 7.6% of GDP in 2022-23 to 13.8% in 2067-68 in the absence of action to increase productivity and contain costs. While this is partly explained by population ageing, most of the projected increase is due to non-demographic cost pressures—including the low productivity of the health sector relative to the rest of the economy; increases in chronic conditions; and improvements in technology and medical research leading to the provision of new drugs and treatments.

The Government recognise that the NHS will need additional resources to help meet these pressures. In June, the Prime Minister announced that the NHS in

England will receive an increase in funding over the next five years that equates to over £20 billion a year more in real terms by 2023-24. The Government also recognise the need for action being taken to address long-term cost drivers in health. The final settlement will be confirmed at a future fiscal event, subject to an NHS 10-year plan that delivers the efficiency, productivity, and performance improvements necessary to help address the long-term cost pressures highlighted by the OBR. The Government will fund this five-year commitment in a responsible way, while continuing to meet its fiscal rules and reduce debt. As the Prime Minister has said, this will be partly funded by money that we will no longer spend on our annual membership subscription to the European Union after we have left. In addition, across the nation, taxpayers will need to contribute a bit more in a fair and balanced way to support the NHS we all use.

The Government are also determined to tackle the other risks and pressures facing the public finances, to lock in the hard-won progress we have made in reducing borrowing and getting debt falling. The OBR's 2017 Fiscal Risks Report provided the UK's first ever survey of the potential risks to the public finances and was recognised by the IMF, OECD, and others as the most comprehensive report of its kind and the only one produced by an independent body. By publishing our response today, the Government invite Parliament and the public to hold us to account for the responsible management of those risks.

Managing Fiscal Risks shows how the Government are tackling these risks as we continue to repair the public finances for the benefit of current and future generations—following our balanced approach to the public finances, getting debt falling while investing in our vital public services and keeping taxes as low as possible.

The report sets out the specific steps the Government are taking to mitigate key sources of risk identified by the OBR. These include actions to reduce the likelihood and cost of financial crises, adapting the tax system to a changing economy, improving the sustainability of the state pension in the light of rising longevity, tightening controls over the issuance of loans and guarantees, and managing the Government's inflation exposure by considering the appropriate balance of index-linked and conventional gilts.

It also highlights that in the long run, boosting productivity growth would accelerate the return to fiscal sustainability and alleviate pressures on taxpayers and public services. The Government are taking forward a comprehensive strategy for boosting productivity based on supporting long-term investment in physical, human and intellectual capital.

Supporting the vision set out in the modern industrial strategy, the Government are increasing investment in key productivity-boosting infrastructure; The National Productivity Investment Fund will provide £31 billion of additional investment in areas critical to improving productivity and £1 billion in improving the UK's digital infrastructure. We have increased public support for R&D to its highest level in 30 years and are committed to increasing public and private investment in R&D to 2.4% of GDP by 2027.

The Government are also committed to making sure that Britain is the world's most attractive location for private investment. We are supporting UK businesses

by delivering a competitive tax system that supports growth and investment—including by reducing the corporation tax rate from 28% to 19% today, the lowest in the G20.

Building human capital through strengthening education and training is a priority for the Government. We are taking action to transform technical education and help prepare people for the high-skilled jobs of the future, by investing in apprenticeships through the introduction of the apprenticeship levy, introducing a national retraining scheme, and introducing T-levels, which will mean that all 16-18 olds have a choice of technical and academic routes of equal status and quality.

These OBR reports and the Government's Managing Fiscal Risks report keep the UK at the frontier of fiscal management internationally and demonstrate the Government's commitment to fiscal transparency and accountability. No other Government are so open about the risks to the public finances or more determined to manage them responsibly for the benefit of current and future generations.

[HCWS862]

DEFENCE

Combat Air Strategy

The Secretary of State for Defence (Gavin Williamson): On 21 February 2018, I informed the House that the Ministry of Defence (MOD) would produce a strategy for the combat air sector. Development of the strategy has drawn heavily on expertise from across defence, wider Government, academia, think-tanks, industry and international partners. The approach adopted is driven by the developing themes of the modernising defence programme and the recent review of defence's contribution to national economic and social value conducted by the hon. Member for Ludlow (Philip Dunne).

