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11 September 2018**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 11 September 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 9 October (Standing Order No. 20).

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Pubs

1. **James Morris** (Halesowen and Rowley Regis) (Con):
What fiscal steps he is taking to support the pubs sector.
[906778]

2. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con):
What fiscal steps he is taking to support the pubs sector.
[906779]

The Chancellor of the Exchequer (Mr Philip Hammond): Pubs are a vital part of our local communities and the Government are committed to supporting them, which is why I froze all alcohol duties in the 2017 Budget. That freeze, and cuts in alcohol taxes since 2013, mean that a typical pint of beer is 12p cheaper than it would otherwise have been.

Pubs are also benefiting from recent wider reforms of business rates that will be worth £10 billion by 2023, including the doubling of rural rate relief to 100%, the switch from retail prices to consumer prices indexing, reforms in small business rates relief that have taken 600 small businesses out of rates altogether, and the introduction and then the extension of the £1,000 business rates discount for pubs.

James Morris: Will the Chancellor join me in congratulating the Friends of Haden Cross, a pub in my constituency? Will he, in particular, join me in congratulating Tim Haskey and Jim Mumford, who rescued the pub when it was on the point of closure, and who, working with new management, have seen a 500% increase in takings since November? Does he agree that the Government should continue to provide good fiscal support for pubs, given their importance to our local communities?

Mr Hammond: My hon. Friend has detailed a remarkable turnaround in the fortunes of a pub. I congratulate the Friends of Haden Cross on that success, and on making such good use of the “assets of community value” scheme to save their local.

The Government remain clear about the fact that local pubs are instrumental in facilitating the support networks and social interactions that are such a vital part of local communities. We will continue to protect them, and it is welcome news that pubs such as the Friends of Haden Cross are benefiting from the measures that we have taken.

Daniel Kawczynski: Will my right hon. Friend join me on a pub crawl in Shrewsbury? [*Laughter.*] I am buying.

My right hon. Friend has mentioned some very positive figures relating to Government support for pubs, but I should like him to come to the Salopian Bar, my local in Shrewsbury, and hear at first hand about the extraordinary rises in business rates with which some pubs have had to deal. I should like him to gain first-hand experience, by talking to landlords, of some of the financial pressures that they are under.

Mr Hammond: Provided that I can have it in writing that my hon. Friend is buying, I am very tempted to consider his offer. I will negotiate with him.

I understand the pressure that pubs and many other traditional businesses are facing. Pubs in Shrewsbury have benefited from recent cuts in alcohol duties and business rates, but of course we recognise the challenge that many smaller businesses face, and we will keep that challenge very much in mind as we formulate our policies.

Jenny Chapman (Darlington) (Lab): The Chancellor is obviously very welcome to join me in a pub crawl around Darlington as well. I always stand my round.

Many of us who represent towns are fighting very hard to support our high streets, and the business rate pressures that have confronted retail businesses are exactly the same when it comes to pubs and catering outlets. In my town, there are so many anomalies in relation to pubs and business rates that such anomalies have become almost normal. The situation needs to be looked at as a matter of urgency. Will the Chancellor investigate the way in which smaller pubs are particularly disadvantaged by the business rates system?

Mr Hammond: It is true that pubs are assessed in a different way from other retail premises for business rates purposes. We looked into that recently and concluded that the current system was in fact the best system for pubs, but I shall be happy to look into it again.

We all recognise—every single one of us, whichever part of the country we represent—that high streets are under pressure, primarily because the behaviour of consumers is changing. I think that our challenge is to support the high street as it undergoes that process of change. We cannot simply turn our backs on a change that is driven by consumer behaviour, but we must support businesses as they make it.

Chris Elmore (Ogmore) (Lab): I am sure the Chancellor will agree that there is a need to encourage entrepreneurs and small business start-ups, including the setting up of new pubs. Will he agree to follow the lead of the Welsh

Labour Government, who have set up a micro small business fund that provides up to £500,000 a year to enable small businesses to protect and create jobs? A UK-wide scheme could protect a great many small industries, including the pub industry.

Mr Hammond: The hon. Gentleman will know that we have the start-up loan scheme, which provides support for entrepreneurs starting small businesses, and the Government will continue to encourage small businesses to be established and then to grow.

NHS Funding

3. **Mohammad Yasin** (Bedford) (Lab): What recent discussions he has had with the Secretary of State for Health and Social Care on NHS funding. [906780]

The Chief Secretary to the Treasury (Elizabeth Truss): We have regular meetings with the Health Secretary and have recently allocated an additional fund of a 3.4% rise per year to the national health service, which will equate to £20 billion by 2023.

Mohammad Yasin: In Bedfordshire, children with mental health issues are travelling up to 100 miles to access services. Their recovery is hugely compromised by sending them away from their families and friends. Will the Chancellor now commit funds to local specialist facilities for young people and reinstate the mental health beds in Bedford that his Government took away?

Elizabeth Truss: We recognise that there is increasing demand for the NHS, which is precisely why we have allocated the additional funding, and the Health Secretary will shortly publish a 10-year plan with mental health as one strand of it.

Sir Desmond Swayne (New Forest West) (Con): Is it reasonable for me to expect to pass my assets and property to my heirs unencumbered and intact and at the same time to expect the taxpayer to pay for my social care?

Elizabeth Truss: We recognise that social care is an area where reform is needed, and my right hon. Friend the Health Secretary will shortly publish a Green Paper to outline some of the options and to make sure we have a proper discussion as a country about the future of social care.

Ruth George (High Peak) (Lab): My clinical commissioning group in north Derbyshire has seen an uplift of only 1% over the five-year funding settlement from 2016-17, resulting in a deficit of £51 million to find this year in cuts and of £71 million next year. It is having to cut everything that it is not statutorily required to provide, including all voluntary services. Will the Chancellor look at the funding that has gone to the national health service over the past six years to make sure this can be met?

Elizabeth Truss: No doubt, the hon. Lady will welcome the additional money allocated to the NHS to reflect the increasing demand. I point out that under the plans proposed by the Labour party, which would mean fewer

businesses, fewer jobs and less tax revenue, there would be less money going into the NHS and the hon. Lady's local services.

Nigel Huddleston (Mid Worcestershire) (Con): There is strong public appetite for increased spending not only on the NHS, but on education, defence and a whole host of other areas, and, if the polls and all the petitions are to be believed, there is a strong public appetite to pay more tax in order to finance those spending increases. Will the Minister bear that in mind in the upcoming Budget?

Elizabeth Truss: I am sure my hon. Friend will recognise that we are not going to announce the contents of the Budget at today's Treasury questions, but I point out that we are a Government who believe in low taxes: we have reduced taxes on basic rate taxpayers by £1,000. Of course, as well as putting that extra money into the NHS, my job as Chief Secretary is to make sure we get value for money from every penny we spend, and that is why we are developing a 10-year plan. We are improving the use of technology and we are getting better value for money from the drugs budget as well.

Peter Dowd (Bootle) (Lab): Is the Chief Secretary aware in the discussions the Health Secretary may have had on NHS funding whether he mentioned his unilateral plan to ditch the 2013 pensions deal agreed with representative bodies, which was supposed to last for 25 years, and which may affect 1 million NHS staff?

Elizabeth Truss: What I am aware of is the deal that has been done with NHS workers to give them a 6.5% pay rise in exchange for reform over the next three years. We know that on average public sector workers get approximately 10% more in terms of pensions than their private sector counterparts, but we are also making sure that we have the right wages to recruit and retain people in the NHS.

Peter Dowd: Clearly, the Chief Secretary to the Treasury does not even know what she has put out in her name. The pension changes snuck out on Thursday evening could negatively affect the pensions of a further 4 million public sector workers—[*Interruption.*] No, that is not the case. So I ask on behalf of those dedicated public sector workers—nurses, doctors, social workers, teachers, support staff and refuse collectors—will the Chancellor withdraw these snidey proposals and honour his predecessor's deal? Is that too much to ask? Or will millions of staff in the public sector be let down and betrayed yet again by this Government?

Elizabeth Truss: I think the Labour party has misunderstood the announcement we made last week, which will actually ensure that more money goes into public sector pensions, in line with the deal that we did with the unions previously.

Household Debt

4. **Danielle Rowley** (Midlothian) (Lab): What plans he has to tackle household debt. [906781]

7. **Matthew Pennycook** (Greenwich and Woolwich) (Lab): What plans he has to tackle household debt. [906784]

The Economic Secretary to the Treasury (John Glen):

The Government are taking a proactive approach to supporting boroughs and enabling them to manage their money well and help those in problem debt. We reformed consumer credit regulation in 2014, and I am now working on setting up a single financial guidance body to help those who are in difficulties.

Danielle Rowley: One in eight workers is living in poverty, and the average worker is earning £25 a week less than they were 10 years ago. Many of my constituents who are working all the hours they can find still have to come to my office for food bank referrals and debt advice. Does the Minister accept that the rhetoric is talking down the people who are working as much as they can but still living in poverty?

John Glen: No, I am sorry; I would not accept that. I accept that this Government are committed to doing all they can for hard-working people. That is why we have raised the national living wage, which means £600 for those who are working full time. I am sure that the hon. Lady would also want to welcome the wage data that have come out today.

Matthew Pennycook: According to the Money Advice Service, the proportion of people in Greenwich and Woolwich who are over-indebted is higher than both the UK and the London averages. I know from my advice surgery that a significant amount of that is down to the behaviour of rip-off lenders. What more will the Government do to clamp down on predatory lending?

John Glen: The primary responsibility for rogue lending lies with the Financial Conduct Authority, and its report at the end of May brought in a number of measures, including a cap on rent to own. I accept that more can be done, and that is why I am working hard with my colleague, the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Hexham (Guy Opperman), on the financial inclusion forum to look at the expansion of alternative affordable forms of credit for the poorest in our society.

Charlie Elphicke (Dover) (Ind): May I urge the Minister to take firm action against people who exploit the most vulnerable in our society? I refer particularly to loan sharks, payday lenders, rent-to-own outfits such as BrightHouse, rip-off bank overdraft fees and exploitative doorstep lenders. Will he be firm, to ensure that we protect the most vulnerable?

John Glen: I am happy to give my hon. Friend that assurance. I have deep conversations on this matter with the Financial Conduct Authority regularly. I also met representatives of Scotcash and the credit unions over the recess to see what alternative supplies of affordable credit are available.

Mr Philip Hollobone (Kettering) (Con): Under Labour, household debt rose in every year bar one, but the Office for National Statistics now shows that, since 2010, the number of children in workless households has fallen by a staggering 637,000. Does that not demonstrate the huge contrast between the economic achievements of this Government and the track record of the Labour party?

John Glen: I thank my hon. Friend for reminding us of those facts. During the Labour Government, there was also an increase in the welfare budget of 65%, or £84 billion in real terms. We have to spend money wisely, and my hon. Friend's observations are welcome.

Sir Vince Cable (Twickenham) (LD): British families are currently spending considerably more than their disposable income and, as a consequence, debt levels in relation to income are rising back to crisis levels. At the same time, France and Germany have big savings surpluses. Which is the most sustainable of the two options?

John Glen: What is sustainable is that real household disposable income is up by 4.6% since 2010. I acknowledge that there are those who are experiencing challenges, and that is why I have set out the measures the Government are taking and are determined to take to assist those in a vulnerable position.¹

Chris Philp (Croydon South) (Con): The way to combat poverty and generate prosperity is to create jobs and raise wages. In that context, is it not welcome that a combination of the massive increase in the minimum wage and the rise in the personal allowance since 2010 have increased the net wages of someone working on the minimum wage by 39% when CPI during that period has been only 19%?

John Glen: My hon. Friend is on top of the figures, as always, and sets out the positive story that this Government have to tell, but there is no room for complacency. This Government are committed to getting as many people back into work as possible, and we welcome the current record figures.

18. [906795] **Diana Johnson (Kingston upon Hull North) (Lab):** Kingston upon Hull has the third highest levels of household debt in England and Wales while Kingston upon Thames has the second lowest. Why does the Minister think that is? What is he going to do about it?

John Glen: There are different profiles of debt across the country, which is why the Government are committed to making interventions through the Financial Inclusion Forum to expand affordable credit and to assist those who are in difficulty. There is no room for complacency, and the Government are committed to assisting where necessary.

Steve Double (St Austell and Newquay) (Con): Does the Minister share my view that one of the best ways of helping hard-working families is to enable them to keep more of the money they earn by keeping taxes low? Will he confirm that this Government will continue to keep taxes as low as possible for working people?

John Glen: Absolutely we will.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): This Government may say that they are taking action on household debt, but the fact is that they rely on that excessive debt for economic growth. The Office for Budget Responsibility says that nine tenths of all GDP growth last year is attributable to household consumption, which is being fuelled by unsustainable levels of debt.

1. [Official Report, 9 October 2018, Vol. 647, c. 1MC.]

Instead, we should raise investment, both public and private, which in the UK is well below the average for a developed country. We have plans to do that, but will we see any such proposals from the Government in the forthcoming Budget?

John Glen: The Chancellor has set out in successive Budgets our commitment to invest in this economy with the national productivity plan. We must recognise that we need affordable investment, and we have found out over the past 24 hours that the Opposition's plans are confused. If £500 billion is just a down payment and the start of the investment, where will it end? Is that affordable?

Kirsty Blackman (Aberdeen North) (SNP): Let us have some facts. The OBR predicts that unsecured household debt will reach 47% of income by 2021. The last peak was 45% in 2007. Families are using credit to pay for essential items. The people who are going to food banks are often in work, because work is not paying. What is the Treasury going to do? Will Ministers admit that austerity has created this mess?

John Glen: The Government are creating the conditions for growth and raising the national living wage. When I visited Glasgow just a few weeks ago, it was encouraging to see the constructive way that the 1st Class Credit Union and Sharon MacPherson of Scotcash are working with the poorest to help them when they are in difficulty.

Kirsty Blackman: I am really pleased that the Chancellor said that he will consider visiting a local pub. Will he consider coming to the Community Food Initiatives North East food bank in my constituency, which has today called for more food because its shelves are empty? If he was to come and visit a food bank such as CFINE's, he would find out at first hand the effect that Tory UK Government policies are having on individuals up and down the country. The Minister cannot stand there and say that employment is up when the reality is that people are poorer than ever.

John Glen: I will take no lectures from the hon. Lady about food banks. The Trussell Trust was founded in my constituency. I have a dialogue with the charity, which has done a great deal to assist many people up and down the country, and I am proud of its work.

Infrastructure: East Midlands

5. **Ben Bradley** (Mansfield) (Con): What steps he is taking to invest in infrastructure in the east midlands.
[906782]

The Exchequer Secretary to the Treasury (Robert Jenrick): Over the course of this Parliament, long-term investment in our infrastructure will reach levels not sustained since the 1970s. In the east midlands, for example, we are investing from the national productivity investment fund to reduce congestion. We are investing £125 million this year on local road maintenance, and we announced this summer £780 million for a series of works to upgrade the east coast main line.

Ben Bradley: As my near neighbour in Nottinghamshire, the Minister will be aware of the Robin Hood line that runs through my constituency from Nottingham. Proposals to extend the line across Warsop in the north of my constituency have now appeared in various Budgets.

The Transport Secretary has ensured that the new franchisee will have to consider the business case for that extension. Can the Minister confirm that the Treasury will support it financially if that business case comes forward?

Robert Jenrick: My hon. Friend and my hon. Friend the Member for Sherwood (Mark Spencer) have been campaigning on this for several years, and we recognise its potential to unlock economic opportunities in Mansfield and Ollerton. Within the east midlands franchise, we have included a requirement that the operator should come to the Secretary of State for Transport within a year with a business case for extending passenger services to my hon. Friend's communities. The Department for Transport and the Treasury will consider that business case very carefully.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): Does the Minister accept that crucial investment from the European Investment Bank and the European regional development fund recently underpinned the midlands engine investment fund and that a hard Brexit risks pulling the rug from underneath many critical investment projects? He knows in his heart that a "cake and eat it" Brexit is a pure delusion and that his European Research Group colleagues still cannot explain how it would work. Would it not be better if we just let the public sort this out and have a say with a people's vote?

Robert Jenrick: The public have already had a say, and in the east midlands, which we are discussing, the public were very clear that they want to leave the European Union. Infrastructure investment will be substantially higher over the course of this Parliament than it was under the last Labour Government—25% higher in the east midlands and 40% higher in Yorkshire and the Humber. The primary reason for that is this Government's responsible management of the public finances.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): Will my hon. Friend take the time to point out where some of this infrastructure spend is going? At the moment, Derby station is being remodelled—£200 million—and the M1 is being upgraded to a smart motorway. This is massive investment for the long-term future of the east midlands.

Robert Jenrick: My right hon. Friend is absolutely right. Of course he was the Secretary of State for Transport who led many of these important investments. In the east midlands, we are investing in the smart motorway, in the upgrade to the east coast main line, in Derby bus station and in new green buses in Nottingham. The list continues, and only because of this Government's management of the public finances, which is keeping the economy growing.

Helen Goodman (Bishop Auckland) (Lab) *rose*—

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

Mr Speaker: No, no, no. Bishop Auckland and Na h-Eileanan an Iar are both admirable places, but last time I looked neither was situated in the east midlands, to which this question is devoted.

Mayflower Celebrations

6. **Mr Gary Streeter** (South West Devon) (Con): If he will provide additional resources to the Department for Digital, Culture, Media and Sport to support the Mayflower 400-year anniversary celebrations. [906783]

The Exchequer Secretary to the Treasury (Robert Jenrick): We recognise that the Mayflower commemorations are an important moment for this country to celebrate our tied history with the United States and the unending quest for religious freedom and toleration. The Government gave £0.5 million to the Mayflower 400 project in the 2015 spending review, and we will continue to support it in the years to come.

Mr Streeter: Given the significance of the voyage of the Mayflower—in historical terms, it was one of the planet's most influential journeys and it helped to found our democracy and freedom—will the Minister respond positively to the letter he has received from the all-party parliamentary group on the Mayflower pilgrims requesting that we have sufficient resources to celebrate this amazing event in a spectacular fashion?

Robert Jenrick: At the suggestion of my hon. Friend and of my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), I met Charles Hackett, the chief executive of the Mayflower 400 project. We had a productive meeting, and we are considering the materials that the project left with us. I advise my hon. Friend the Member for South West Devon (Mr Streeter) and the organisers of Mayflower 400 to continue working with the Department for Digital, Culture, Media and Sport and the Treasury as they continue to formulate their plans, which will benefit not just Plymouth but Boston, Bassetlaw and communities across the country.