Defence of the UK, protection of our people and our contribution to securing the rules-based international order requires us to deter adversaries by having the capability and the will to use decisive force to deliver our defence, foreign policy and economic objectives. The threats we face are evolving and proliferating ever more rapidly. World-class combat air capability allows us to maintain control of the air both at home and around the world.

The UK combat air sector provides the capability to underpin our operational advantage^[1] and freedom of action^[2]. It also makes a significant contribution to the UK economy and our international influence. The UK is a global leader in combat air, with cutting-edge military capability underpinned by world-class industrial and technical know-how.

The UK combat air sector has an annual turnover of over £6 billion and directly supports over 18,000 highly skilled jobs across the UK. It supports over 100,000 jobs in the supply chain and more than 2,000 companies across the UK. The UK is the world's second largest exporter of defence equipment with defence aerospace representing over 80% of the value of these exports. We are at the heart of a number of key international

programmes, including F-35—the largest defence programme in the world. Our position was secured through world-leading intellectual property, understanding, innovation and industrial capability. As we leave the EU, we will continue to seek partnerships across Europe and beyond to deliver UK, European and global security. To do this we must retain access to our proud industrial base. The UK's combat air sector is therefore critical to the UK's prosperity, our global Britain outlook and our ability to deliver the best capability to the front line.

The future of the UK's combat air sector is, however, not assured. There has been a gap between major combat air development programmes and a clear indication of future UK military requirements is required to stimulate the research and development investment necessary to refresh UK intellectual property.

Today I can announce the publication of the UK combat air strategy. The strategy defines a clear way ahead to preserve our national advantage and maintain choice in how it is delivered. The MOD will work with wider Government, industry and international partners to deliver the strategy by taking the following steps:

The MOD will continue to invest in upgrading Typhoon to maintain its world-class capabilities for the coming decades.

The MOD will provide investment in key UK design engineering skills and a means to UK combat air strategy generate UK intellectual property by implementing the future combat air system technology Initiative. The initiative was established by the 2015 strategic defence and security review and builds on recent UK technology investment.

The MOD will initiate the UK's capability acquisition programme to define and deliver the future capabilities required when Typhoon leaves service by 2040. An initial acquisition decision will be made by the end of 2020.

UK Government and industry will work together to achieve a more open and sustainable industrial base which invests in its own future, partners internationally and breaks the cycle of increasing cost and length of combat air programmes.

The UK will take a strategic approach to key combat air decisions. This will maximise the overall national value the UK derives from the sector; balancing military capability, international influence, economic and prosperity benefits.

Effective international partnering in combat air is fundamental to the delivery of our national goals and management of cost. The UK will work quickly and openly with allies to build on or establish new partnerships to define future requirements and how they could be delivered in a mutually beneficial manner.

By preserving our ability to maintain operational advantage and freedom of action, the strategy will ensure we have greater choice in how we deliver future capabilities and are able to maximise the economic and strategic benefits of future combat air acquisition programmes.

A copy of the combat air strategy has been placed in the Library of the House.

I will report annually to Parliament on progress in implementing the strategy.

^[1] The ability to find and maintain an edge over potential adversaries, both to increase the chances of our success in hostile situations and to increase the protection of the UK assets involved, especially our people.

^[2] The ability to determine our internal and external affairs and act in the country's interests free from intervention by other states or entities, in accordance with our legal obligations.

[HCWS859]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Surface Water Management Action Plan

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): Surface water flooding happens when intense rain from storms overwhelms local drainage capacities. It is caused by short heavy rainstorms, tends to affect localised areas and is more difficult to forecast than flooding from rivers and the sea.

Managing surface water can be complex because it is difficult to forecast which areas the storms will affect, to understand the routes the water will take when it falls, and because there are many parties with relevant responsibilities.

The Government have today published their surface water management action plan on www.gov.uk. This action plan will bring our preparedness for surface water flood risks more closely into line with that for risks from main rivers and the sea. It delivers a commitment in the national flood resilience review and includes a number of actions to both improve our understanding of the risks and strengthen delivery. The action plan covers:

- improving risk assessment and communication;
- making sure infrastructure is resilient;
- clarifying responsibilities for surface water management;
- joining up planning for surface water management; and
- building local authority capacity.

[HCWS860]

FOREIGN AND COMMONWEALTH OFFICE

International Criminal Justice

The Secretary of State for Foreign and Commonwealth Affairs (Mr Jeremy Hunt): Today is the Day of International Criminal Justice, which provides an opportunity to update Parliament on UK support for the principles and institutions of international criminal justice in the previous calendar year.