Mr Speaker: For the edification of those observing our proceedings, I can advise that the hon. Member for Huddersfield (Mr Sheerman) has just been chuntering at me that his grandmother had a link with the Mayflower, about which I think we are to be enlightened.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Some Members may think that I was on the Mayflower, although as a young man I did emigrate to the United States. Some of my ancestors, the Sheermans, could have been on the Mayflower—[*Interruption.*] Just hold it for a moment. This is the 400-year anniversary. Is it not time that we celebrated migration and the talent, the genius, the innovation and the ideas that we in this country and America get from migration? Should we not use this quadricentenary to celebrate migration across the world?

Robert Jenrick: The hon. Gentleman is testing my knowledge of the pilgrim fathers, but of course they were inspired by William Bradford, who came from Yorkshire, I believe. He was the one who said that from small things great things can emerge, and that it takes just one small candle to light a thousand, which was the way that the whole pilgrim fathers' enterprise was summed up. So I want to see the commemorations take place in Yorkshire, as well as in Plymouth and the rest of the country.

Martin Vickers (Cleethorpes) (Con): I urge the Minister not to forget Immingham in my constituency, which also played a major part in where the pilgrim fathers sailed from. Will he ensure that Immingham is a major player in any celebrations?

Robert Jenrick: I have tried to list all the places where the pilgrim fathers came from. I was not aware that some came from Immingham as well, but I am sure that that will be included in the celebrations.

Helen Goodman (Bishop Auckland) (Lab): Discussion of DDCMS support for the Mayflower celebrations raises the problem that DDCMS regional funding is deeply unfair, with far more in London. Indeed, that is the pattern on infrastructure, which the Minister was talking about before. So to what extent does the Minister believe that unfair patterns of Government spending are the cause of the fact that household income in the north-east is only £15,000 per year, whereas in London it is £27,000?

Robert Jenrick: As the hon. Lady will be aware, the Arts Council has a formula to distribute funding across the country. We believe, like she does, that it is important that all communities in this country can have access to culture and heritage. It is for that reason and others that we funded the Great Exhibition of the North, which has been a huge success; and of course the Chancellor, in his Budget two years ago, supported the huge economic and cultural opportunity of restoring Wentworth Woodhouse, near to the hon. Lady's constituency.

Prisons: Contracting Out

8. **Vicky Foxcroft** (Lewisham, Deptford) (Lab): Whether he has made an assessment of the adequacy of his Department's cross-departmental guidance on the contracting out of public services as a result of recent disturbances in prisons. [906785]

The Chief Secretary to the Treasury (Elizabeth Truss): Guidance on contracting out public services is set by the Cabinet Office, and my right hon. Friend the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office has reviewed the guidance thoroughly.

Vicky Foxcroft: Appropriate transitions from prisons to the community are central in successfully reintegrating prisoners into society and bringing down reoffending rates, yet it is my understanding that some prisoners are being prevented from moving from category C to category D as they near their release date. Could the Minister confirm whether that is the case, and whether that is just another example of ineffective cost-saving measures?

Elizabeth Truss: My right hon. Friend the Justice Secretary recently released a strategy about how we are going to get more offenders into employment. We have a cross-Government working group on that, to ensure that people make the appropriate transition. I suggest that the hon. Lady speak to the Justice Department to get further details.

Fuel Duty

9. **Robert Halfon** (Harlow) (Con): What assessment he has made of the effect of the fuel duty freeze on household incomes. [906786]

The Chancellor of the Exchequer (Mr Philip Hammond): To support British households, the Government have frozen fuel duty for eight successive years. By April 2019, these freezes will have saved the average car driver £850 compared with the pre-2010 escalator, and the average van driver over £2,100, but it is important that we remember the other side of this coin. The fuel duty freezes since 2011 have meant that the Exchequer has forgone around £46 billion in revenues through to 2018-19, and a further £38 billion will be forgone over the Budget forecast period, as a result of these previously announced freezes. For context, that is about twice as much as we spend on all NHS nurses and doctors each year.

Robert Halfon: A Treasury study in 2014 said that freezing fuel duty benefits the economy to offset almost all the loss of tax to the economy, and it said that GDP would increase by £4.5 to £7.5 billion over the forthcoming years. Given the rise in petrol by 13p and diesel by 15p over the past year, does he agree with his own Treasury report that maintaining the fuel duty freeze would benefit the economy and help hard-working people in our country?

Mr Hammond: The analysis that my right hon. Friend refers to is from 2014, and obviously that analysis would have to be looked at again in the context of the economy today. I do understand that the way the rise in oil prices has had feed-through to the pump represents a real pressure for motorists, and we will take it into account.

Chris Evans (Islwyn) (Lab/Co-op): The Chancellor will know that the freeze on fuel duty is only a sticking plaster and cannot go on forever. One way of cutting down on emissions is electric cars, but in my constituency there is not a single electric car charging point. Will he commit to investing in more electric charging points across the country?

Mr Hammond: I don't know about forever, but it has gone on for eight years, as I have just explained to the House. The hon. Gentleman is right: the car fleet has to electrify if we are going to meet our carbon emissions targets. We set up a £400 million fund in the last Budget to support the roll-out of electric charging infrastructure, which is clearly critical for us to meet those targets.

Rachel Maclean (Redditch) (Con): One of the other major impacts on the wages of the lowest-paid is a national living wage. Does my right hon. Friend agree that it is our reforms as a Government that have boosted the incomes of the lowest-paid significantly?

Mr Hammond: Of course. We have sought, despite the very difficult fiscal circumstances, to address drivers of cost for households, for example by freezing fuel duty and alcohol duty. On the other side of the equation, we have reduced the tax that people are paying on their

wages and raised the earning of those on the lowest wages by introducing and then increasing the national living wage.

Jim Shannon (Strangford) (DUP): Despite the freeze in fuel duty, diesel is currently at £1.33 a litre. Rural communities in particular are finding it very difficult. Will the Chancellor indicate the help he can give to rural communities that are dependent on their vehicles to get to work and have a life?

Mr Hammond: Many people are dependent on vehicles for everyday living and for work. As I have already said, we understand the pressure that higher oil prices and their feed-through to the pumps presents for individual consumers. We take all such matters into account when setting future policy.

Mr Speaker: I hope the House will join me in welcoming the hon. Member for East Dunbartonshire (Jo Swinson) back from her maternity leave.

Technology Companies: Tax

10. **Jo Swinson** (East Dunbartonshire) (LD): What steps he is taking to ensure that large international technology companies pay an appropriate level of tax in the UK. [906787]

The Financial Secretary to the Treasury (Mel Stride): Mr Speaker, I echo your welcome to the hon. Lady. It is good to see her in her place. It is absolutely right that all companies in this country should pay a fair rate of tax. The Government recognise that for some businesses—typically online companies—the current international tax regime is not entirely appropriate. We are working with the OECD and the European Union to find a solution to that, and we have made it clear that in the event we cannot reach a position where we can move multilaterally, we will take unilateral action.

Jo Swinson: I thank the Minister for that answer. The fact that Amazon's UK profits trebled, yet it ended up paying less tax, shows how the tax model is broken for large international tech companies. He said that the UK may act unilaterally if international progress is not made at sufficient pace. With the OECD report not expected until 2020, is he prepared to wait that long before starting to act? Does he anticipate perhaps joining in with our European Union allies on the 3% interim revenue tax before then?

Mel Stride: We are not only working with the European Union; we are also working closely with the OECD. At our persuasion, it has recently decided to bring forward that report to 2019. We are making progress at the multilateral level, but as I have clearly stated, we should all be in no doubt that we are prepared to take unilateral action, should that be appropriate.

Stephen Crabb (Preseli Pembrokeshire) (Con): The question is whether there is a level playing field. When my right hon. Friend hears that bookshops pay around 11 times more total tax than Amazon on the same £100 of turnover, does he think we are striking the right balance to enable our town centres and communities to thrive?

Mel Stride: When it comes to business rates, which are the heart of the taxes that my right hon. Friend referred to, we have done a great deal since 2016. We will by 2023 have provided reliefs totalling some £10 billion, much of which will fall as relief to the high street. I take on board the comments he has made. As with all taxes, we will keep business rates under review.

Anneliese Dodds (Oxford East) (Lab/Co-op): Contrary to the comments of the Financial Secretary to the Treasury, international co-ordination on tax has frequently been blocked by the Government. We saw that particularly when it came to the taxation of trusts with both David Cameron and now the current Government arguing against more transparency. It is no surprise that, as a result, a director of Fidelity International and other experts are saying that the Amazon case shows “how tax policy hasn’t moved on.”

Why are this Government letting giant multilaterals get away with it and letting everybody else down?

Mel Stride: Let me be extremely clear to the House: this Government have an exemplary record on clamping down on avoidance, evasion and non-compliance. We have one of the lowest tax gaps in the entire world, at 5.7%, far lower than was the case under the Labour party. We have brought in a number of rules under the base erosion and profit-shifting project—a project of which we were in the vanguard. For example, tax deductions for interest expense came in in 2016 and yielded £3.9 billion by 2021, and the diverted profits tax that we introduced in 2015 has already raised some £700 million.

Employee Buy-outs

11. **Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): What assessment he has made of the effectiveness of tax incentives to support the sale of companies to employees. [906788]

The Financial Secretary to the Treasury (Mel Stride): We have brought in a number of incentives to encourage employee share ownership, not least employee ownership trusts, which provide a capital gains tax advantage to those businesses selling shares into the trust and tax advantages to employees alike. We have also brought in enterprise management incentives, company share option plans, the save-as-you earn scheme and the share incentives plan as well.

Lloyd Russell-Moyle: Small and medium-sized businesses are the lifeblood of the economies of local communities, but with 60% of small businesses with no succession plan after their founders retire, what are the Government doing to ensure that employee ownership is one of the options going forward to keep businesses going?

Mel Stride: I have set out a number of the schemes that the Government are moving forward with, and, of course, that has been with great success. In 2016-17, some 3 million employees entered into SIP share arrangements, 400,000 entered into arrangements under save-as-you earn with an average value of shareholding of some £5,000, and 3,500 employees were offered EMI schemes in that particular year.

Wage Levels

12. **Imran Hussain** (Bradford East) (Lab): What assessment he has made of recent trends in the level of wage growth and inflation. [906789]

13. **Paul Blomfield** (Sheffield Central) (Lab): What assessment he has made of recent trends in the level of wage growth and inflation. [906790]

The Chancellor of the Exchequer (Mr Philip Hammond): Today’s data show regular wages growing at the fastest rate for three years. The Office for Budget Responsibility forecast that wages will continue to grow, reaching 3.5% by 2021, while consumer prices index inflation will continue to fall, reaching the target of 2% by the end of this year. That is welcome news for everybody. Nevertheless, the Government recognise the pressure on household budgets, which is why we introduced the national living wage, delivering a 7% pay rise in real terms for the lowest, paid from April 2015 to April 2017. It is why we raised income tax thresholds, saving the average taxpayer more than £1,000 this year and, at the last Budget, froze fuel and alcohol duties for a further year.

Imran Hussain: Under the current business rates system, city centre-based businesses are paying more in rates than large out-of-town-based warehouses, severely restricting the amount that they can put towards wages and hampering wage growth for employees. Will the Chancellor today commit to reforming this outdated business rates system so that businesses are able to pay their staff higher wages while boosting our high street economy?

Mr Hammond: I have already acknowledged the pressure that the high street is under, and it is certainly something that the Government are extremely concerned about. I do not think that we can hold back the tide of changing consumer behaviour, but it is certainly right that we seek to facilitate high streets as they evolve. I remember, when I came into this House 21 years ago, that there was a similar angst among our electorates about the growth of out-of-town supermarkets and the impact that that was having on high streets. High streets evolved and survived and, in many cases, prospered. Now they are facing another challenge and we must help them again to rise and meet it.

Paul Blomfield: Sheffield city region has the lowest hourly pay of any city region, at £1.15 below the national average. A real living wage, action on zero-hours contracts and tougher labour market regulation would transform the lives of hard-pressed working people across South Yorkshire. When will the Government recognise that and do something?

Mr Hammond: The hon. Gentleman needs to look a little deeper. The real answer to low wages is improving productivity. The challenge for this Government—for any Government in this country—is to work with industry, trade unions and training institutions to ensure that we address our productivity challenge. That means investment in infrastructure and skills, support for businesses to improve management and access to capital for growing

businesses. Only when business is growing, successful and productive can it pay the higher wages that we all want to see.

Nicky Morgan (Loughborough) (Con): One of the people most interested in the trends in wage growth and inflation—and who gives the Treasury Committee evidence about that—is the Governor of the Bank of England. Will my right hon. Friend indicate to the House when he expects to be able to let us know about the discussions that he has been having with the current holder of that post about extending his position?

Mr Speaker: Not least because he will have important views about wage growth and inflation.

Mr Hammond: I know that he does have such views, Mr Speaker. As my right hon. Friend asked—and I know that her Committee questioned the Governor on this subject last week—I can now announce to the House that I have been discussing with the Governor his ability to serve a little longer in post in order to ensure continuity through what could be quite a turbulent period for our economy in the early summer of 2019. I can tell the House today that the Governor has agreed, despite various personal pressures to conclude his term in June, that he will continue until the end of January 2020 in order to help to support continuity in our economy during this period.

Robert Courts (Witney) (Con): Will the Chancellor please confirm that the income of the lowest-paid has grown more than twice as fast as the income of the very highest over recent years?

Mr Hammond: Yes, thanks to this Government's introduction of the national living wage.

Green Finance

14. **Rebecca Pow** (Taunton Deane) (Con): What steps the Government are taking to ensure that the UK remains at the forefront of green finance. [906791]

The Economic Secretary to the Treasury (John Glen): Green finance is a key Government priority. The Chancellor recently announced the creation of a new green finance institute to ensure that our world-leading green finance expertise is available to UK and international firms. This was the first recommendation of the green finance taskforce, and further responses from the Government will come in due course.

Rebecca Pow: I commend my hon. Friend for the action that the Government have already taken in this area, but does he agree that we should encourage green investment to support new technologies, especially in the energy sector, to help develop devices that can bring down household bills, make us more efficient, waste less energy and cut down on our greenhouse emissions? That is the subject of my ten-minute rule Bill tomorrow.

John Glen: I agree with my hon. Friend. It is absolutely the case that every household and small business will have those advantages by 2020 through the supply of smart meters. According to data from a leading energy supplier, we are already seeing energy efficiency savings of around 4% on annual consumption.

Geraint Davies (Swansea West) (Lab/Co-op): The Minister will know from the UN that by 2050 there will be more plastic in the sea than fish, so will he ensure that the Chancellor brings forward a Budget with a comprehensive fiscal strategy that ensures that plastic producers pay 100% of the recycling and that targets tax on plastics according to their recyclability?

John Glen: We are very interested in that area and have published a response to the call for evidence. I am sure that the Chancellor will have heard the hon. Gentleman's representations.

21. [906798] **Mr Philip Dunne** (Ludlow) (Con): Will the Minister respond positively to the report of the Environmental Audit Committee on green finance, particularly by encouraging investment institutions such as pension funds to consider the long-term risks that climate change may pose to their investee companies?

John Glen: Absolutely. Only two hours ago, the Department for Work and Pensions published its consultation response on pension trustees' duties, which clearly sets out the Government's intention to raise the profile of financially material climate change factors in investment decisions.

19. [906796] **Douglas Chapman** (Dunfermline and West Fife) (SNP): The Minister will be more than aware of the Ernst and Young report earlier this year indicating that Scottish GDP, including Scotland's geographical share of renewable energy, oil and gas, grew at 3.4% as opposed to the UK's 3.1%, despite lots of inaction from the current Government. Will the Government provide Holyrood with the powers over energy revenues to ensure that Scotland can continue with this lead in economic growth and make sure that the green energies of the future are invested in properly?

John Glen: Absolutely. Green energy is very important to the UK economy as a whole; it is just very unfortunate that the rate of growth in the Scottish economy is half as strong as in the rest of the United Kingdom.

Topical Questions

T1. [906803] **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): If he will make a statement on his departmental responsibilities.

The Chancellor of the Exchequer (Mr Philip Hammond): My principal responsibility is to ensure economic stability and the continued prosperity of the British people, both during this period of heightened uncertainty and beyond it after Brexit. I will do so by building on the plans that I set out in the autumn Budget and the spring statement. This Government will continue to take a balanced approach to the public finances that enables us to give households, businesses and our public services targeted support in the near term as well as investing in the future of this country and getting debt down to cut interest costs and deliver fairness to the next generation.

Stephen Metcalfe: South Essex has the potential to play a huge part in delivering on those aspirations, as I and some of my Essex colleagues saw last Friday as we took a Clipper journey from Purfleet out to Southend

and back. It was an extraordinary experience. May I therefore invite the Chancellor to come and join us and see the part that south Essex can play in making Britain great again?

Mr Hammond: I think it comes back to the same point: it depends if my hon. Friend is buying.

John McDonnell (Hayes and Harlington) (Lab): There are only weeks to go now before a deal has to be agreed with our European partners, but there are still mixed messages coming from Government Ministers. The Foreign Secretary says that crashing out of the EU without a deal would be a

“mistake we would regret for generations”,

the Brexit Secretary says that no deal would bring “countervailing opportunities”, and the Prime Minister says that it

“wouldn’t be the end of the world.”

The Chancellor has a critical role to play in bringing some rationality to this debate. The Treasury has calculated that no deal could result in the UK’s GDP being over 10% smaller. Will he outline, and be absolutely clear to some of his colleagues, what that would mean for jobs, wages, investment and living standards?

Mr Hammond: There is no ambiguity at all about the Government’s objective. We want to strike a deal with the European Union based on the White Paper that we have published, which we believe will be good for Britain and good for the European Union. We are devoting all our efforts over the coming weeks and months to securing that deal and protecting the British economy.

John McDonnell: The problem is that time is running out, and increasingly people on all sides of this issue are feeling let down, so let me put this to the Chancellor: can we both try to get the message across to the Prime Minister, who continues to insist that no deal is better than—*[Interruption.]* She continues to insist that a bad deal is better than—*[Interruption.]* I will negotiate that again, Mr Speaker. She continues to insist that a bad deal is better than no deal. Business organisations are clear. The CBI is warning of a “catastrophe”, the National Farmers Union says it would be “an Armageddon scenario”, and, according to the TUC, a no deal Brexit would be “devastating for working people”. So may I appeal to the Chancellor? He knows the consequences of a no deal scenario, so will he now show some leadership and make it clear to his colleagues that he will not accept it?

Mr Hammond: First, I would love to know what it actually said on the right hon. Gentleman’s bit of paper. Let me be very clear to him. I, the Prime Minister and all members of the Cabinet are committed to achieving a deal that protects British jobs, British businesses and British prosperity going forward. That is what we are committed to. He is absolutely right that time is running out. We are working against the clock; we understand that. We will be working flat out over the coming weeks and months to achieve that.

T5. [906808] **Scott Mann** (North Cornwall) (Con): The Treasury will be well aware of the passion that my residents in North Cornwall feel about the scourge of

marine plastics. After the record response to the Treasury’s consultation on single-use plastics, can the Chancellor say how far he is prepared to go in the Budget?

Mr Hammond: First, I recognise my hon. Friend’s long-standing commitment to this cause and the role that his constituency has played in bringing to people’s attention the catastrophe going on with plastics in our oceans. We want to be the first generation that leaves the environment in a better state than we found it, and tackling the scourge of plastic waste is a clear priority to support that. As he said, the response to the call for evidence represents the level of public concern. I want to be clear that we are committed to acting to tackle plastic waste and to using tax alongside other tools to change behaviour. I am working closely with my right hon. Friend the Secretary of State for the Department for Environment, Food and Rural Affairs, and I will bring forward further proposals in the Budget.

T2. [906804] **Wes Streeting** (Ilford North) (Lab): London’s Mayor Sadiq Khan is investing in frontline policing, but like police and crime commissioners across the country, he is swimming against the tide of deep Government cuts, which is why violent crime in the last three years has doubled in Essex, in Cambridgeshire, in Warwickshire, in Hampshire and in Norfolk—the Tory shires. Is it not time for the Government to accept that they need to refocus on cutting crime, not police, particularly in the light of the damning report from the National Audit Office today?

The Chief Secretary to the Treasury (Elizabeth Truss): We have protected the police budget in real terms since 2015. Is it not time that the London Mayor started taking responsibility for what is happening in the city that he is meant to be leading? When it comes to Crossrail and crime, he is not taking responsibility, and he needs to stop passing the buck.

T7. [906810] **Peter Aldous** (Waveney) (Con): Last week, the East of England all-party parliamentary group launched its Budget submission, prepared in conjunction with business and local government. Does my right hon. Friend recognise the region’s enormous economic potential, and will she work with us to unlock it?

Elizabeth Truss: I was delighted to visit my hon. Friend and see the booming businesses in Lowestoft and St. Peter’s Brewery, which is exporting around the world, and Baron Bigod, which I think has the only raw milk vending machine in the whole of the UK. We will look closely at his submission and continue to invest in this vital part of the country.

T3. [906806] **Mike Amesbury** (Weaver Vale) (Lab): With frontline police officers cut by over 22,000 since 2010 and police forces such as mine in Cheshire having their budgets slashed by a massive £56 million—that is a fact—surely the National Audit Office report exposing the crisis in funding for our police service is a wake-up call to the Treasury.

Elizabeth Truss: We have protected police budgets in real terms since 2015. Of course, the nature of crime is changing, and police forces across the country have to adjust to that. We also recently announced a 2% pay rise for frontline police officers.

T9. [906812] **Antoinette Sandbach** (Eddisbury) (Con): When this Government were first elected in 2010, their defining mission was to fix the deficit. Will the Chancellor update us on what progress has been made and how that has benefited my constituents in the north-west?

Mr Philip Hammond: In 2010, the Government inherited the largest Budget deficit since the second world war, at 9.9% of GDP. Our balanced approach to fiscal policy means that we have significantly reduced the deficit by over four fifths, to 1.9% of GDP last year. That has had benefits for all our constituencies, as the economy has continued to grow. My hon. Friend's constituents will have seen that benefit: in the north-west, more than 268,000 more people are in employment over that period, and there are 93,000 more businesses.

T4. [906807] **Toby Perkins** (Chesterfield) (Lab): Anyone who attended the Unison briefing this morning will know how worried local authority workers are about the impact of austerity on the services that they provide. Can the Chancellor reassure them that they will see in his next Budget a level of money that means we do not see many more authorities facing the catastrophe that Northamptonshire has had and that we have all witnessed this year?

Elizabeth Truss: When the Conservatives came into government in 2010, the vast majority of money spent locally was raised centrally, damaging accountability. We have now switched that around, and more money—the vast majority of it—is being raised locally. Of course, we have recently given councils more power to raise council tax, to meet growing demand in areas such as social care and children's services, and we will continue to look at that.

Vicky Ford (Chelmsford) (Con): This summer, we saw the devastation of the collapse of an elevated roadway in Italy. In Chelmsford, the main route into the city is over the Army and Navy flyover, which is now 40 years old. I am not suggesting that it is on the brink of an Italian disaster, but it will need replacing. What funds might be available to assist?

The Exchequer Secretary to the Treasury (Robert Jenrick): My hon. Friend and I met earlier in the summer to discuss the flyover, and she raised concerns then. I appreciate that it has been closed, owing to safety concerns, over the summer. Funding is available through Essex County Council, and of course through her local enterprise partnership, which has received almost £600 million over the spending period.

T6. [906809] **Tonia Antoniazzi** (Gower) (Lab): The Chancellor will be aware of Macmillan Cancer Support's long campaign to introduce a duty of care on financial services providers to ensure that vulnerable customers get the support they need to stop financial problems escalating. The Financial Conduct Authority has now published a discussion paper on the introduction of a duty of care. Will the Chancellor commit to meeting Macmillan to discuss the consultation after it closes on 2 November?

The Economic Secretary to the Treasury (John Glen): One of the first things I did was to encourage the FCA to bring forward that paper, and I would be very happy to meet those involved in Macmillan care again to discuss their concerns following its publication in July.

Paul Masterton (East Renfrewshire) (Con): The Economic Secretary to the Treasury saw at first hand when he visited East Renfrewshire a couple of weeks ago how small businesses are utilising FinTech to become more efficient and agile. What are the Government doing to help more small and medium-sized enterprises, such as First Floors in Giffnock, which he visited, to understand and take advantage of the opportunities FinTech presents?

John Glen: My hon. Friend is absolutely right. It was a privilege to meet David Hepburn at First Floors and see the value of new products. The Government are committed to stimulating more investment in FinTech, and it was a privilege to visit FinTech Scotland, which is doing a lot, too. We have invested a considerable amount to increase the numbers of people who are taking this step to innovate in finance, and with open banking we will see more.

T8. [906811] **Catherine West** (Hornsey and Wood Green) (Lab): In response to a recent written parliamentary question, the Secretary of State for International Development confirmed that she paid her Department's cleaners the living wage—the London living wage. Sadly, when I asked the same question of the Treasury, the response was that Her Majesty's Treasury “does not hold” the information. Will the Chancellor take this opportunity to clarify why he and other Front Benchers do not know how much the cleaners who clean their desks every day are paid, and will he promise to introduce the London living wage not just in the Treasury but for every single cleaner who works in Whitehall?

Mr Philip Hammond: I imagine the reason is that the provision of these services is contracted out, but I will investigate and write to the hon. Lady.

Alberto Costa (South Leicestershire) (Con): The Chancellor can rightly take pride in his policies which result in South Leicestershire having one of the highest employment rates in Britain. On Friday, I am meeting local businesses in Lutterworth, where Councillor Neil Bannister, leader of Harborough District Council, will be hosting a “Meet your MP” session with local businesses. What other positive messages does the Chancellor have for local businesses in Lutterworth and South Leicestershire?

Mr Hammond: In areas of the country like the one my hon. Friend mentions, we have seen a resurgence of the entrepreneurial spirit since the financial crisis, with high levels of employment and good levels of wages. Now we need to see businesses being prepared to invest and innovate to grow productivity so that we can carry on seeing wages rising to create the sustainable high-wage economy that we all want to see.

Mrs Emma Lewell-Buck (South Shields) (Lab): Starving the NHS of finance has led to South Tyneside Hospital being forced into an unpopular merger with Sunderland Hospital. Not only is South Tyneside Hospital losing key services, but staff are at risk of being placed into a private, wholly owned subsidiary where their terms and conditions are under threat. Cuts forcing back-door privatisation are either a deliberate design of the Government's plans for the NHS, or incompetent financial management. Which one is it?

Elizabeth Truss: I find it astonishing that no Opposition Member is prepared to congratulate the Government on the announcement of the £20 billion that we are putting into the NHS because of increasing demand.

Kevin Hollinrake (Thirsk and Malton) (Con): The Chancellor has been an outspoken advocate of a fairer distribution of regional spending. Has he read the letter that we sent him in late July? Will he commit to the Transport for the North strategic investment priorities in his forthcoming Budget?

Robert Jenrick: I know that my right hon. Friend the Chancellor has my hon. Friend's letter. Over this Parliament, we will spend more central Government funding per capita on transport in the north than in, for example, London or the south-east. We will consider carefully the business case for Northern Powerhouse Rail when we receive it from Transport for the North later in the year.

Laura Smith (Crewe and Nantwich) (Lab): This is further to the points raised by my hon. Friends the Members for Ilford North (Wes Streeting) and for Weaver Vale (Mike Amesbury). In the light of the National Audit Office's recent comments that there are signs that police forces are struggling to deliver effective services and that the Government do not know whether the police system is financially sustainable, what real reassurance can the Chancellor give me that police forces will be given a real increase in funding, so that they can cope with growing demand?

Elizabeth Truss: Police force funding has been protected in real terms. The nature of crime is changing, and police forces are reforming to reflect that.

Tom Pursglove (Corby) (Con): Corby and East Northamptonshire are seeing considerable housing growth, and it is essential that the infrastructure keeps pace, so will my right hon. Friend consider a new round of enterprise zone bidding opportunities to support more growth and jobs?

Mr Philip Hammond: I think I will treat my hon. Friend's comments as a Budget submission.

Several hon. Members *rose*—

Mr Speaker: It is time the House heard from Mr Dennis Skinner.

Mr Dennis Skinner (Bolsover) (Lab): For the past hour, we have heard everyone on the Treasury Bench spouting about this wonderful situation that they are in, with money to burn. Why then has Tory-controlled Derbyshire County Council's first decision been to close 20 libraries and cut the hours of every librarian in the county? What is the Chancellor doing to stop it?

Mr Hammond: I suggest that the hon. Gentleman either has a hearing test or relies on the *Hansard* of this session, because he has misheard what we have been saying today.

Kirstene Hair (Angus) (Con): Region deals are an excellent example of Scotland's two Governments working together to make it a better place in which to live and

work. Will my right hon. Friend outline the progress she has made with the Scottish Government to ensure that constituencies such as Angus benefit as much as cities?

Elizabeth Truss: My hon. Friend is right: we have seen a number of beneficial city deals in Scotland, and we have devoted £1 billion to them. I am delighted that we are making progress on the Tay cities deal; I will be visiting the Tay cities very soon to have further discussions.

Rushanara Ali (Bethnal Green and Bow) (Lab): A recent Treasury Committee report on household finances found that arrears to local authorities are growing, and there is an overzealous pursuit of those arrears by bailiffs. The same goes for some central Government Departments. What will the Treasury do urgently to ensure that people are not penalised, and vulnerable households are not criminalised, by the Government?

John Glen: We have made several interventions since we responded in 2014 with bailiff law reform. I have spoken to the Ministry of Justice, and we continue to look carefully at the matter. We have arrangements in place through the Her Majesty's Revenue and Customs time to pay scheme, and the Cabinet Office has its fairness group as well.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Next year, we move into a post-Brexit economy with new global trading opportunities for UK economic growth. Will the Chancellor update the House on his commitment to investing further in the Royal Navy, which is a vital tool for maintaining safe seas and oceans, so that trade coming out of north-east and other ports can be sustained and can underwrite economic growth?

Mr Philip Hammond: I certainly agree with my hon. Friend that the Royal Navy is vital to the defence of Britain's interests around the world, and in peacetime it is the principal way in which we can project our power and military influence around the world. We are waiting for the conclusion of the modernising defence review that is being undertaken by the Defence Secretary with the Cabinet Office. Once we have received that, we will be able to work with the Ministry of Defence to find a way forward out of the very considerable budgetary challenges that that Ministry faces.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): In March, the Government postponed the closure of the childcare voucher scheme to new entrants to 4 October, during the forthcoming parliamentary recess, reflecting concerns about its impact on low-income families in particular. With the closure now imminent, what work have the Government done to assess the impact on low-income families?

Elizabeth Truss: The issue with the current childcare vouchers scheme is that only people whose employers sign up to the scheme are eligible. Under tax-free childcare, everybody will be eligible, regardless of whether they are self-employed or working for an employer. We wanted a bit more time to transition from one scheme to the other. Tax-free childcare is now up and running, and we are ready to transition to that system.

Several hon. Members *rose*—

Mr Speaker: Order. I am sorry to disappoint remaining colleagues, but we must now move on.

Points of Order

12.40 pm

John McDonnell (Hayes and Harlington) (Lab): On a point of order, Mr Speaker. Whether people agree or disagree with the hon. Member for Bolsover (Mr Skinner), he is respected across the House. I invite the Chancellor to apologise for the personal remarks he made.

Mr Speaker: I must say I have never found anything wrong with the hon. Member for Bolsover's hearing. I think it was an off-the-cuff remark. It probably was not the best chosen, but it is a matter for the Chancellor to judge whether he wants to say anything.

The Chancellor of the Exchequer (Mr Philip Hammond) *indicated dissent.*

Mr Speaker: The Chancellor is shaking his head. Fair enough. The right hon. Member for Hayes and Harlington (John McDonnell) has registered his point. Knowing the hon. Member for Bolsover as I do, I very much doubt he will lose any sleep over it.

Mr Dennis Skinner (Bolsover) (Lab): Further to that point of order, Mr Speaker. The only thing I would say to the Chancellor is why doesn't he answer the question? It is pretty clear that he knows the Tory county council has played a blinder by throwing people out of work. That tells you a lot about this economy.

Toby Perkins (Chesterfield) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I am sure it is a genuine point of order, not one of frustration or a Treasury question that was not asked. We look forward to hearing the hon. Gentleman.

Toby Perkins: Thank you, Mr Speaker. I wanted to clarify and correct the record in relation to something I said yesterday. The House will have heard me ask the Education Secretary about Brookfield Community School in Chesterfield, an outstanding local authority school that was forced into being an academy. I said yesterday that it now required improvement and that the governing body was being replaced. I have subsequently been told that I misinformed the House: the school has actually been rated as inadequate, with serious failings. So I wanted to make the House aware, at the earliest possible opportunity, that things are even worse under the Tories' education policy.

Mr Speaker: That is notably candid of the hon. Gentleman. It is certainly not, it has to be admitted, an expression of frustration. He has put his point on the record and I thank him for doing so.

Online Forums

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

12.42 pm

Lucy Powell (Manchester Central) (Lab/Co-op): I beg to move,

That leave be given to bring in a Bill to make administrators and moderators of certain online forums responsible for content published on those forums; to require such administrators and moderators to remove certain content; to require platforms to publish information about such forums; and for connected purposes.

On 18 June 2017, Darren Osborne drove a van into a crowd of people gathered outside a north London mosque, killing one man and injuring 12 people. He had also intended to murder the Leader of the Opposition and the Mayor of London. Just one month earlier, Osborne was a different person with no history of extreme ideology or beliefs. His ex-partner claimed he had been radicalised in just three weeks. The ground was laid by his mental health problems, long-term unemployment and alcohol abuse, but the catalyst was a television drama about grooming gangs in Rochdale. After seeing it, Osborne spent the next three weeks consuming anti-Muslim extremist propaganda online from sources including Tommy Robinson and Britain First, after which he was ready to kill innocent people.

Whether it is inspiring domestic terrorism, young British people being pulled into fighting for terrorists overseas, or facilitating the resurgence of the far right, online radicalisation is a frighteningly dangerous process, which we are not currently equipped to counter. Moreover, the spreading of hate, racism, misogyny, antisemitism or misinformation, knowingly and without any accountability, is dangerous and is having a profound effect on our society.

Our newspapers, broadcasters and other publishers are held to high standards, yet online groups, some of which have more power and reach than newspapers, are not held to any standards, nor are they accountable. It is about time the law caught up. The Bill is an attempt to take one step towards putting that right. It would make those who run large online forums accountable for the material they publish, which I believe would prevent them from being used to spread hate and disinformation, and for criminal activity. It would also stop groups being completely secret.

Most of the examples I will use in my speech relate to forums or groups on Facebook. As the most popular social media platform, it is the subject of the most research and press coverage on this issue. Facebook groups range from a few members to hundreds of thousands. They are run by administrators and moderators, who are charged with upholding Facebook's community standards. Groups are set up to help old school or university friends keep in touch, and for people with a common hobby or interest to come together for the first time. However, there are also numerous examples of forums being used for utterly appalling ends, and deliberately so.

One such group is the Young Right Society, which is run by a Breitbart journalist and was uncovered by Hope not Hate. The charity revealed that the group was "frequently awash with appalling racist"

content, white supremacy, jokes about the holocaust, and antisemitic conspiracy theories. It was also used to organise the members for events. Because it was set to secret, it was only exposed when one member alerted the charity to its existence.

It is not only racism that is allowed to thrive on such forums. Marines United was a secret group of 50,000 current or ex-servicemen from the US and British militaries. Members used the forum to share nude photos of their fellow servicewomen. A whistleblower described

“revenge porn, creepy stalker-like photos taken of girls in public, talk about rape, racist comments.”

That it was allowed to grow to a membership of tens of thousands before anyone thought something had to be done demonstrates the need for greater transparency.

Research by Professor Jen Golbeck of the University of Maryland shows that members of online forums feel at risk of becoming a social pariah in closed groups if they report objectionable posts, so they do not. It is the format of the forums that normalises the content for their members. People will receive far more “likes” for a post to a group, which will be seen by a far wider audience, than something they post about their personal life on their own page, but any posts that go against the grain result in harsh criticism and potential exclusion from the group. That can have a profound effect on society’s attitudes on a number of issues. Many of the people in the forums will not have joined because they agree with the most extreme content, but if they regularly read posts espousing unacceptable or wrong content that go unchecked, it can alter their perceptions.

There are already several examples of such forums having troubling effects in the real world. Canada’s largest far-right organisation started as a Facebook group on which Islamophobic conspiracies were circulated, the claimed Islamification of Canada was criticised, and members were encouraged to send pigs’ heads and blood to mosques—plans that were then carried out.

The most disturbing example I have come across is a forum of 8,000 parents of autistic children here in Britain. It is the sort of group that Facebook might point to as an example of how the site can bring people in a difficult situation together to share their experiences, but it was being used in a truly horrific way. Members told the group that giving their child so-called “bleach enemas” would cure their autism. Several parents carried them out and then shared images of what they believed to be parasites—but which were, in fact, the children’s bowel linings—leaving their children after the process.

The group’s secret setting meant that charities like the National Autistic Society were locked out until one member contacted the police.

One thing we know is that social media companies cannot be relied upon to monitor and regulate the forums themselves. They have proven that time and again.