The UK maintains that those who commit atrocities should be held to account. As such, support for international criminal justice is a fundamental part of the UK's foreign policy. Our approach is not limited to punishing the perpetrators—it seeks to help victims and their communities come to terms with the past, contribute to lasting peace and security, and deter those who might otherwise commit such violations in the future.

The International Criminal Court (ICC) is the world's first permanent independent international criminal court with jurisdiction over the most serious crimes of international concern, and is complementary to national criminal jurisdiction. The UK Government believe that the ICC can play an important role in pursuing accountability when national authorities are either unable or unwilling genuinely to do so. We provide both political and financial support to the court, contributing £8.9 million in 2017. As of the end of 2017, the court had issued

31 arrest warrants, handed down verdicts in six cases and convicted nine individuals, one of whom has since been acquitted on appeal. It is currently considering cases from Africa, the middle east, Europe, South-East Asia and South America.

During the course of 2017, the court made reparations awards to the victims of Thomas Lubanga Dyilo and Germain Katanga, both convicted of war crimes in the Democratic Republic of Congo, and Ahmad Al Faqi Al Mahdi, convicted of destroying cultural heritage sites in Timbuktu. The UK contributed £400,000 to the court's Trust Fund for Victims to support its work, which has included counselling for rape victims, provision of prosthetics and work to remove any stigma that may attach to child soldiers in Uganda and the Democratic Republic of Congo.

When the Rome Statute entered into force in 2002, three crimes were agreed to be within the immediate jurisdiction of the ICC: war crimes, crimes against humanity, and genocide. The court's jurisdiction over a fourth, the crime of aggression, was postponed pending further consideration by states parties. In December 2017, the ICC Assembly of States Parties agreed to activate the court's jurisdiction over the crime of aggression. It did so on the basis that all states parties explicitly agreed and confirmed in a consensus-based decision that, in the case of a state referral or proprio motu investigation, the court shall not exercise its jurisdiction regarding a crime of aggression when committed by a national, or on the territory, of a state party that has not ratified or accepted the relevant amendments to the Rome Statute. The UK has no plans to ratify the crime of aggression amendments and welcomes the decision as an authoritative, unqualified and clear interpretation of the amendments to the Rome Statute on the crime of aggression, in accordance with article 121 paragraph 5 of the Rome Statute. The activation of the court's jurisdiction for this crime takes place today.

The International Criminal Tribunal for the former Yugoslavia (ICTY) closed at the end of 2017. In its 24 years of operation, the tribunal indicted 161 individuals for serious violations of international humanitarian law and provided a comprehensive historical record of the atrocities committed during the Balkans conflicts. One of its last acts was the conviction and sentencing of former Bosnian Serb military leader Ratko Mladic to life imprisonment for the Srebrenica genocide and other serious crimes during the 1992-95 conflict in Bosnia. Any outstanding work of the ICTY will now pass to the Mechanism for International Criminal Tribunals (MICT), which also assumed the residual functions of the International Criminal Tribunal for Rwanda in 2016.

In addition to the MICT and ICTY, the UK provides practical and financial support to the Extraordinary Chambers in the Courts of Cambodia, which was established to prosecute crimes committed by the Khmer Rouge regime in the 1970s; the Special Tribunal for Lebanon; and the Residual Special Court for Sierra Leone. Our contributions to these tribunals totalled £5.8 million in 2017.

The UK has also been at the forefront of international efforts to gather and analyse evidence of atrocities committed in the middle east. In 2017, we contributed £200,000 to the UN International Impartial and Independent Mechanism (HIIM) to support the preparation of legal cases for serious crimes committed in the

Syrian conflict. The UK also led efforts to adopt a UN Security Council resolution establishing an investigative team to collect, preserve and store evidence of Daesh atrocities in Iraq, and contributed £1 million towards its eventual operation.

[HCWS864]

HOME DEPARTMENT

Rotherham Independent Review of Child Sexual Abuse

The Secretary of State for the Home Department (Sajid Javid): The Home Office is today publishing an independent review of information passed to the Home Office in connection with allegations of child sexual abuse in Rotherham (1998 to 2005).