The Russian Internet Research Agency’s actions in the lead-up to the 2016 US presidential election show that these forums are an open door to our democracies. Our political parties are also struggling with the phenomenon. Abusive and hateful views and misinformation about politics or politicians can quickly take hold unchallenged, and unacceptable views can become normalised, such as antisemitism or that violence is an appropriate political tactic.

I am talking not about censorship or small private gatherings but about accountability for powerful and large-scale publishing and sharing. Social media can be a wonderful thing that brings together people who might otherwise have never met, but there is no reason why we cannot maintain that while also regulating the space to prevent its abuse. So far we have largely left the online world as a lawless wild west. If 1,000-plus people met in a town hall to incite violence towards a political opponent, or to incite racism or hate, we would know about it and deal with it. The same cannot be said of the online world.

Figures from the House of Commons Library show that, in 2007, 498 people were convicted under the Communications Act 2003 for sending grossly offensive messages. After a decade in which social media became a prominent part of most people’s lives, this figure had nearly tripled, but the Act they were convicted under was passed in 2003, before Facebook even existed. Stalking and harassment represent 60% of online crime, but, despite the increase, online hate crimes are still rarely prosecuted and go largely unreported. Our laws desperately need to catch up. Today I am proposing a small step to establish clear accountability in law for what is published on online forums and to force those who run the forums no longer to permit hate, disinformation and criminal activity. I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Lucy Powell, Nicky Morgan, Robert Halfon, Robert Neil, Mr David Lammy, Anna Soubry, Mr Jacob Rees-Mogg, Ruth Smeeth, Luciana Berger, Stella Creasy and Jess Phillips present the Bill.

Lucy Powell accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 263).

Yemen

Emergency debate (Standing Order No. 24)

12.52 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I beg to move,

That this House has considered the recent escalation of violence in Yemen.

I thank you, Mr Speaker, for granting this urgent debate under Standing Order No. 24. With the United Nations Human Rights Council and General Assembly this month, we are approaching what could be a pivotal moment in the Yemen conflict. I am extremely grateful to colleagues from all parties who supported my application yesterday, and I am pleased that the House has this opportunity to consider the ongoing conflict in Yemen before the conference recess.

This has been an ugly conflict, with all warring parties committing atrocities. The Houthi attack on Riyadh's main international airport last year was described by Human Rights Watch as

"most likely a war crime",

while there have been widely documented civilian deaths attributed to the Saudi-led coalition. The Houthis have been accused of indiscriminate shelling of civilian areas, of besieging the city of Taiz and of using "wide area effect" munitions in built-up parts of Yemen. If confirmed, these acts would constitute violations of international humanitarian law. Our aim must be to ensure the protection of civilians, humanitarian workers and supplies, as well as working through diplomacy to bring all the parties together around the table to negotiate peace.

Tragically, August was one of the most violent months so far in this conflict. In the first nine days of August alone, it is estimated that more than 450 civilians lost their lives, including 131 children—nine days, 131 children! Three events, in particular, stand out: the coalition attack on 2 August on a market and hospital, which killed 55 and injured 130; a week later on 9 August, the coalition airstrike that hit a school bus full of children, killing 40 children and leaving 56 injured; then on 23 August, at least 22 children were killed trying to escape fighting in the port town of Hodeidah.

Abdul's son was one of those who died in the 9 August school bus attack. The bus, he says, was returning from a picnic. As he searched through the wreckage of the bus to find the remnants of his son, he broke down and said, "I didn't find any of his remains, not a finger, not a bone, not his skull—nothing." The parents of those killed cannot even hold a proper funeral because of security concerns. This is the horrifying reality for the people of Yemen. Families are losing children every day.

To my knowledge, the Government have not condemned these August attacks. A statement by the Department for International Development and the Foreign and Commonwealth Office earlier this month expressed "serious concern" and welcomed the speed of the coalition's investigation into the school bus airstrike. That is too soft. We need a strong, clear and firm condemnation by our Government of these attacks.

Wes Streeting (Ilford North) (Lab): I am grateful to my hon. Friend for securing this debate. I, too, was deeply troubled by the lack of a firm condemnation from the Government. Does he agree that simply asking

the coalition to investigate its own misconduct is not enough, and does he understand the concern felt by many of our constituents about our complicity in these actions given our association with a coalition that has shown callous disregard for human life and human rights and dignity?

Stephen Twigg: I concur entirely with everything my hon. Friend has just said. On an independent investigation into these atrocities, time and again in debates on this issue in the House, the point has been made that we need a fully independent UN-led process that looks at all allegations by all sides—the Saudi-led coalition, the Houthis and others in this multifaceted conflict.

Mr Philip Hollobone (Kettering) (Con): On callous disregard, would the hon. Gentleman refer to the fact that the Houthis are launching drone boats against commercial shipping, recruiting child soldiers and killing those who will not join the military, and have sown 500,000 land mines, posing a mortal danger to innocent civilians? It is important in this debate to get the balance right.

Stephen Twigg: The hon. Gentleman is absolutely right, and I similarly concur with everything he has just said. I have already spoken about a number of the Houthi atrocities—the attack on Riyadh that Human Rights Watch described as almost certainly a war crime, and the siege of Taiz—and in a moment I will come on to the specific issue he has rightly drawn to the House's attention, which is the engagement of child soldiers in the conflict by a number of different parties, but particularly, as he says, the Houthis.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I completely concur with the points my hon. Friend has just made about the indiscriminate attacks by the Houthis, including the rocket attacks, the indiscriminate artillery shelling and many of the other issues. Does he share my frustration that, despite the Saudi Foreign Minister and the Saudi Government repeatedly promising to provide the results of the investigations of the Joint Incidents Assessment Team into these attacks over the past few years, we have not seen reports into all those incidents? That is why we need an independent UN investigation.

Stephen Twigg: I thank my hon. Friend, who has done fantastic work on this issue over a long time, and agree absolutely with his comments. Others in the debate may wish to enter into that aspect of the discussion.

Crispin Blunt (Reigate) (Con): In opening this debate, the hon. Gentleman has, to a degree, drawn an equivalence between the behaviour of the Houthis and that of the coalition. The truth is that we are actually on the side of the coalition, which is unanimously endorsed by the UN Security Council. It is trying to suppress the Houthi rebellion, which is against the legally constituted Government of Yemen, and while we will rightly have serious criticisms of how the coalition is carrying out its operations, in the end it is our coalition, endorsed by the United Nations. It is important that it is held to account, but it is also important that we understand that it is trying to do the job of the international community.

Stephen Twigg: Let me make two points. First, international humanitarian law applies, whether the alleged violations are committed by a recognised Government or by a rebel force. In fact, surely we have a greater responsibility to condemn the actions of those whom the hon. Gentleman has described as our allies if they are acting—as has been widely alleged—in violation of international humanitarian law.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Does my hon. Friend agree that it is unfortunate that we have not had a proper debate about our involvement in the coalition of which, as we have just heard, we are apparently part? It is particularly concerning that we continue to sell arms to the coalition, but do not investigate some of the atrocious issues that my hon. Friend and others have raised.

Stephen Twigg: My hon. Friend, who is a new Member, has already made his mark on both the International Development Committee—which I chair—and the Committees on Arms Export Controls, which is especially relevant to this debate. In a moment, I shall deal with the issue of our arms sales to members of the coalition, particularly Saudi Arabia.

Chris Law (Dundee West) (SNP): The hon. Gentleman is making an eloquent speech and is already presenting a very balanced argument about who is to blame. For me, however, the biggest cause for concern is the support for a Saudi-led coalition that has imposed an embargo—basically a siege—on the port of Hodeidah. Millions of civilians will be affected in respect of food and resources, which could lead to the largest famine that we have ever seen in the middle east.

Stephen Twigg: The hon. Gentleman, who is an active member of the International Development Committee, has anticipated the next part of my speech. In the light of that, I shall plough on.

Mr Andrew Mitchell (Sutton Coldfield) (Con): Just before he does so, will the hon. Gentleman give way?

Stephen Twigg: Of course.

Mr Mitchell: I am most grateful to the hon. Gentleman. We have heard that we are supporting the “legitimate” regime in Yemen. Does the hon. Gentleman agree that President Hadi’s regime was elected on a ballot paper with only one name on it, that his term of office has long since expired and that he spends most of his time either in Riyadh or offshore, on an Emirati warship? He is one of the few Presidents who have to make a state visit to their own countries.

Stephen Twigg: The right hon. Gentleman has expressed that very well indeed, and I pay tribute to his sterling efforts on this issue. Unlike me, he has visited Yemen during the conflict. I think that what is really important—and I shall return to it in a moment—is for us to enable all the different parties to come together to undertake a peace process. That is surely something on which all of us can agree.

John Spellar (Warley) (Lab): Should not the answer to the right hon. Member for Sutton Coldfield (Mr Mitchell) have been that President Hadi’s is the legitimate Government because it is the Government recognised by the United

Nations Security Council? Were that not the case, the position would be entirely different, but is that not the clear position, which is being flouted not only by the Houthis but, very deliberately—and I hope that my hon. Friend will come on to this—by the theocracy in Tehran?

Stephen Twigg: Clearly, the United Nations Security Council recognises that Government, but I think that the right hon. Member for Sutton Coldfield (Mr Mitchell) made a very fair point in assessing the level of support that President Hadi actually has now in Yemen. I think that if we are to secure a meaningful peace process for Yemen, that will be determined on the streets of Yemen, not in the corridors of New York and votes in the Security Council. My right hon. Friend was right in saying—as did the hon. Member for Reigate (Crispin Blunt)—that the Security Council’s position is to recognise the Hadi Government, but what he said does not contradict the powerful point made by the right hon. Gentleman that the level of popular support for that Government in Yemen is at least open to question, to put it very mildly.

Let me now deal with the position on Hodeidah, which was raised earlier. When the Minister responds, will he tell us what is the British Government’s view of the coalition strategy there? Does he agree with me that in the light of the attempts to restore a peace process, to which I shall return in a moment, the coalition should halt its military offensive in Hodeidah so that peace can be given a chance in Yemen?

The American Congress has taken a strong line on recent events, and I encourage the British Government to reflect on that. Lawmakers in Congress have signed amendments which would provide for greater scrutiny of US arms sales and would make it a condition of ongoing US support for the Saudi coalition that the Secretary of State should certify that the coalition is supporting peace talks, improving humanitarian access and reducing the number of innocent casualties. Todd Young, a Republican senator from Indiana, has said:

“The actions of the Saudis in Yemen undercut our—American—

“national security interests and our moral values—exacerbating the world’s largest humanitarian crisis.”

May I invite the Minister, when he responds, to agree with Senator Young in that regard?

Lloyd Russell-Moyle: Does my hon. Friend also share my concern about the fact that the head of the Export Control Organisation, which controls arms sales here in Britain, advised the Minister in 2017 that he thought it would be “prudent and cautious” to suspend licences, “given the gaps in knowledge”

that the British have about the humanitarian results of use of our weapons? It is concerning, is it not, that the Minister overturned that official advice and continues to allow sales?

Stephen Twigg: I do share my hon. Friend’s concern. I hope that he will catch your eye later, Mr Speaker, so that he can elaborate on that important aspect.

I am pleased to see that the Chair of the Foreign Affairs Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat), is with us. Yesterday his

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Committee published an excellent report entitled “Global Britain: The Responsibility to Protect and Humanitarian Intervention”. It recommended that

“The Government should update its protection of civilians in armed conflict strategy to include a focus on the use of explosive weapons in populated areas. As part of that strategy the Government should set out the measures it is taking to reduce the impact of these weapons on civilians and on the essential services that civilians rely on, such as healthcare facilities.”

I urge the Minister to respond positively to that recommendation when the Government consider their response to it, and, in particular, its central relevance to the situation in Yemen.

The sharp increase in the civilian death toll must surely act as a reminder to us all that this conflict is far from over. August also saw the release of the report on the conflict by a United Nations panel of experts on Yemen. It is a damning report, and it is damning of all sides, saying that all the parties are “responsible for a violation of human rights”, including rape, torture, disappearances, and the “deprivation of the right to life”.

As we heard earlier from the hon. Member for Kettering (Mr Hollobone), children as young as eight are being conscripted into the conflict, in a clear violation of the convention on the rights of the child. It is estimated that in 2017 alone, 800 children were conscripted, mostly—as the hon. Gentleman rightly said—by the Houthis.

The experts’ report says that some of these horrendous atrocities could amount to war crimes and that the international community should “refrain from providing arms that could be used in the conflict”. Spain recently cancelled an arms deal with Saudi Arabia over concerns that such weapons were being used in the war in Yemen. As I said earlier, there is also a live debate in the United States about American arms sales to the coalition. May I once again urge the Government to consider suspending the sale by the United Kingdom of arms that could be used in Yemen?

Chris Law *rose*—

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

John Spellar *rose*—

Stephen Twigg: Three Members wish to intervene, and I will give way to them in the order in which I saw them.

Chris Law: Does the hon. Gentleman agree that this debate is happening not just in Parliament, but throughout these islands? According to the findings of a YouGov poll, released this week, just one in 10 of the British public supports UK arms sales to Saudi Arabia, and one in six believes that they promote British values and interests. This is a dead duck, and almost no one in these islands believes in it. I hope that the Minister will say a bit more about that when he responds to the debate.

Stephen Twigg: My friend the hon. Gentleman expressed that point very well.

Hilary Benn: In supporting my hon. Friend’s call for a suspension of arms sales pending an investigation, which the Leader of the Opposition—who is in the

Chamber—and I in my previous capacity jointly made a couple of years ago, does my hon. Friend not agree that this is a matter of the law? I know that there has been a legal case, but criterion 2c says very clearly that a licence should not be granted

“if there is a clear risk that the items might be used in the commission of a serious violation of international humanitarian law”.

Are not the incidents in August merely further proof that breaches of international humanitarian law are being committed by the coalition?

Stephen Twigg: I pay tribute to my right hon. Friend for the role he has played on this issue over a significant period of time, and I absolutely share his view. I know there are different views about this in the House, and we had a fundamental difference of view on this in the Committees on Arms Export Controls in the previous Parliament, but I share his view, and I fear that our approach to this as a country undermines our credibility as a force for good in the control of arms around the world.

John Spellar: In my hon. Friend’s considerations in coming to that conclusion, does he give any weight to the tens of thousands of skilled aerospace workers, and their families and their communities, who depend on the military aircraft, let alone the whole aerospace supply chain which is vitally important for our industry? Should we not be thinking about them as well?

Stephen Twigg: My right hon. Friend is of course right to say that one of our considerations in having a policy on the defence industries must be the work for those who are in those industries, but we have not only signed up to a set of laws in our own country, in Europe and internationally on arms control. We have taken the lead in international forums, and those laws and rules have very little meaning if we are not prepared to enforce them, and enforce them consistently.

Victoria Prentis (Banbury) (Con): As the hon. Gentleman said so graphically, we have heard different views from different sides in this difficult issue. Does he agree that we operate one of the most robust arms control regimes in the world at the moment, and would it not be sensible to wait for the conclusion of the judicial process in the UK? The matter is being very carefully considered by the courts, and it was in the divisional court last year, which found for the Government.

Stephen Twigg: I am of course aware of the court case, and the hon. Lady is right that that process will move forward. She is right, too, that on paper we have some of the strongest and most robust controls in the world, but the test is in the reality of what we do, and our country has not been turning down licences for the members of the Saudi-led coalition, unlike other countries. That raises concern about the practice, as distinct from the theory, of our robust approach to arms control in this country.

Leo Docherty (Aldershot) (Con): I thank the hon. Gentleman for giving way and for calling this debate. Does he not agree that in considering our support for the coalition, it is important to understand that it is also fighting against al-Qaeda in the Arabian Peninsula?

Should we not commend the efforts of Emirati troops who have liberated Mukalla, which is a common security benefit for us all?

Stephen Twigg: The hon. Gentleman makes a fair point. This conflict is multifaceted; it is not simply two-sided. AQAP is a security challenge that predates the Yemen conflict and there is a further element to which I will refer in a moment: the north-south element of this conflict. However, all of us will of course agree that the defeat of al-Qaeda is of absolutely crucial importance.

Mr Mitchell: Is this not at the heart of the complications of this conflict: on some occasions we have found, to our horror, the coalition engaging in battle with the Houthis and supported by ISIL and al-Qaeda, the very people who, as my hon. Friend the Member for Aldershot (Leo Docherty) says, we profoundly oppose?

Stephen Twigg: The right hon. Gentleman expresses his point very powerfully.

The mandate for the UN panel of experts to continue its work is one of the topics being considered at the UN Human Rights Council meeting which started this week. It is vitally important that the work of this group is able to continue so that it can ensure that all potential violations of international humanitarian or human rights law by any side in this conflict are investigated thoroughly by a neutral panel. There is serious concern that, at the HRC, Saudi Arabia and the UAE might try to block the extension of the panel of experts' mandate. Will the Minister say when he responds to the debate whether the UK Government believe that the coalition may well try to do that, and if so how will the UK work to ensure that this vital body can continue? In particular, will he confirm to the House today that the UK will give its support to the work of the panel when this issue is debated in Geneva?

Also in Geneva, the UN special envoy was due to hold the first round of consultation talks on peace in Yemen last week. The Houthi delegation failed to turn up, citing claims that they were not guaranteed safe return to Yemen once the talks were finished. Geneva has the potential to be a major step forward for a peaceful resolution to the conflict. Martin Griffiths, the UN special envoy, has said that this latest impasse does not mean that the talks are dead, and he is visiting Sana'a to meet Houthi leaders to agree a new timetable for talks.

John Howell (Henley) (Con): Why does the hon. Gentleman think the Houthis did not turn up to that meeting? The demands they made show they were not serious about attending in the first place.

Stephen Twigg: The hon. Gentleman anticipates what I was going to say next. I was going to ask the Minister the question the hon. Gentleman has asked me, on the basis that the Minister is probably rather better briefed on these matters than I am. So I ask the Minister for the Government's assessment of the reasons for the non-attendance of the Houthis. What will the UK do to help facilitate their participation so that the talks can get under way as soon as possible?

Keith Vaz (Leicester East) (Lab): I commend my hon. Friend on his excellent speech.

It is deeply disappointing that the peace talks did not proceed, but does my hon. Friend not agree that here is an opportunity for our Government to call together the Quint in London in order to keep the peace process going? We simply cannot wait for Martin Griffiths; we need to take the initiative and we need to hold talks here. President Macron managed to do it in Paris; we should be doing this in London.

Stephen Twigg: I pay tribute to my right hon. Friend's work, not least with the all-party group on Yemen. Again, he has anticipated the next part of my speech. A meeting of the Quint would be a very welcome move by the UK, and of course we hold the pen on Yemen in the UN Security Council, which places a responsibility on us to increase our efforts to bring the parties around the table and seek a peaceful solution.

Stephen Doughty: It is my understanding from speaking to contacts in the region that some of the Houthi leadership did in fact want to attend those talks. Does my hon. Friend agree that we must make space for those talks to proceed and for the work of Martin Griffiths, that we must look at other options, as my right hon. Friend the Member for Leicester East (Keith Vaz) has just suggested, and that the worst thing that can happen at this stage is an all-out assault on Hodeidah, both in terms of the cost in lives and also the potential for undermining the possibility of peace talks?

Stephen Twigg: I absolutely agree with both parts of what my hon. Friend says. That point illustrates once again the complexity of the situation. None of us has any illusions about the Houthis, and none of us, I think, has any illusions about Iran and its role, but if we are to get a peace process going, we are going to have to engage with people, including some pretty unsavoury people; we will have to do that if there is to be any chance of bringing peace to Yemen. I also urge the Government to seek an immediate ceasefire so that we can work constructively with the special envoy towards peace.

John Howell: The hon. Gentleman has, for the first time in his speech I think, mentioned the "I" word: Iran. How are we going to achieve peace in this situation unless we involve Iran at the beginning and stop the massive export of weapons from Iran to the Houthis?

Stephen Twigg: The hon. Gentleman is absolutely right to say that Iran needs to be fully engaged in this process. The war is often described as a proxy war between Iran and Saudi Arabia, but that is quite simplistic. The situation is far more complicated than that, although that is definitely one of the dimensions. We know of the damage that has been done by Iranian influence in the Syrian conflict, so there are no illusions at all about Iran.

I have sought to highlight the atrocities of the Houthis as well as those of the Saudi-led coalition, because it is incredibly important to take an accurate and balanced approach to these questions. Those atrocities have contributed to the scale of the humanitarian catastrophe. The statistics are shocking: 22 million people in Yemen

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are in need of humanitarian protection and assistance, and half of them are children. That is actually 4 million more children than was the case six months ago. I checked that figure when I was preparing for this debate, because it sounded so dramatic: 11 million children are now affected.

Famine, the denial of access to goods, the destruction of medical and educational infrastructure and mass outbreaks of cholera and diphtheria are the daily reality of life for the people of Yemen. Petrol, a key commodity, has more than doubled in price, which is severely debilitating transport and healthcare. The transport issue is hugely important; if goods and aid cannot be moved throughout the country, people will clearly continue to suffer on the edge of starvation.

Let me praise the Department for International Development, which has a positive story to tell when it comes to Yemen. Since the beginning of the conflict, DFID has allocated more than £400 million to help to relieve the humanitarian crisis. That money has helped more than 1 million children and pregnant women to get food and medicine, supported children through education and reached around 650,000 people through water, sanitation and hygiene programmes. That work would not be possible without the dedication and skill of those delivering those programmes on the ground. Those aid workers put themselves in great personal danger to help to relieve the suffering of some of the most vulnerable people in the world, and it is our duty to ensure that they have the resources they need to carry out their work and to do so in as safe an environment as possible.

The UN group of experts highlights the lack of proportionality in the use of blockades across Yemen, which it says

“have had widespread and devastating effects on the civilian population”.

This is further deepening the humanitarian crisis on the ground. Civil servants in Yemen have not been paid for years, and the rial, Yemen’s national currency, has lost more than half its value since the beginning of the war. Over recent weeks, citizens have taken to the streets of Aden to protest against the ongoing economic turmoil in their country. The situation could represent a turning point in the south, where instability threatens to spill over and create more conflict between the Hadi Government and the southern separatist movement.

When this conflict is eventually resolved, there is a huge risk of leaving behind a lost generation of young people whose lives have been ravaged by conflict. Will the Minister tell us what the British Government will do, when the conflict ends, to support rebuilding in Yemen? The time is surely ripe for real, meaningful action. With the UN Human Rights Council and the General Assembly meeting this month, the UK and other parties have an opportunity to pressure the warring sides to get back round the negotiating table. For too long now, we have seen atrocities in Yemen, seemingly without an end in sight. We have an opportunity to act now to prevent further bloodshed, to ensure that civilians and humanitarian aid are protected and to achieve an immediate ceasefire and the resumption of peace talks. Rebuilding Yemen after this conflict will be a huge task,

requiring humanitarian assistance, development aid and diplomacy. I urge the Minister today to affirm the UK’s long-term commitment to Yemen and its people.

1.24 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con): I draw the House’s attention to my outside interests, which are clearly registered in the House of Commons Register of Members’ Financial Interests. I congratulate the hon. Member for Liverpool, West Derby (Stephen Twigg) on securing this debate. The House has shown on no less than three occasions, when you, Mr Speaker, have granted an emergency debate, the deep concern that is felt in all parts of the House about the humanitarian consequences of this dreadful conflict.

The arrival of a new Foreign Secretary is perhaps a good time to take stock of Britain’s position on this matter. Our position very much affects the role we play at the United Nations. As we have heard, this issue is increasingly of salience in a Britain dominated by the Brexit debate, and it is increasingly a matter of concern to our constituents. I do not expect to carry everyone in the House with my remarks today, but the one thing that ought to be able to unite everyone here is the importance of moving from conflict to a ceasefire and negotiations. These conflicts always end either by outright military victory—it is fairly clear that that is not going to happen—or through a ceasefire and negotiation.

I want to look briefly at the position of the three protagonists, starting with the Saudi position. When the Crown Prince came to Britain, I think we were all delighted to see him here. We all thought that he was a breath of fresh air as a result of the changes he was seeking to bring about domestically in his country. It was equally clear, however, that he had a complete blind spot when it came to Yemen. I noticed that there were advertisements for the extraordinary amount of aid that Saudi was giving to Yemen—it is true that it is giving that country an extraordinary amount, as indeed are we—but it was not pointed out that this was basically the equivalent of punching someone in the face and offering them an Elastoplast afterwards. Night after night, the bombing of innocent Yemeni citizens continues, and there is a complete blind spot in that regard. It would be worth while for those leading this war to study closely what happened to America during the Vietnam war.

Let us consider what is happening in Hodeida. In the past few days, and overnight, the fighting there has intensified, and large numbers of United Nations stores and warehouses are now caught up adjacent to where the fighting is taking place. The UN is bravely trying to take those stores into Hodeida. But just imagine what would happen if the coalition were able to invest Hodeida. Imagine the result of that entirely crackers, bonkers strategy. There is a small number of soldiers on the ground and some naval assets offshore attacking Hodeida, and an almost equivalent number of Houthi fighters dug in in the city resisting them, as well as a population of between 300,000 and 400,000 people. If that crazy strategy were to work, and the coalition were able to take Hodeida, it would then hold the port through which more than 80% of all the food required in Yemen comes in. It would also be responsible for looking after the 300,000-plus citizens there, who would have had their infrastructure smashed and who would be without food and the basic sustenance of life.

Tom Tugendhat (Tonbridge and Malling) (Con): My right hon. Friend has served in uniform, as have I, and he knows the complexities of trying to run states that have collapsed. Does he remember, as I do, those moments in Basra after the invasion of Iraq in 2003? Many of us were on the streets, looking around and trying to establish which way was up, and the locals would come up to us and ask us things. Someone responded by saying, “You must ask the Government about that,” to which the response was, “You are the Government. You have removed the Government and now you are the Government.” That is the problem that our Emirati and Saudi friends could face if they continue with this absurd strategy.

Mr Mitchell: My hon. Friend is absolutely right. He brings to this debate his thoughts and experiences as the Chairman of the Select Committee, and he has served extremely bravely in combat zones in the past.

I am using Hodeida as just one example—

John Spellar: Will the right hon. Gentleman give way?

Mr Mitchell: I will give way to the right hon. Gentleman, my neighbour, in just a moment. I just want to finish this point. I am only using Hodeidah as one example of this crackers, crazy strategy whereby the Saudis are, to use my words and the words of the Minister, on a hiding to nothing. They are going to be humiliated. As for the Shia-Sunni divide, as referred to by the hon. Member for Liverpool, West Derby, who started this debate so well, the Iranians are scoring a cheap victory and will be laughing up their sleeves, and the Saudis are playing into the Iranians’ hands. That is what I wanted to say about the Saudi position, so I will now give way to the right hon. Member for Warley (John Spellar), who is my constituency neighbour.

John Spellar: I thank the right hon. Gentleman for giving way. Will he address whether the Houthis are using their position to steal the food that is being brought in? They are using food as a weapon by depriving anyone who does not support them and making huge sums of money to finance their vicious rebellion.

Mr Mitchell: The right hon. Gentleman may well be right. There are no good guys in this appalling conflict. I am certainly not standing up for the Houthis, but he needs to address the military position that I have described, which is why the Saudis are on such a hiding to nothing. All that I will say on the Houthis is that I met President al-Sammad on my visit to Yemen, and it was probably a mistake for the Saudis to kill him in an air attack when he was one of the doves among the Houthis who might have assisted in the negotiations that I was describing.

Crispin Blunt: I am afraid that my right hon. Friend cannot get away from the fact that there is a perfectly sensible alternative analysis here. Hodeidah is the vital ground in this conflict, and it is the control of Hodeidah that finances the Houthi rebellion through all that it rakes off from the international aid coming through the port. If Hodeidah is secured by the coalition, the conflict will be on the way to being sorted. It is our responsibility to help the coalition to deliver that objective. There have been endless opportunities for a political process, and the Houthis simply did not turn up to the latest one, which was the last of a long list of efforts.

Mr Mitchell: My hon. Friend is a distinguished former soldier, but he is not addressing the military aspects of how that point would be reached. Even if he is right that whoever controls Hodeidah is in a strong position, the coalition will nevertheless have to take and look after Hodeidah, and my submission is that there is no chance of it being able to do so.

Turning to the Yemeni position, the country is in complete and total chaos. A famine looms, and I described to the House in a previous emergency debate what it is like watching a child first starve and then die as a result of famine. This is a man-made famine, and we are part of the people who are creating it. The infrastructure that has been destroyed by the coalition and the advancement of medieval diseases that have been eradicated throughout most of the world underline that point. Bombing by the Saudi air force happens night after night, killing innocent civilians. The people of Yemen know that the UK and the US are involved. It is written all over the walls in Sa’dah, which I had the chance to visit. They know who is to blame. Equally, British-led groups are also trying to clear mines, which shows the confusion. All that means that a younger generation of Yemenis see what is happening and hundreds and thousands of them are prey to the immoral advances of terrorists. They are prey to those who tell them who is causing the situation and then radicalise them.

Wanton damage is so prevalent in Yemen. I went to the location of the funeral where so many innocent mourners were killed by the Saudi air force. We heard about the murder of innocent children dressed in the blue colour of UNICEF while out on a picnic—40 of them killed in what has quite rightly been described as a war crime.

Stephen Doughty: The right hon. Gentleman is giving an excellent speech, and I completely agree with him. I am sure that, like me and others, he has had contact with senior military officials in the Saudi Government, so does he share my frustration that, despite repeatedly discussing avoiding targeting humanitarians, hospitals, schools and civilians out in the open as he described, they keep on making these terrible mistakes? We are so fearful of an all-out assault on Hodeidah because they have shown repeatedly that they cannot avoid killing civilians.

Mr Mitchell: The hon. Gentleman makes a good point, but my point is that it would be hard to find a more eloquent and effective recruiting sergeant for those who wish to do us ill than the policy that is being pursued by our Government.

Finally, I come to the position of the British Government. We hold the pen on Yemen at the United Nations, and we know that a presidential statement, drafted by Britain, had to be suppressed by the Norwegians, the Russians and the Swedes. We are increasingly nervous—let us not beat about the bush—about a diminution of Britain’s influence at the United Nations. My submission to the Government is that the UK needs to move from outright support through the coalition for our friends in Saudi Arabia to a much more neutral position, using our moral authority not to protect the Saudis, but to save them from the ignominious fate that so clearly awaits them in Yemen.

Anna Turley (Redcar) (Lab/Co-op): The right hon. Gentleman is being generous with his time and is making some powerful points. Will he join me in urging our Government to support the UN High Commissioner for Human Rights, who said last week:

“It is crucial that there be...international and independent investigations into all allegations of violations of international humanitarian law”?

We know that such violations are happening, and we need an international investigation. Will the British Government please do that?

Mr Mitchell: The hon. Lady is right on that point, not because a Saudi-led investigation will necessarily be false, but it simply will not be trusted. If I may use a wholly inappropriate analogy, people will think that the Saudis are marking their own homework. It would therefore be much better to have an international investigation.

The Minister agrees that the Saudis are on a hiding to nothing, so surely it is the duty of the Saudis' friends and allies to move them to a better place. Some time ago, the British Government took a judgment through the National Security Council that our economic and security relationship with Saudi Arabia took precedence over everything else. I believe that that judgment is now fundamentally flawed, because both our economic and security relationships are being greatly damaged by what is happening in Yemen.

In trying to persuade the Government that we need to move to a position of much greater neutrality, using our power and influence at the United Nations, I hope that the Minister, who understands such things, will reiterate today the importance of supporting without qualification the work of Martin Griffiths, a distinguished British international civil servant, as he tries to move this whole awful experience from fighting to a ceasefire and then to talks. My understanding is that the reason why the Houthis were not in Geneva was that there were no adequate guarantees of safe passage, and Martin Griffiths has specifically said that he wishes to address that point and ensure that the next round of talks, to which he is absolutely committed, are more inclusive and therefore more comprehensive.

The important thing is that we move to a ceasefire and to talks. The talks will be difficult, halting and slow, but as the extremely impressive work of the UN group of eminent experts on Yemen has so clearly stated, the present position is the worst of all worlds for all involved. We must now get a ceasefire and move to talks, which are the route through to the end of this dreadful catastrophe.

1.38 pm

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you for granting this emergency debate on Yemen, Mr Speaker, and I congratulate my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), the Chair of the International Development Committee, on securing it. I will come to his powerful speech in a minute, but on this day of 9/11, especially at this time of day, we should all pause and pay our respects to the almost 3,000 innocent people killed in the attacks on New York and Washington 17 years ago today, including the 77 British victims. Our thoughts are especially with their families, friends and colleagues,

for whom this day always brings such painful memories and to whom we owe a constant duty to fight the scourge of jihadi terrorism wherever it rears its head.

I also acknowledge an anniversary that the events of 2001 have naturally relegated in importance over the past two decades, but one that we should also remember. Forty-five years ago, Salvador Allende, the great reforming, democratically elected socialist leader of Chile, killed himself in the presidential palace in Santiago as the forces of General Pinochet approached to seize power and plunge Chile into 17 dark years of brutal military dictatorship.

In historical terms, this is a dark and painful day, and it is a dark and painful subject that we debate today, but I still thank the Chair of the International Development Committee for raising it, as he has so consistently and insistently. The last time we had an emergency debate on this subject back in November 2017, secured by the right hon. Member for Sutton Coldfield (Mr Mitchell), there was great media criticism because only around 30 Members were present to debate what is still accepted as the worst humanitarian crisis in the world. There may be slightly more Members in attendance today.

When I look back at debates on Yemen over the two or three years since we began to realise the enormity of this crisis, I see that there have been certain constants. The Chair of the International Development Committee, from whom we have just heard, has of course been a constant voice, insisting that wherever the blame for this conflict lies, and wherever our international alliances preside, the only thing that matters is stopping the violence and allowing the people of Yemen to get the humanitarian relief they need.

There have been other constants over the years: my right hon. Friend the Member for Leicester East (Keith Vaz), who is here; the right hon. Member for Sutton Coldfield, who again made a powerful speech today; my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty); my great and esteemed predecessor, my right hon. Friend the Member for Leeds Central (Hilary Benn); and many others who I am sure we will hear from today and who have fought the long and often lonely struggle to give the war and humanitarian crisis in Yemen the attention they deserve, and to rightly condemn the Houthi rebels for their atrocities, their use of child soldiers and their firing of missiles into Saudi Arabia, but also to hold the Saudi-led coalition to account for its actions in this war. Those actions include the indiscriminate airstrikes that have killed thousands of innocent men, children and women; the systematic and targeted destruction of Yemen's agricultural and food infrastructure; and the blockade that has stopped supplies of food, clean water and medicine, jeopardising millions of lives.

For those of us who feel as though we have been hitting our head against a brick wall these past three years, it is easy to feel jaded and to give up hope of ever forcing a change in the British Government's policy or approach, because it seems as though no Saudi atrocity is too much and no Saudi behaviour cannot be excused so that the Government's inaction at the United Nations and their lucrative trade in arms can be allowed to continue.

If we are becoming jaded, all we have to do is listen to the families of the victims of this conflict. They remind us all that if we do not continue campaigning for an end

to this disastrous conflict and Britain's support for it, their numbers and their pain will just continue to grow. I will put on record the words of Zaid Tayyib, a father of five boys from Sa'dah city, three of whom—Youssef, Ahmed and Ali, aged 14, 11 and nine—went on a school bus trip together a month ago, along with dozens of schoolmates.

Mr Tayyib was in the same street as the bus as it returned from the trip, which was when the Saudi missile struck. He rushed to the scene, despite his own pain and shock, to try to help the survivors. When he turned over the body of one young boy, with his blue UNICEF rucksack still on his back, he saw that it was his own 11-year-old little boy, Ahmed. Over the next few hours he discovered his two other children on the bus had also been killed, and he had to break the news to their mother. The hardest news to tell her, he said, was about their nine-year-old boy, little Ali. When Mr Tayyib finally discovered Ali's body, he brought him home and his mother held him like any mother would hold a young child who had just come home from a trip. But with Ali she kept holding on to his lifeless body because she simply could not let him go.

That is the war we are supporting. That is the coalition we are arming. That is the handiwork of the Saudi crown prince, over whom this Government fawned so desperately when they welcomed him here in March.

When Mr Tayyib was asked what he thought of the international reaction to the death of his three sons and of the 37 other children killed in that Saudi airstrike, he expressed his shock at the silence of the international community with these poignant words: "It's as if it was livestock that was targeted, as if it wasn't children that were targeted, as if it wasn't people who were killed."

We owe it to Mr Tayyib, we owe it to his wife, and we owe it to the sons they have lost, and to the thousands of other innocent children who have been killed in this conflict, not to stay silent but to raise our voices ever louder in demanding again the same three things that the Opposition have consistently demanded for the past three years: first, an independent UN-led investigation of all allegations of war crimes in this conflict; secondly, the suspension of UK arms sales for use in this conflict until the investigation is complete; and thirdly, for the UK Government, at long last, to do their job as the penholder on Yemen at the UN Security Council and bring forward a new resolution obliging all sides to respect a ceasefire to allow peace talks and open access for humanitarian relief.