This independent review was commissioned by my right hon. Friend the Prime Minister, when she was Home Secretary, in response to suggestions contained in Professor Alexis Jay's independent inquiry into child sexual exploitation in Rotherham (1997 to 2013). These indicated that in the course of funding and evaluating a Rotherham-based research project, the Home Office may have been passed information about the scale of child abuse in Rotherham and the response of local agencies such as the police and the local authority that should have raised concern. In particular, Professor Jay saw a document believed to have been written by a Home Office project researcher sometime in 2002 which—although the town was not named—contained a description of the extent of child sexual exploitation in Rotherham and a series of criticisms regarding the way in which this was being dealt with.

In response to these reports, my right hon. Friend the Prime Minister, as Home Secretary, announced that the Department would conduct a thorough analysis of all relevant papers covering the period in question to ascertain exactly what information had been made available to the Home Office. She confirmed this work would be independently reviewed by Peter Wanless, chief executive of the NSPCC, and Richard Whittam QC to ensure it had been conducted absolutely properly.

I can confirm that today's publication includes Mr Wanless and Mr Whittam's independent review and the internal Home Office review that this assesses.

The Home Office internal review could not locate key documentation produced by the project researcher in Home Office internal records, but notes records were imperfectly operated, meaning it could have been received. However, the review did find that pieces of information questioning the response of statutory services were available to the Home Office, meaning that opportunities to follow up on, or seek further information about matters in Rotherham, including whether the police and other statutory agencies were responding appropriately, existed.

Mr Wanless and Mr Whittam were content that the methodology of this review was sound and that the findings were reasonable. They made one recommendation to the Home Office, in summary, that the Home Office should record allegations of child abuse, what information is sent to the police, and what the result of that referral

has been. I would like to take this opportunity to thank Mr Wanless and Mr Whittam for their work on the independent review.

As public servants, we all have an important responsibility to raise and respond effectively to any safeguarding concerns we may encounter in the work we do—not least allegations of child sexual abuse.

The Home Office fully accepts Mr Wanless and Mr Whittam's review and since 2014, the Department has introduced a recording and referral system for allegations of child abuse to address their precise recommendation.

The Permanent Secretary and I take this issue extremely seriously and the Home Office will continue to promote among all staff the vital importance of using all available information to consider if a child is at risk of abuse.

[HCWS866]

HOUSE OF COMMONS COMMISSION

Restoration and Renewal: Shadow Sponsor Board

Tom Brake (Carshalton and Wallington) (Representing the House of Commons Commission): Both Houses have decided that the next phase of the restoration and renewal programme should be overseen by a sponsor board and delivery authority. While it is anticipated that these bodies will be placed on a substantive footing by primary legislation in due course, the Commissions of both Houses have agreed to establish the sponsor board in shadow form, with the following members:

Elizabeth Peace CBE (Chair)
 Lord Carter of Coles
 Lord Deighton KBE
 Right hon. the Lord Geidt GCB GCVO OBE
 Neil Gray MP
 Brigid Janssen
 Right hon. Sir Patrick McLoughlin MP
 Marta Phillips OBE
 Baroness Scott of Needham Market
 MarkTamiMP
 Simon Thurley CBE
 Simon Wright OBE

The shadow sponsor board will act as the single client accountable to Parliament and own the budget, business case and scope of the programme.

The recruitment of the Chair and the other external members was overseen by an independent recruitment panel, chaired by the right hon. Dame Janet Paraskeva DBE, a former First Civil Service Commissioner. Other recruitment panel members possessed major projects and heritage experience. The panel's role was to make a recommendation to the Commissions regarding the most appropriate candidates for the roles following a full and open competition. The panel unanimously recommended the appointment of the Chair and the other external members. The appointment of the external members is subject to satisfactory references and security clearance.

The parliamentarians on the board were nominated by the political parties and groups in both Houses.

[HCWS861]

JUSTICE

Justice Update

The Parliamentary Under-Secretary of State for Justice (Edward Argar): I have laid a draft proposal for a remedial order to amend section 9 of the Human Rights Act 1998 (HRA) to allow an award of damages in a new set of circumstances. This is to implement the judgment of the European Court of Human Rights (ECtHR) in *Hammerton v. UK* (application no. 6287/10).