John Spellar: Many of my right hon. Friend's points are extremely valid, and the Government should be undertaking them, but on shutting off plane sales to Saudi Arabia is she prepared, as her next visit, to go to the north-west to say to workers there, their wives and their families that we should shut their factories and destroy their communities? Is she prepared to do that? Because that is the logical consequence of what she proposes.

Emily Thornberry: I am grateful to my right hon. Friend for raising that very serious and very important point. I will put it as I have put it to many of those who work in these factories: no one who makes arms in this country wants those arms to be sold in contravention of national law and international law.

I appreciate that there has been a court case, and I appreciate that there is an appeal. I watched the court case carefully, and I feel that, from those parts of the trial held in open court, there is an overwhelming case that we should no longer be selling arms to Saudi Arabia. Unfortunately, half the case was held in secret court, in which we do not know what happened, so we do not know why the court came to its decision, which frankly, raises a completely different issue about the accountability of secret courts.

Ultimately, no one wants to do anything outside the law, and it is important for our arms industry that sales are done within the law. I know those workers understand that. I do not stand in the way of our arms industry; I stand in the way of our arms industry selling weapons illegally around the world. Frankly, I do not want our bombs and our planes to be responsible for this, and I am quite sure my right hon. Friend does not, either.

Graham P. Jones (Hyndburn) (Lab): Will my right hon. Friend explain how she would resolve the issue of the United Arab Emirates, which by and large buys American, Chinese and French equipment and is operating independently on the southern battlefields within the internal border of Yemen? The United Arab Emirates largely has nothing to do with the Saudi Arabians on those battlefronts. How will the United Kingdom influence what the United Arab Emirates is doing? What exactly has the United Arab Emirates done that she would specifically point out for criticism?

Emily Thornberry: I believe in doing what we can; and I believe in the power of moral indignation; and I believe in the power of being right. I think it is right that we take the right course, and that we hold our head up high. It means that we are more powerful when it comes to being in the United Nations, and we deserve our place on the Security Council by doing the right thing, and by being a moral force in the world. That is what I think.

Increasingly, we are not alone in making the three demands that we have made today. On the first, we heard at the UN this week from Michelle Bachelet, the former President of Chile, whose father in fact served under President Allende and was tortured to death in one of Pinochet's jails. Now she is the new UN High Commissioner for Human Rights. She spoke very powerfully this week, in the wake of the 9 August bus attack. She said it was crucial that there should be

"international and independent investigations...into all allegations of war crimes",

particularly in the light of the apparent inability

"of the parties to the conflict...to carry out impartial investigations."

We in the Opposition could not agree more. But I hope that the Minister of State will later tell us why the Government continue to reject that argument—*[Interruption.]* If I might, I will just ask this question. Why do the Government continue to reject that argument and maintain that the Saudi-led coalition should be left to investigate themselves?

In the context of war crime investigations, Michelle Bachelet continued:

"The recent Saudi royal order...which appears to provide a blanket pardon...to members of the Saudi armed forces...for actions taken in Yemen is very concerning."

[Emily Thornberry]

Well, yes! And I would ask the Minister to explain, if Saudi Arabia is not guilty of war crimes, and if it knows that it has done nothing wrong, why on earth does it need to issue a royal order pardoning the military men “who have taken part in the”

Yemen

“Operation...of their respective military and disciplinary penalties...in regard of some rules and disciplines”?

On the second issue, of arms sales, again we are not alone in our demands. This week, the Spanish socialist Government confirmed that they would join Germany and Norway in suspending arms sales for use in this conflict because of their use against civilians—something Belgium has also been obliged to do, thanks to the position of its own Supreme Court, but which the British Government still refuse even to consider.

Graham P. Jones: Will my right hon. Friend give way?

Emily Thornberry: I want to be able to finish my contribution. Many Members wish to speak and I have already spoken for quite some time. I am sure that my hon. Friend will enlighten us with his views at a later stage.

When even the Trump Administration, in the shape of Defence Secretary Jim Mattis, said in the wake of the bus bombing that American support for the Saudi coalition was not “unconditional”, suggesting that if the coalition could not

“avoid innocent loss of life”,

that support could be withdrawn—when even the Trump Administration is willing to take that moral stance when it comes to arms sales—we are bound to ask this Government why they alone seem to believe that military support for the Saudi coalition should apparently come without conditions, without strictures and without scrutiny.

That brings us to our third demand, which I know has support across this House, including from the all-party group on Yemen. It is this simple request: that the Government do their job—do the job that they have been assigned to do at the Security Council and bring forward a resolution to order an immediate ceasefire on all sides, to allow open access for humanitarian relief and to provide the space and time for what will undoubtedly be a long and arduous process of negotiating a lasting peace and a long-term political solution, rather than what we have seen over the past week, with the Saudi coalition responding to the setbacks over talks in Geneva with an immediate and brutal renewal of its assault on Hodeidah.

Graham P. Jones: Will my right hon. Friend give way?

Emily Thornberry: Next month, it will be a full two years since the UK’s delegation at the UN circulated a draft resolution that would have achieved all those ends—a draft that, had it been tabled, agreed and successfully implemented, could have ended the war long ago and saved the lives of Mr Tayyib’s three sons. It is too late for them, but not too late for all the other children in Yemen, facing a fourth year of war—a fourth year of hardship, of fear, of saying goodbye to their parents each morning and not knowing if that will be the last time. We cannot let this go on. We cannot delay any longer in submitting that resolution at the

Security Council and trying to force all sides to respect a ceasefire to allow humanitarian relief and to proceed, in good faith and with patience, with the Geneva peace talks.

It may be difficult. It may not even succeed. But to borrow a phrase that the Government will understand, from the former Foreign Secretary,

“The scandal”

at present

“is not that we have failed, but that we have not even tried.”

1.54 pm

Tom Tugendhat (Tonbridge and Malling) (Con): It is a privilege to speak here this afternoon on this important subject, and I pay huge tribute to my colleague and friend, the Chair of the International Development Committee, who has done an awful lot of work on this challenge, not just today but over many, many months. I also pay a huge tribute to my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) who speaks with a fluency that comes only from experience.

I am not going to double over what has been said, nor the appalling abuses that we have seen, but if I may, I shall use this opportunity to address our friends in the region—to recognise the challenges that face them, to recognise the assault that is coming to them, and yet to try to persuade them gently that they could think again, and that we, their friends, could help them to do so. There could be no finer advocate of that process than the Minister for the Middle East, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt). He has developed a bond of friendship with many people around the world whose trust stems not just from his post but from his character, which makes him such a powerful advocate, not just for the United Kingdom, but for the interests of our friends and allies around the world.

Perhaps I may start by paying a huge personal tribute to the armed forces of the Emirates, alongside whom I served, as did many others in this House, in Afghanistan. I pay huge tribute to the professionalism that they have demonstrated in other conflicts and to the commitment that they have maintained to the rule of law and to human rights, in a region that is not always famous for those two important values.

I also pay tribute to the reforms that Mohammad bin Salman, Crown Prince of Saudi Arabia, appears to be starting. I encourage him, as I know many across this House do, and indeed Her Majesty’s Government have been very clear in doing, to push down that road with the speed that he thinks is possible—his judgment on this is better than ours. That speed should allow us to see that that great country liberates its people, particularly those who have been oppressed for so long, such as the women, who were liberated in many ways before the Wahhabi revolution closed the doors.

I urge them—those two countries, those two partners, those two allies of ours—to look very carefully at what they are doing in Yemen and to realise that what they are doing is not just damaging them; it is damaging their friends, their allies and their interests. The right hon. Member for Islington South and Finsbury (Emily Thornberry) spoke clearly and well when she explained the tragedies that we are seeing. My right hon. Friend

the Chair of the International Development Committee put it extremely powerfully when he outlined the humanitarian disaster, the price in humanitarian terms, not in financial terms, of the collapsing rial, and what that would mean for the economies of so many. But please allow me, if I may, to move away from the emotional, which we must not forget, and to remember the strategic.

What we are seeing in Yemen today is the danger of the destruction of one of the main points of entry—in fact, the point of entry—to the Red sea. That important seaway, through which much of our commerce travels, is reliant on the peaceful coasts and the control of the Bab el-Mandeb. Today, we are seeing that being put at severe risk. We are seeing the assault on Hodeidah, putting at risk hundreds of thousands of people. We are seeing the danger of that assault tying down armies that are simply not prepared for it.

Mr Speaker, I can assure you that the preparation required to govern a city is something that was even—I say this with no great pride—beyond the British Army in 2003. The arrival in Basra, the effort required, the difficulty of that initial government, was extraordinary, and one that even we did not expect. The idea that the Saudi armed forces or the Emirati armed forces are prepared to take on the civilian government of Hodeidah is simply not true. That is not to impugn the professionalism of their armed forces, their integrity or their honour; it is simply a fact that governing cities is not what armies are trained for. It is a challenge that would be beyond most.

Leo Docherty: My hon. and gallant Friend is making a powerful speech. Does he agree that, aside from the logistical challenge of a conflict environment, we know all too well from painful experience in Iraq and Afghanistan about civilian casualties following airstrikes? That perhaps puts us in a stronger position to help our allies prevent the same.

Tom Tugendhat: I am grateful to my hon. and gallant Friend, alongside whom I served in Helmand and Afghanistan well over 10 years ago. We both had more hair at the time. The truth is that I am setting out this situation not to call into question the integrity or honour of the armed forces of our friends and allies, but to highlight the difficulty and danger they are entering into and the problems they face and to urge that they change tone.

We, too, have made mistakes. I remember mistakes that have happened in units that I have been connected with in which civilians have either been hurt or killed. I have seen the effects of so-called collateral damage, which, let us be honest, is a rather clinical way of talking about the death of innocents. I have seen the impact on lives. I have felt it when I have been to villages and talked to communities with whom we have been trying to work. I have seen the consequences that last, not for hours, days or months, but, rightly and understandably, for generations, as my right hon. Friend the Member for Sutton Coldfield made extremely clear. The cost to us all is enormous.

I urge my right hon. Friends on the Front Bench to talk to our allies. They should go to Riyadh and the Emirates, speak clearly and say to our friends, “This is not in your interest. You are beginning to lose the support of the Senate in the United States. You are

beginning to lose the support of people in this country. You have already lost the support of many in Germany, Spain and other parts. If you are to maintain support and defend yourself against the serious threats that you face and against which you have the right to defend yourself, you need to reform the way you act. That means several things.”

Mr Mark Francois (Rayleigh and Wickford) (Con): I acknowledge my hon. and gallant Friend’s considerable experience of the region, not least from his own military service. He talked about the Saudis facing serious and dangerous threats. In the interests of balance, is it not right to remember that Saudi Arabia has for some time been under a rain of missiles manufactured almost certainly by Iran and fired into the country from Houthi rebel areas? If that were happening in our country, what would our reaction be? What would the headline in *The Sun* be?

Tom Tugendhat: My right hon. Friend is absolutely right. These are real threats, and I am not denying them. Of course we would not put up with a rain of Iranian missiles falling on London, as they are today far too often falling on Riyadh and other towns in the region. We would respond. It is right that the Saudi armed forces are able to respond. I do not question their right of self-defence; I question their tactics. That is where we have to help them see the way.

The truth is that Iran is a direct threat to the Emirates and Saudi Arabia. It is the most extraordinary regime we see today. It is exporting violence. It is deliberately capturing and holding British citizens hostage. It is abusing its own people, murdering hundreds, torturing thousands and exporting violence into countries such as Bahrain, Saudi and, most obviously, Syria. We know that Iran is a threat. We see it, we feel it and we hear it all the time. We now know that Iran is looking to expand its area of operation into the political sphere, copying the Russians.

Graham P. Jones: On the list of actors on this particular stage, would the hon. Gentleman also include Hezbollah? It sends its commanders and troops into the country on fast boats from that Iranian ship parked in the Gulf. To follow up on the question asked by my friend from the Defence Committee, the right hon. Member for Rayleigh and Wickford (Mr Francois), part of the problem we face is that the Iranians are bringing the rockets in on long trucks. The large rockets are taken to market squares, tilted upright into a vertical firing position within 15 minutes, and the Saudi Arabians have a tremendous problem in identifying them and making a decision in minutes about what to do. Hezbollah is involved in that. We almost have a pseudo-terrorist operation. Human shields are becoming a weapon of war in Yemen.

Tom Tugendhat: The hon. Gentleman demonstrates why he was such an appropriate choice for chairmanship of the Committee on Arms Export Controls. His knowledge and expertise are second to none. He makes a clear point, and he is absolutely right: it is not one side “wrong” and one side “good”; two sides are behaving abominably. Iran’s proxies in Hezbollah, who we see fighting today in Syria, are murdering thousands. We see them fighting alongside Russian forces today, seeking

[Tom Tugendhat]

to bring death to hundreds of thousands in Idlib. We also see them fighting in Yemen, trying to slaughter others and trying to further the deaths of innocents.

I return to the point I will dwell upon and hammer home, because it is the one that fundamentally matters, not only to us, as representatives of the British people, but to others, as representatives of their own peoples seeking a peaceful outcome for the conflicts we see today in the middle east. The point is that this war must end, but before it ends and as it ends, it must be conducted legitimately. Does that mean we need to ensure that Saudi Arabia has the missile defence system to resist the rocket attacks that the hon. Gentleman spoke about so clearly? Yes, it does. It means we must recognise that the Saudi Government have a right to self-defence and weaponry that secures that self-defence. Does it mean we should ban them from buying anything? No, it does not. They have the right to defend themselves in the north, where they are facing very serious threats and the possibility of even more serious threats sponsored by Iran through Iraq and Syria. What does it mean for Saudi Arabia and the Emirates? As I have said time and again, they are friends, allies and partners of ours, on whose economies much of our business is based. Let us not forget that energy underpins our economy. It matters to us all.

What is it that we need to do? My friend the Chair of the International Development Committee has been clear, and he is absolutely right. We need to encourage Saudi Arabia and the Emirates to reach out to the international community, the United Nations and the lawful bodies to conduct the investigations that we would demand of ourselves in similar circumstances. We must call upon them to think hard about their targeting strategies. We must call upon them to think about that awful phrase “collateral damage” not just in purely legal terms—the Geneva convention is actually not as clear on it as some say—but in moral terms. What is the end state? What is the effect in military terms that they are trying to achieve by the conduct of these military operations?

Leo Docherty: In considering the endgame, it is very clear from my experience that the coalition wants out, but what does my hon. Friend think could be the motivation of the Iranians and their Houthi allies for coming to the table?

Tom Tugendhat: My hon. Friend touches on the point to which I was reaching: what is the effect that the Saudis, the Emirates and indeed Britain are trying to have in the region? That effect is clear: it is that Yemen goes from being a land of war to what the Romans called Arabia Felix—happy Arabia. At the moment, that is not possible, but what is true is that it demands that others play their part, particularly the theocracy in Tehran. That means that we must cut it off. We must be very clear that we close down its avenues of manoeuvre and we close down its routes to political support. It means that we must shun it; we must shun its TV stations and its radios. We must refuse its money and close off its businesses, because that is having an effect. We are seeing that today in Tehran, and we are seeing it across the country. I am talking about the rising up of many people against those theocrats—those mullahs—who

have murdered thousands, and whose regime of terror forces women into a form of servile second-rate citizenship. That regime denies other religions; denies homosexuals; denies any form of opponent to its theocracy; and denies the legitimacy, the dignity, and the status even of being a human being. That is where our enemy is focused, not in Yemen. To achieve the effect that we need in Yemen, we need to focus on the head of the snake, and not on its tail.

I call on my right hon. Friend the Minister to redouble his efforts, to continue the pressure, to lend Army lawyers and judges, to talk to the United Nations, to lend all the support that we can to help close down the errors that are happening now, to help investigate the tragedies that we have heard so much about, and, most importantly, to change the strategy of two countries that have a glorious future in a happy and peaceful peninsula, but only if they can make sure that they do not sow the seeds of hate in a land that has borne so much culture, so much history and now so much sadness.

2.12 pm

Keith Vaz (Leicester East) (Lab): It is a huge pleasure to follow the hon. and gallant Member for Tonbridge and Malling (Tom Tugendhat). He spoke with great passion and huge knowledge. His connection with Yemen—he learned Arabic when he was in Yemen—is known to us all. As Chairman of the Foreign Affairs Committee, he has to cover the world, so I thank him for coming here today and participating in this debate.

I particularly want to thank my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg)—he is a dear friend whom I have known for more than 30 years—not only for securing this debate but for his very hard work as Chair of the International Development Committee over the past four years. I also thank you, Mr Speaker, for granting this important debate. At a time when there is so much business in the House, you have understood the importance of having an emergency debate. The debate allows us to send a message to the world that, even though there is other business and even though people call this a forgotten war, here in the British Parliament it is not forgotten and many Members of this House are here today to participate.

I also take this opportunity to thank the newly re-elected officers of the all-party group on Yemen: the hon. Member for Glasgow Central (Alison Thewliss) who works so very hard and who is a great and passionate voice for the Yemeni people; my hon. Friend the Member for Sheffield, Brightside and Hillsborough (Gill Furniss); the hon. Member for Dunfermline and West Fife (Douglas Chapman); and the hon. Member for East Worthing and Shoreham (Tim Loughton), who went on a visit with me to Sana’a. We had to send out the guards because he had gone out of the hotel without permission and we were very worried about what had happened to him. He was actually taking some marvellous photographs. That was the last time that we were able to take photographs in Sana’a. It must be very, very different today.

The all-party group released its report on the UK policy towards Yemen in May this year following a six-month inquiry. Entitled “Yemen: The continuing Tragedy”, it is now available on our website. The group made 20 recommendations in consultation with its partners. Present at the launch were my right hon. Friend the Minister for the Middle East, who is always coldthere

when we discuss these issues—I am grateful, as are others, for his very hard work on this subject; the shadow Foreign Secretary, my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry); the Scottish National party spokesman on Europe and foreign affairs, the hon. Member for North East Fife (Stephen Gethins); the shadow International Development Secretary, my hon. Friend the Member for Edmonton (Kate Osamor); along with Mr Eddie Izzard who, like me, was born in Aden, Yemen, and many others.

The report was described by the shadow Foreign Secretary as a “blueprint” for UK policy, but, sadly, four months later, we are still awaiting a response from the Foreign Office to that report. Many of the recommendations are even more pressing following the bloody summer that Yemen has just endured.

I have to say to the shadow Foreign Secretary that she made a stunning speech today, and I was very pleased to see the Leader of the Opposition in the Chamber during part of the debate. As a Back Bencher and as Opposition Leader, he has been a great friend of the Yemeni people.