The domestic courts found that the applicant in *Hammerton v. UK* had spent extra time in prison as a result of procedural errors during his committal which breached his rights under article 6 of the European convention on human rights (ECHR) as set out in the HRA (right to a fair trial). He was subsequently unable to obtain damages to compensate for the breach of Article 6 ECHR in the domestic courts because section 9(3) HRA does not allow damages to be awarded in proceedings in respect of a judicial act done in good faith, except to compensate a person to the extent required by article 5(5) ECHR (deprivation of liberty).

In 2016, the ECtHR found a breach of article 6 ECHR and adopted the finding of the domestic court that the applicant had spent extra time in prison as a result of the breach. The ECtHR found that the applicant's inability to receive damages in the domestic courts in the particular circumstances of this case led to a violation of article 13 ECHR (right to an effective remedy). The ECtHR awarded a sum in damages which has been paid.

Under article 46 ECHR, the UK is obliged to abide by the judgment of the ECtHR in any case to which it is a party. In order to address the finding of a violation of article 13 ECHR in *Hammerton*, legislative change is required as it was the result of a statutory bar on the award of damages under the existing section 9(3) HRA.

The Government propose to implement the judgment by making a targeted amendment to section 9 HRA to make damages available in respect of breaches of article 6 ECHR arising under similar circumstances to those in *Hammerton*. It would have the effect that:

- in proceedings for contempt of court;
- where a person does not have legal representation, in breach of article 6 ECHR; and

the person is committed to prison and the breach of article 6 results in the person spending more time in prison than they otherwise would have done, or causes them to be committed to prison when they would not otherwise have been committed; then a financial remedy would be available to the person to compensate for the breach of article 6 ECHR that resulted in the person spending extra time in prison, or caused them to be committed to prison.

Following consideration of possible legislative options, the Government consider that there are compelling reasons to amend the HRA by remedial order under the power in section 10 HRA to take remedial action where a provision of legislation is incompatible with an obligation of the United Kingdom arising from the ECHR.

This draft proposal for a remedial order is being laid under the non-urgent procedure. It will be laid for a period of 60 days during which time representations may be made. The Joint Committee on Human Rights will scrutinise the remedial order and report on it to the House. Following that, the draft order, with any revisions the Government wish to make, will be laid for a further 60 days before being considered and voted on by both Houses.

[HCWS863]

LEADER OF THE HOUSE

Independent Complaints and Grievance Policy

The Leader of the House of Commons (Andrea Leadsom): In November, my right hon. Friend the Prime Minister convened a cross-party working group to establish a new independent complaints and grievance procedure, in response to reports of sexual harassment and bullying in Parliament. The House agreed to implement the proposals for the new procedure set out by the Working Group in February.

Today, I am pleased to attach to this statement a copy of the Programme Team's delivery report, which is endorsed by all members of the Steering Group who have overseen the process of implementing the Working Group's proposals.

It is available online at: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-17/HCWS865>.

[HCWS865]

Petitions

Tuesday 17 July 2018

PRESENTED PETITIONS

Petition presented to the House but not read on the Floor

Busy Bees Nursery

The petition of residents of Telford,

Declares that Busy Bees nursery is due to close on 31 August 2018 due to the Land Registry; further leaving 15 weeks for the staff and parents to find new jobs and care for their children.

The petitioners therefore request that the House of Commons urges the Government to reconsider the Land Registry's decision and to give the nursery extended notice so that this much needed community asset can find a suitable alternative premises.

And the petitioners remain, etc.—*[Presented by Lucy Allan.]*

[P002221]

Home Education: draft guidance and the consultation

The petition of residents of Chipping Barnet,

Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with local authorities, what the contents should include.

And the petitioners remain, etc.—*[Presented by Theresa Villiers.]*

[P002222]

Ministerial Correction

Tuesday 17 July 2018

TREASURY

Draft Double Taxation Relief (Mauritius) Order 2018 **Draft Double Taxation Relief and International Tax** **Enforcement (Cyprus) Order 2018**

The following is an extract from the First Delegated Legislation Committee on 18 June 2018.

Mr Mark Francois (Rayleigh and Wickford) (Con): My first specific question is, assuming that the tax treaty comes into force fairly shortly, in what tax year would the new arrangements arise? In other words, would these veterans be charged at the new rate of

20% or more in the current tax year—2018-19—or would it only cut in, as it were, in a full tax year, in 2019-20? For anybody who is looking to plan, that is an important piece of information that, understandably, they want to know.

Mel Stride: My right hon. Friend asked in which tax year the measures would kick in, and the answer is in 2019-20 at the earliest.

[Official Report, First Delegated Legislation Committee, 18 June 2018, c. 8.]

Letter of correction from Mel Stride:

An error has been identified in my response to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois).

The correct response should have been:

Mel Stride: My right hon. Friend asked in which tax year the measures would kick in, and the answer is **from 1 January 2019**.

ORAL ANSWERS

Tuesday 17 July 2018

	<i>Col. No.</i>		<i>Col. No.</i>
BUSINESS, ENERGY AND INDUSTRIAL STRATEGY	203	BUSINESS, ENERGY AND INDUSTRIAL STRATEGY— <i>continued</i>	
British Motor Sector	208	Sainsbury's-Asda Merger	217
Facilitated Customs Arrangement	220	Self-employed Workers.....	219
Industrial Strategy	212	Small Business Sector.....	214
Industrial Strategy: Scotland.....	214	Taylor Review of Modern Working Practices.....	206
Leaving the EU: Services Sector.....	218	Topical Questions	220
Low-Paid Workers	210	UK Science Base: Funding	216
Offshore Wind Sector.....	203	University Research: Commercialisation.....	207
Renewable Power-Generating Companies	204		

WRITTEN STATEMENTS

Tuesday 17 July 2018

	<i>Col. No.</i>		<i>Col. No.</i>
DEFENCE	7WS	HOUSE OF COMMONS COMMISSION	12WS
Combat Air Strategy	7WS	Restoration and Renewal: Shadow Sponsor Board.....	12WS
ENVIRONMENT, FOOD AND RURAL AFFAIRS.	9WS	JUSTICE	13WS
Surface Water Management Action Plan	9WS	Justice Update.....	13WS
FOREIGN AND COMMONWEALTH OFFICE	9WS	LEADER OF THE HOUSE	14WS
International Criminal Justice.....	9WS	Independent Complain and Grievance Policy.....	14WS
HOME DEPARTMENT	11WS	TREASURY	5WS
Rotherham Independent Review of Child Sexual Abuse.....	11WS	Fiscal Risks and Managing Fiscal Sustainability Report.....	5WS

PETITIONS

Tuesday 17 July 2018

	<i>Col. No.</i>	<i>Col. No.</i>
PRESENTED PETITIONS	3P	
Busy Bees Nursery.....	3P	
Home Education: draft guidance and the consultation	4P	

MINISTERIAL CORRECTION

Tuesday 17 July 2018

	<i>Col. No.</i>
TREASURY	3MC
Draft Double Taxation Relief (Mauritius) Order 2018	3MC

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than
Tuesday 24 July 2018**

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Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

CONTENTS

Tuesday 17 July 2018

Oral Answers to Questions [Col. 203] [see index inside back page]
Secretary of State for Business, Energy and Industrial Strategy

Electoral Commission Investigation: Vote Leave [Col. 227]
Answer to urgent question—(Chloe Smith)

Combat Air Strategy [Col. 241]
Statement—(Gavin Williamson)-

Anti-loitering Devices (Regulation) [Col. 253]
*Motion for leave to bring in Bill—(Giles Watling)—agreed to
Bill presented, and read the First time*

Trade Bill [Col. 256]
*Programme motion (No. 3)—(George Hollingbery)—agreed to
Not amended, considered; read the Third time and passed*

Parking (Code of Practice) Bill (Ways and Means) [Col. 368]
Motion—(Rishi Sunak)—agreed to

Exiting the European Union [Col. 369]
Motion—(Craig Whittaker); Division deferred till Wednesday 18th July

Petitions [Col. 372]

Access to Orkambi [Col. 377]
Debate on motion for Adjournment

Westminster Hall
Non-EEA Visas: Inshore Fishing [Col. 21WH]
Construction Industry Training Board HQ [Col. 47WH]
Homelessness among Refugees [Col. 55WH]
Green Belt (Penistone and Stocksbridge) [Col. 81WH]
Nord Stream 2 [Col. 89WH]
General Debates

Written Statements [Col. 5WS]

Petitions [Col. 3P]
Presented Petitions

Ministerial Correction [Col. 3MC]

Written Answers to Questions [The written answers can now be found at <http://parliament.uk/writtenanswers>]