The current situation in Yemen is a scorecard of shame for the world. We have heard some of the statistics: 22.2 million Yemenis are in urgent humanitarian need; 8 million are at risk of famine; and 11 million people are water insecure. Estimates suggest that, since 2015, more than 6,000 children alone have died because of this conflict; 14.8 million people do not have access to basic healthcare; more than 20,000 people do not have access to critical health facilities; violence against women has increased by 63% since the conflict began; child marriage is up 66% since 2015; and food prices have risen by more than 40% since the conflict began. Fact upon fact brings many of us to tears when we have to recount them.

The escalation in fighting over this summer has been shocking. Back in June on Yemen’s west coast, the coalition forces began an advance towards Hodeidah. This would have had disastrous humanitarian consequences, with the United Nations predicting that it could have displaced 300,000 people. To give him credit where it is due, the Minister did tell Members of this House that the Government were against the advance on Hodeidah and had made that very clear to coalition partners, who, sadly, did not listen to them.

In June, I, along with the right hon. Member for Sutton Coldfield (Mr Mitchell) and the hon. Member for Glasgow Central, co-authored a letter to the Prime Minister calling on her to stop military assistance to the coalition if an attack on the port occurred. This letter has been signed by more than 95 Members of this House, including three Select Committee Chairs, and the leaders of the Liberal Democrat party, the SNP and the Green party. We must all now accept that this conflict will never be settled on the battlefield.

As we have heard, the first report of the UN group of eminent experts was released 14 days ago. It has been eagerly anticipated since the establishment of the group in September 2017. It produced a damning indictment of all sides in the conflict and said that the violations amounted to “war crimes”. The report came out just 12 days after a school bus containing 40 children was blown up by a coalition airstrike, which was allegedly as a result of a US-provided missile.

In May, the all-party group recommended that the United Kingdom should cease selling arms to all sides until the report of the UN eminent experts had been published. In the aftermath of the findings of the UN and of this horrific attack, it is clear that the UK must urgently review its decisions to grant export licences to parties involved in the war in Yemen. To be associated with such actions does a great deal of damage to the idea of global Britain. The United Kingdom Government must use all their leverage with allies to ensure that they continue to champion British values of fairness, justice and human rights in all aspects of foreign policy. As we have heard from the Chair of the Select Committee, the mandate of the eminent experts must be extended to allow them to continue to do their work, especially in the upcoming session of the Human Rights Council.

We have heard about the involvement of Iran in Yemen. It cannot be disputed. The Houthis have continued to fire weapons at Saudi Arabia and these attacks are totally unacceptable, but the response to them must be proportionate. There is also concern about the threat that they will target ships in the Bab el-Mandeb strait—a busy but vital shipping lane.

As we have heard in every single debate, the United Kingdom holds the pens in Yemen. But we seem very reluctant to use these pens. I respect the important work that has been done by Martin Griffiths, and he must be allowed to continue his work, but we urgently need a new resolution before the United Nations so that we can include a ceasefire and stop the prevention of the passage of humanitarian supplies. Through our ambassador, Karen Pierce, we can table this resolution immediately. We held a meeting of the United Nations Security Council only last week, after the events in Salisbury. If we can call such a meeting—if we can use our power as a permanent member of the Security Council for that very important reason—we should also do so for Yemen.

The peace talks convened by Martin Griffiths were, as we have heard, the best chance for peace in Yemen for some time. For the first time in two years, there was a prospect of us moving forward. As the right hon. Member for Sutton Coldfield said, Martin Griffiths deserves our praise for the way in which he has persevered with all the groups—the absence of the Houthis was a bitter blow—but we must ensure that we pick up where he left off. I urge the new Foreign Secretary to invite Secretary of State Mike Pompeo over to London with the Foreign Secretaries of all the other Quint countries so that we can continue the Geneva peace talks in London. Like the Dayton peace accords in the 1990s, this should be driven from the top down. We need to try and try again. It is no good blaming others; we have a responsibility and we must make sure that it is followed.

Graham P. Jones: We all want peace, but there is a pattern that seems to be a roadblock to peace. The Geneva talks have collapsed twice because the Houthis refused to turn up and leave Sana’a. The Kuwait peace talks collapsed because the Houthis refused to come to the peace table. When the outgoing special envoy to Yemen, Ismail Ahmed, had a peace deal on the table in January, he told the UN that the Houthis simply walked away and were not interested in peace. Again, the Houthis did not bother turning up in Geneva last weekend. Does my right hon. Friend recognise a pattern?

Keith Vaz: Yes, there is a pattern, but in difficult and complex problems it is always difficult to get people round the peace table. My hon. Friend knows; he is a politician who perseveres, no matter whether people say that he cannot do something. He carries on and is determined to achieve what he wants to achieve, and that is what we have to do.

The former Foreign Secretary was asked by the all-party parliamentary group on so many occasions why the Quint had not been called together in London. The Minister is one of the most—if not the most—liked Ministers and Members of this House. He is hugely respected and liked. Whenever there is a reshuffle and he is forgotten, there is a huge groundswell of opinion and the Prime Minister has to relent and give him back the job. This is his chance to become Alistair the peacemaker. This is an opportunity that he must follow; I urge him to do it.

We parliamentarians are not going to stand by and wait for Governments. We have identified a number of parliamentarians in Parliaments of Europe—Norway, Sweden, Germany, Spain and the Netherlands—and Congressmen and Congresswomen in the United States, some of whom were mentioned by the Chair of the Select Committee, who are willing to join a parliamentary coalition of peace. On 8 November in Paris, the all-party group will be co-hosting an international parliamentary conference on Yemen, alongside the French National Assembly's France-Yemen friendship group. President Macron at least tried to seize the initiative by holding a humanitarian conference in Paris. I know that our Prime Minister is incredibly busy, but I hope that the Minister will urge her to take the lead as President Macron has done to ensure that we have a conference here on Yemen.

I thank Sébastien Nadot, the Member of the French Assembly for Haute-Garonne, and Fabien Gouttefarde, the chair of the France-Yemen friendship group and a representative of his country, for agreeing to work with the all-party parliamentary group. If Governments are too slow, we in Parliament must move this forward.

Leo Docherty: The right hon. Gentleman is making an eloquent and powerful speech. How does he think that Iran and the Houthis can be compelled to attend such peace talks? Unless there is a compulsion, they will not attend, when—as my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) said—they have so cheaply bought such chaos in Yemen?

Keith Vaz: I did not think that I would say this, but if President Trump can meet the leader of North Korea, which I never believed was possible, it is possible for others to sit down at a table. We just have to make them sit down together. This is the art of diplomacy. It is 17 or 18 years since I was a Foreign Office Minister, so I cannot remember how it is done, but it is possible; and the British Foreign Office is the best at it. If anyone is going to do it, the Foreign Office is. And that is what we need to do.

Let me end by mentioning the horrifying image of the bus attack last month that can be seen on the internet—the haunting image of children, most of whom were under the age of 10, singing and clapping as they went to school. The second film shows the agony of dozens of tiny, bloodied UNICEF backpacks strewn in

the aftermath of the destruction. In a conflict that has led to unconscionable destruction and death across Yemen, this incident, which has been highlighted by every single speaker in this debate—and, Mr Speaker, which I hope was one of the reasons that you granted this emergency debate—will live with us for ever.

When the Minister comes to the Dispatch Box, will he please announce a new round of peace talks? I long to return to Aden—that beautiful city. I actually want to end my life there; I want my last days to be in the beautiful city of Aden, where I was born. Every time I think of the country, what it has been through in the last few years and what we have failed to do, it brings me to tears. Now we see a whole generation being wiped out. Before that, there is a whole generation who are going to hate those who have rained bombs upon them. Britain's task as a leader in world affairs is to convene these peace talks. I beg the Minister to do so.

Mr Speaker: Order. I encourage colleagues to restrict their speeches to no more than 10 minutes, because it is important that the Minister of State has adequate opportunity fully to respond. There will be a Front-Bench speech from the Scottish National party, which is not time-limited. If there is time, the hon. Member for Liverpool, West Derby (Stephen Twigg), who initiated the debate, would ordinarily be asked to conclude it. Therefore, let us ensure that Back-Bench speeches last for a maximum of 10 minutes, although this is an informal exhortation at this point.

2.29 pm

Victoria Prentis (Banbury) (Con): Thank you, Mr Speaker: I take that exhortation extremely seriously.

It is a privilege to be in the Chamber this afternoon with people with such extraordinary expertise—in the case of the right hon. Member for Leicester East (Keith Vaz), a lifetime of expertise—in this region. I praise all those who have kept the faith and continued to speak about the position in Yemen over the years. I, for one, think that we should adopt the new name of “Alistair the peacemaker” for our Minister. We have heard various suggestions from all parts of the House as to what he should do. I would like to put on record that I have complete faith in his experience and abilities to take this forward, to listen to what is said this afternoon and to continue to do his utmost, as I know he has been doing over his years in office, for the people of Yemen.

I will concentrate on the humanitarian situation in Yemen. I see no point in getting stuck into the suggestions that have been made by others, although occasionally, as a former Government lawyer, I find it irresistible to talk about our position on arms sales and how the judicial system is looking at that extremely carefully. I exhort the House to wait for the Court of Appeal. At the moment, only permission to appeal has been granted in this case, and we will have to see what happens. The divisional court ruling of last year is worth reading. I heard what the right hon. Member for Islington South and Finsbury (Emily Thornberry), who is no longer in her place, said about the special advocate system. For better or for worse, it is the system we have in the United Kingdom. We are proud, as the hon. Member for Liverpool, West Derby (Stephen Twigg) said, of Britain's values. We should be proud of our judicial process and allow it to take its course.

We have heard that 22 million people, an unimaginable number, currently need humanitarian assistance, and approximately 10 million are in need of immediate support—support today; this week. The country is currently experiencing famine. There is denial of access to humanitarian and commercial goods, considerable destruction of much of the medical and education systems and massive outbreaks of disease. We heard a bit about cholera earlier, but very little about the diphtheria outbreak, which is causing extraordinary damage. The images we have seen are horrific. We know from the Syrian situation that it is the photographic images that have the potential to change public opinion and to make people care.

I want to focus on the children caught up in this conflict. We have heard a great deal today about the bus attack of 9 August. I found the testimony of Abdul particularly moving. Over 11 million children in Yemen are currently in need of humanitarian protection and assistance. The famine-like conditions are creating irreversible damage to what I fear has already become, in four years, a lost generation. They have been denied education and essential nutrition. Obviously, they are suffering violence and bearing the mental and physical scars from that. We have heard about the small number who have become child soldiers and are very damaged by that, and also about child marriage, which is a sure sign that the safety systems in society have irrevocably broken down. Save the Children has told me that at least one child in Yemen dies every 10 minutes from preventable causes, although it fears that this figure could be much, much higher.

The country is currently experiencing the largest cholera outbreak since records began, with 1 million cases reported. I know that Ministers are just as concerned as I am about that epidemic which, although slowed after an enormous humanitarian effort this summer, is likely to surge again as the rainy season begins. The epidemic is undoubtedly a direct consequence of the war. The non-payment of public sector salaries has, as the hon. Member for Liverpool, West Derby said, led to complete, systemic shutdown. The ever-increasing population of acutely malnourished children, mass displacement, the collapse of the health system and the bombing of water and sanitation networks have also played their part.

At the same time, the country is struggling with the largest diphtheria outbreak since 1989. There have been over 1,000 cases of this highly infectious disease in the country so far. Young children suffer worst; 90% of fatalities are under 15. I am worried to hear that the aid community is struggling to cope with the disease and, frankly, does not know what to do. In an environment where more than half of all health facilities are closed or only partially functioning, there has been an enormous surge in child mortality, driven by communicable—but treatable—diseases such as diphtheria. The fact that so many children in Yemen are deprived of nutrients in their very early years will have lifelong consequences for them if they survive into their adult lives.

I am proud that the Government have been robust in their response, leading the way as they often do on humanitarian issues. We are the fourth largest humanitarian donor to the country and the second largest donor to the UN appeal, but millions of vulnerable Yemenis remain at enormous risk because aid is blocked. Houthi

forces have obstructed the distribution of aid and prevented access. The alleviation of the hunger and famine in Yemen cannot occur until we get access to the Red sea ports. We have heard many of the views of others on this, but I would be grateful for the Minister's views on the long-term future of the port of Hodeidah, how he views that situation going forward, and what his plan is.

Graham P. Jones: The hon. Lady raises aid matters. Was she not appalled, as I was, by the Houthi assault on an aid convoy and aid workers in the last month? Does she not think that when the Houthis demand \$300,000 dollars for every ship that lands at Hodeidah, that is taking food out of the mouths of the poorest and simply propping up high-value cars and swimming pools in this war economy?

Victoria Prentis: The hon. Gentleman speaks with enormous knowledge on this issue, and I listened very carefully to what he said earlier. The port of Hodeidah is in a horrific situation. I am always surprised that it does not have the media coverage in Britain that, for example, the current siege in Idlib has. What is going on there is truly iniquitous. On a purely commercial level, this is our aid that we have paid for that is not getting to the recipients who need it so desperately. It is right that we focus on that, and I hope that the Minister will do so.

Graham P. Jones: Does the hon. Lady, like me, congratulate the forces of the United Arab Emirates, particularly the special forces, who helped the aid convoys get into some of these areas, and paid a huge price for trying to deliver this aid, with over 110 UAE soldiers having lost their lives trying to fight for freedom in Yemen and support the Yemeni people?

Victoria Prentis: Of course I do. We have heard a great deal about how difficult the situation is and how it is right that we have friends in the region. The United Arab Emirates has done much in this conflict that is to be commended.

I know that my right hon. Friend the Minister is as keen to resolve this situation as anybody in this House. I hope that he will continue to press for full and unhindered access, including in the north of the country, particularly following the UN Security Council presidential statement, which we, as a Government, proposed and co-ordinated. I believe that this Government will continue to do what they can to help the humanitarian relief effort. I hope that we will be able to play a greater role internationally in encouraging other donors to increase their funding. As has been made clear many times, there is no military solution to this conflict, and only a negotiated political settlement can possibly work. The UN special envoy has been working tirelessly to broker such a solution, and this House should send him our best wishes and support for his further efforts. Until an agreement is found, the children of Yemen will continue to pay the heaviest price.

2.38 pm

Christine Jardine (Edinburgh West) (LD): I congratulate the hon. Member for Liverpool, West Derby (Stephen Twigg) on gaining this important debate. There can be little of the horror left to express that we all feel about the situation in Yemen, which is, without doubt, the worst humanitarian crisis facing the world at the moment.

[Christine Jardine]

As we have heard, 22 million Yemenis are in need of some form of humanitarian aid or protection. As the hon. Gentleman laid out clearly, the horror and heartbreak of the situation cannot be over-emphasised.

Yet this is a crisis in which we potentially already have the means at our disposal to intervene to protect the civilian population. The international community is crying out for action.

As we have heard, recent weeks have seen an increase in attacks on civilians. In August, 450 civilians died, and among the worst incidents was the airstrike on the school bus. Seven NGOs, including Save the Children, Oxfam GB and the International Rescue Committee, have written to the Foreign Secretary calling for support for the UN Secretary-General's call for an immediate investigation. We all know that there have been atrocities by all groups involved, and neither side in this is blameless.

Crispin Blunt: On that important point, is the hon. Lady aware that the attack on the bus has been investigated by the coalition, and the Saudi coalition has accepted responsibility and undertaken to try to find the families of those who were lost in that incident, in order to pay them compensation? It has taken responsibility for that action.

Christine Jardine: I thank the hon. Gentleman for his intervention. I appreciate that the Saudis have taken responsibility, but that does not help us to resolve the situation or find a way of preventing that from happening again. As I said, no side is blameless, and it is important that we recognise that and take a balanced approach.

NGOs concerned at the growth in attacks on civilians want an immediate suspension of the transfer of all arms that could potentially be used in Yemen, and this is where we could act. What compounds my frustration is that we potentially have the means at hand. We have heard that we hold the pen on this in the United Nations. We should take note of the fact that in the final days of the coalition, it was agreed, after some argument and debate, that weapons and bombs could be licensed and sold to Saudi Arabia on the condition that British personnel were there to oversee any potential use. In the current situation, the question arises: is that oversight taking place? If not, why not? If it is, what are those personnel doing to intervene and protect civilians?

We heard about the need to defeat al-Qaeda and the complications of the alliances and interwoven factions in the eloquent speech by the hon. Member for Tonbridge and Malling (Tom Tugendhat), who laid it out clearly, but is that an excuse for not using whatever means we can to take the opportunity we have to oversee and protect the population wherever and whenever we can? As the right hon. Member for Leicester East (Keith Vaz) so eloquently and movingly said, this is a population who have already been through so much.

There are other issues. On human rights, 55 NGOs, including Human Rights Watch and Amnesty International, have urged support for the UN group of eminent experts. On the peace process, the UK must continue to do what it can for an immediate ceasefire. In the short term, 22 million Yemenis are in need of aid and protection, 8 million of them are at risk of imminent famine and nearly half of all children aged between six months and

five years old are chronically malnourished. The World Health Organisation has warned of the danger of cholera. It is almost unthinkable that we are somehow allowing this to continue.

In the midst of all this, the main parties in the conflict continue to make humanitarian access difficult. We cannot and must not allow that to continue. It is vital that our Government press for an end to that obstruction and for immediate access for commercial goods—the basic goods that we all need: food, fuel and medical supplies. It is not good enough simply for us to say here that we do not approve and that it has to end. The time has come when we have to act, and I believe that the British people expect no less from their Government.

2.43 pm

Leo Docherty (Aldershot) (Con): I am grateful for the opportunity to speak in this important debate, and I thank the hon. Member for Liverpool, West Derby (Stephen Twigg) for securing it. I draw Members' attention to my entry in the Register of Members' Financial Interests, which shows that I have travelled across the Arabian peninsula a number of times, following my long-term interest in the region.

The first and most important point to make in my brief remarks is that the intervention by the coalition in Yemen is fundamentally legitimate, and it is not legitimate just because of technicalities such as UN Security Council resolution 2216, which encapsulates the fact that the coalition intends to restore the Hadi Government. It is about the coalition defending their strategic national security interests. This was all brought about by the fall of Sana'a in late 2014. The fall of Sana'a to the Sunnis precipitated the start of this conflict. It started for a reason, and that was an urgent military reason, for which the Saudis felt compelled to act.

If anyone has any doubt of the grave national security threat that the situation in Yemen poses to the Kingdom of Saudi Arabia, they should visit the border region of the Kingdom of Saudi Arabia and Yemen, as I have done, to take a look at the extraordinary damage done by ballistic missiles and other munitions fired across the border by Houthis into the kingdom. Earlier this year, I visited Jizan and Najran, close to the border of Yemen, where munitions of all shapes and sizes can be seen, from the smallest rounds fired by cross-border skirmishing parties, to Katyusha rockets, up to full-scale Scud variant Qaher missiles, which are manufactured by Iran, dismantled and then reassembled inside Yemen, with the help of Lebanese Hezbollah. I have seen the remnants of the Scud ballistic missiles on the border region, which have threatened not just Riyadh but other cities across Saudi Arabia. The threat is very real, and in Jizan and Najran provinces, hundreds of Saudi civilians have been killed and thousands have been displaced. We must analyse the conflict in that context.

We must also ask what is at stake in this conflict, and when we do, we must understand a little more deeply the true nature of the Houthi militia group. The Houthis have not only practised such depravities as using child soldiers, indiscriminately using landmines, weaponising food aid and using suicide and drone boats, but they practise a form of Hezbollah-type radical extremism that poses a regional threat to not just Saudi Arabia but the middle east region and, by extension, our own security.

When I was in the Saudi-Yemen border area, I inspected a number of the munitions that had been seized by a Saudi patrol from a skirmishing band of Houthi militiamen. Attached to one weapon was a sticker with the Houthi battle cry on it, which is attached to a lot of Houthi material, whether munitions or public relations output. The translation from Arabic of the Houthi war cry, which others may have seen in the media, is, “God is greatest. Death to America. Death to Israel. Curse the Jews. Victory to Islam.” We need to be very clear about the true nature of the Houthi group. We must be clear that they are not some sort of civic uprising seeking to better represent under-represented civilians in Yemen. They are a military group backed and resourced by Iran that pose a strategic threat to the interests of our allies and us. That is more important when we consider the proximity of the Bab al-Mandab, the strategic waterway between the bottom of the Arabian peninsula and the Red sea, through which some 4% of global oil supplies passes. This is a strategic issue as well as one of domestic importance.

When it comes to the UK’s role, we can be very proud of the tremendous activity that this Government have afforded. First, in terms of humanitarian help, £400 million has been spent on the ground in critical life-saving areas since 2015 to support the people of Yemen. We must, however, acknowledge that the coalition countries themselves have spent several billion dollars on humanitarian supplies. We should also acknowledge that while of course no one wants to be in this situation—no war is ever a good idea—we have to support our allies, now that they find themselves in this tough spot, to fight their way out of this war better than they would otherwise do. To be blunt, it is certainly the case that British involvement—our strategic relationship, our security relationship, the way in which we mentor Saudi military personnel and the doctrine we provide—does indeed achieve a better outcome when it comes to avoiding civilian casualties.

The whole House would of course express nothing but horror at the appalling tragedy on 9 August. However, having visited the military joint command targeting centre in Riyadh, in which the Saudi military assesses and allocates its targets, and having seen the NATO-like doctrine and processes that they use, because of the close military association that we have had with the Saudis over decades, I am confident that our influence is a highly positive one. I am convinced that our influence helps the Saudis fight this war better, and that is extremely important.

When it comes to the end game, the coalition countries of course want out of it: they do not want to prolong the war any more than it has to be prolonged. What they will not accept, however, is a Hezbollah-type proxy in the form of the Houthis dominating the country of Yemen even though they are only 5% of the population. They would not accept a Houthi Hezbollah-type Government who would continue to threaten their strategic interests and have a malign regional impact on such a strategically important part of the world.

The politics—the political process—will come, and we know from our own experience in the Arabian peninsula that extracting military forces from Yemen, which we did in 1967, is a very untidy business that will require a great deal of patience and determination. When we consider the diplomatic process, which the

right hon. Member for Leicester East (Keith Vaz) described so eloquently, we must recognise that unless the Houthis and their Iranian backers are compelled to attend through military pressure or otherwise—but let us be frank that it will probably be military pressure that brings them to the table—the political process will not move forward. It is our duty as a long-standing ally of our friends in Saudi Arabia and in the UAE to help bring about such a peaceful resolution.

2.53 pm

Alison Thewliss (Glasgow Central) (SNP): It is important first to note that the people paying the heaviest price in this conflict are those who are least responsible for it—the children of Yemen. A child is dying every 10 minutes from a preventable cause. It is at least one every 10 minutes, but it could well be more; we just cannot get access to find out. In this three-hour debate, that means 18 children—imagine 18 children lined up along this green Bench—and the many more who would, by the end of the day and by the end of the week, fill this Chamber, sadly, in no time at all. Famine conditions, widespread diseases such as cholera and diphtheria, and the shut-down of medical facilities are the real and lasting side effects of the sustained conflict in Yemen, which will result in stunting, trauma and a lost generation scarred by conflict.

There has been a recent upscaling of the violence, with fresh Saudi and Emirati-led coalition attacks in the past few days, and humanitarian agencies have described the pace of the attacks as relentless. With progress in the negotiations stalling over the weekend, there is real concern that there is no end in sight for this conflict. I pay absolute credit to all the aid staff currently based in Yemen, because they are putting their lives at risk every day to make sure that people in that country have food to eat and are treated for diseases and to prevent the further loss of life that could happen.

I am certainly not the only Member of the House who has concerns about the part Britain is playing in this unimaginable suffering. It is no secret that billions of pounds of weapons made in the UK are being supplied to Saudi Arabia for use in Yemen. As the hon. Member for Aldershot (Leo Docherty) has set out, British military personnel have been involved in training Saudi troops in how best to target those weapons. It shocks me that he would suggest that their role is making this war less bad, because this war is not a good war. This war is a messy, dirty war in which children are dying—children are dying regularly—and I do not believe that that is the way to approach this.

It is quite disturbing that our involvement in this war is resulting in so many mistakes. I would ask all Members who support such involvement how many mistakes they are willing to accept and how many children they are willing to have die in inexcusable circumstances. There has been mistake after mistake, and I will set out some of them. When is the UK going to stop putting profit before the lives of innocent civilians? It is time to take action now to suspend arms sales, as other countries have done—Spain did so just last week—and send the message to Saudi Arabia that using the threat of starvation as a weapon is fundamentally unacceptable and that the indiscriminate targeting of civilians is also unacceptable.

The report of the UN group of experts on Yemen has been particularly damning for the Saudi-Emirati coalition.

[Alison Thewliss]

It is clear that there is a litany of cases on both sides of this conflict about which we should have serious and grave cause for concern. The group said:

“The Group submitted a request to the coalition for specific information on this”—
targeting—

“process; regrettably, it has not received any response to date. The brief public reports by the coalition’s Joint Incidents Assessment Team do not provide any detail on the targeting process.”

The group has raised concerns about proportionality, about timing, about compliance with the “no strike” list and about double-strike hits, in which those rushing to save lives end up being targeted in a subsequent attack.

The experts mentioned the situation in Taiz, but they were not able to get to that city to assess the detail. On the Houthi side, they picked up on the instances of shelling and of snipers, which are also clear violations of international humanitarian law. The situation and the danger are such that the panel could not even get access and had to verify that from other sources.

I support the call for an independent investigation made by the hon. Member for Liverpool, West Derby (Stephen Twigg). I pay absolute credit to him for securing another debate on this very important issue; he has been a stalwart in this cause. We must have an independent investigation because there is so much mess, conflict and confusion on both sides. The shelling of the World Food Programme aid convoy at al-Tuhayat has been mentioned, but there has been no investigation of it and there has been no accountability for it. The activist Hisham al-Omeisy, who was held by the Houthis and was lucky to escape with his life, has had to flee Yemen with his young children to be safe. He has highlighted the persecution of those of the Baha’i faith, who have also been detained and tortured by the Houthi regime.

It is clear that Saudi Arabia and the coalition do not have clean hands either. On 14 June, coalition anti-Houthi forces hit a Save the Children hospital, leaving 20 dead. On 2 August, a fish market and hospital were hit, with 55 killed and 130 injured. On 9 August, there was the school bus attack—everybody has spoken well about the absolute atrocity of children on a school trip being killed on their way home—with 51 killed, of whom 40 were children, and 79 injured, of whom 56 are children. It absolutely sickens you when you think of all the children who travel to school every day and who ought to be safe in doing so. On 23 August, 22 children and four women were killed in an airstrike as they were trying to escape the conflict in Hodeidah.

The right hon. Member for Leicester East (Keith Vaz) touched on the issue of violence against women. The UN group of experts has mentioned something that other Members have not talked about, so I want to raise it. The Bureiqqa migrant detention centre in Aden, run by Security Belt forces, held many Eritrean, Ethiopian and Somali migrants, asylum seekers and refugees, some of whom had been in Yemen for many years, who have been subject to rape—mass rape—as well as sexual abuse, humiliation and torture. All those things are going on in this country, and we are not getting in there to play our role in stopping it.

As the right hon. Gentleman mentioned, the risk for women is significant. They are at greater risk of sexual violence in the absence of law enforcement, and more at

risk of child marriage, which will ruin their future. They are more likely to drop out of education and to contract diseases such as cholera because of their caring responsibilities. We must not forget their role in peacemaking. The all-party parliamentary group on Yemen held an excellent session with women from Yemen, who ought to have a great role to play in building the peace. Their voices are not being heard, but they must be.

The issues around the UN Human Rights Council report are significant. I recommend that every Member of this House who has not read it does so. What it says about the Joint Incidents Assessment Team causes me great concern: it says that it

“lacks independence, its public findings contain insufficient details and that there is no mechanism to ensure implementation of its recommendations.”

Not only is the Saudi coalition marking its own homework, but it cannot be trusted to do so—that is a UN finding and a recommendation of the report. We must pay attention to that. We cannot rely on the Saudis alone to make representations on this matter, because it is clear from the report that the UN could not get access to the information it needed to complete the report satisfactorily. We cannot allow that situation to continue.

Amnesty and other human rights organisations have agreed with the report’s recommendation that the international community refrain from providing arms that could be used in the conflict. The only way that progress will be made quickly in Yemen is if a ceasefire is obtained quickly, and it is clear to me and many others that there will be no ceasefire while we continue to supply arms. Spain has already cancelled its contracts. Canada has spoken out about the role of Saudi Arabia, and concerns are being raised in the United States. We cannot turn a blind eye to this.

As well as the conflict, there are the blockades that the Saudi coalition is perpetrating. The UN verification and inspection mechanism should allow ships into Hodeidah with a turnaround of 28 hours, but the blockades lead to delays of several weeks in aid and commercial goods getting in. Those goods are extremely limited, and there is a very high premium on what is available. Most people certainly cannot get food or medicine, or pay for it if they do get it. Save the Children is increasingly concerned that starvation is being used as a weapon of war in the conflict and that countless children—more than we could ever imagine, because we cannot get access to count them—will starve and die on our watch if we do not do something about it.

Like other Members, I have a lot of time for the Minister for the Middle East. I know that he cares deeply about the conflict and has put great effort into his work on it. However, on 4 September, he said in the House that the justification to withdraw arms sales to Saudi Arabia had not been made. So the case has not been made though bombs have been used to attack hospitals; though arms were used to blow to pieces a bus full of children; though women and children fleeing attack have been targeted; though weapons contribute to the systematic rape of women, and to a situation in which women are told to commit suicide in detention centres; and though children as young as eight—as young as my son—are being sent to fight on the frontline. When will the case be made? What depths have to be reached before the Minister will take action and stop the UK being complicit in this violence?

I will read from the UNICEF briefing, which lets us hear children's voices from the conflict. Over the summer holidays, I re-read "Zlata's Diary", which is Zlata's account of Sarajevo between 1992 and '93. It breaks my heart that children are today facing the same terrible situations that she faced. The briefing says:

"I am Hanin Al-Asaadi, 8th grader, from Yemen, let me tell you something about our school and life.

First of all, war is such a scary story, everyone feels afraid of, nobody ever likes it, it's really awful.

Five years ago, we were having kind of normal life, we were safe with our families and friends, playing, running, laughing, and learning without any scariness.

Suddenly without any introductions, the crazy war began. Families were dispersed, friends got separated. Most of my close friends have travelled and I haven't seen them since this damn war began.

We were about thirty students in our class but now, we are less than the half of what we used to be!

We were moving to school safely, but now bombings might surprise you while you are on the way to school or maybe to a place you like for example, parks.

Few months back we decided to change home routine and go to the park...we went there to enjoy our time but while having fun with my sisters and brother two bombings changed everything, everybody who was inside went to the exit, that place was very crowded, we moved on, we wanted to ride on a bus to get back home but third strong bombing exploded, it was too near to us, bombing's fragments, stones and dust fall on us like heavy rain drops, we went back home scared.

No more parks, no more games, no more family trips to climb mountains, in short no more fun!

I hope that Yemen will be a safe and wealthy place to live in like your countries, so I can invite you to come visit and enjoy Yemen's beauty.

Even though it's so hard I will go to school again."

How hard is it to maintain hope when it feels like no hope is left, and when death and destruction are all around? We owe this generation much more than just to look the other way and say that everything will work out in the end.

Between 2015 and 2017, the Government's arms sales to Saudi Arabia were worth 18 times UK aid. With 10,000 people dead and 8.4 million at risk of famine, the UK Government need to begin to reverse that imbalance. I very much support the calls for us to stop selling arms to Saudi Arabia, because it is clear that everything else that we have done has had absolutely no impact on that country's behaviour. We need to try something different.

Graham P. Jones: Will the hon. Lady give way?

Alison Thewliss: I am about to conclude my remarks, and the hon. Gentleman has said plenty in this debate.

I support calls for an independent UN investigation, because without that independence, we will not get a satisfactory resolution. There are war crimes on all sides; that is perfectly evident. The UN has the independence required to get a conclusion on this. We need a new resolution at the UN to ensure progress towards peace. We need to support the UN special envoy, Martin Griffiths, and give him our ultimate backing to make sure there is progress.

The Scottish National party has been consistent in its calls. At the moment, there is no possibility of Scotland having an independent foreign policy. Until we do, we will continue to push this UK Government to have a bit more ethics in how they conduct their business.

3.6 pm

John Howell (Henley) (Con): I congratulate the hon. Member for Liverpool, West Derby (Stephen Twigg), who brought forward this important debate. He will recall, as will the House, that over the past year I have asked various Ministers a lot of questions about Yemen. One of the themes that I have brought out is how we can ensure that our aid workers are kept safe in what is effectively a proxy war, though he does not like the term, between Iran and Saudi Arabia, and I will stick to that theme.

My hon. Friend the Member for Banbury (Victoria Prentis) said a lot about humanitarian aid; let me set out what it is achieving. A number of people have mentioned the £400 million that has been made available since 2015. In the 2018-19 financial year, I think we have added an additional £170 million—the Minister is nodding—which is a great achievement.

A number of people have mentioned the incidence of cholera, but that says nothing about what we have done on it. We have funded and provided a tremendous amount of vaccine and have provided a whole lot of things that keep people safe, such as chlorinated water. We have helped to restore medical facilities in the country, too. I think that we are all agreed that it is unacceptable that millions of vulnerable Yemenis are at risk because aid is being blocked. We should all do whatever we can to help get it through, but we should not in any way diminish the amount of humanitarian aid that is being provided.

The influence of Iran has been only partly mentioned. The Iranian regime is an active sponsor of international terror groups. It operates a complex network of weapons smuggling in defiance of not one but four UN Security Council resolutions. The question we have to ask is: what pressure can we bring to bear on Iran to stop funding the Houthis? That is a question I have asked in previous question sessions in this House.

A good starting point would have been the nuclear arms deal, which we conducted with Iran. Unfortunately, however, it is completely silent on this important point. It is one of the great lacunae in that agreement, because it provides no mechanism to stop released funds from reaching the Houthis. It provides no mechanism for us to put pressure on Iran to stop funding the Houthis. If we just think about it, just a fraction of the £100 billion that was there as part of the sanctions that have now been released, would triple or more the amount of funds that are reaching the Houthis.

If we want to look at that in more detail, we need to look at the Government's position on Iran. I am very pleased that the Prime Minister said in 2017 that her aim is to

"reduce Iran's malign influence in the Middle East".

That is an accurate description of Iran's influence. She went on to say:

"we must also work together to push back against Iran's aggressive regional actions, whether in Lebanon, Iraq, Yemen, Syria or in the Gulf itself."

That is an important list of areas where Iran is trying to establish its own arc and explains why there is such antagonism from the Saudis to taking that and not fighting back.

[John Howell]

Can we work with the Saudis and are we having success with them? I would say that on this particular issue our continuing closeness with the Saudis is having an effect on what we can say to them and on what we can get them to do. The failure to look at it in that way goes to the heart of one of the things that was mentioned at the beginning of the debate, which is missing the wider context of this terrible fight in Yemen. Missing the wider context ignores one of the main players and makes it appear as though this is nothing more than a Saudi attack on Yemen, without any possible additional influence.

Graham P. Jones: The hon. Gentleman is making a very powerful speech about aid, and the importance of peace and supporting the Yemeni people. He raises a point about them wanting to take back control of their country. The 25,000 Yemeni people backed by the Government on the outskirts of Hodeidah do not want war. They want peace and a return to civic democracy with human rights, as opposed to oppression by the Houthi militia who have no right to be in Hodeidah.

John Howell: I agree very much with the hon. Gentleman. My thoughts, and the principles of my actions, are with the people of Yemen: those who are not Houthi rebels and do not side with the Saudi regime, but who want to carry on having normal lives and go about their normal business as best they can. If we do not stress these points, we begin to lose balance in this discussion and I do not think that that is helpful. It is not helpful to the Yemenis and it is certainly not helpful to us. For example, there was a BBC report on the situation in Yemen—I do not know whether hon. Members saw it—that was the usual three or four minutes long. Not once did it mention Iran as the financial backers of the Houthis. It was presented entirely as a Houthi versus Saudi Arabia conflict.

We have heard a lot about resolving the problem. The Houthis were either misinformed or simply did not take seriously the need to be in Geneva to participate in the talks. I agree that that is probably not a disaster, but it is illustrative of the difficulties we have to overcome to ensure that we can achieve a real taking forward of the peace initiative. I agree with those who have made this point before: the battle is going to be won not on the military field, but by negotiation.

3.15 pm

Crispin Blunt (Reigate) (Con): I have listened to the debate with huge respect. One can understand the emotional attachment of the chair of the all-party group on Yemen to the country of his birth, which he expressed beautifully, and his enormous pain about what is happening there. We have heard, very strongly presented by the right hon. Member for Islington South and Finsbury (Emily Thornberry), the shadow Foreign Secretary, the emotional position in response to some of the appalling consequences of the conflict.

I would like to get back to what the alternative is. The shadow Foreign Secretary, my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) and others have said that we have to go back to the peace process. However, it is not as though the United Nations and its special envoys, as well as a number of other international actors, have not made repeated attempts to sponsor a

peace process. In understanding the illegitimacy of the Houthi rebellion, I am indebted to the analysis by Michael Knights, of the Washington Institute for Near East Policy, who has travelled extensively in the region. I am also indebted to the briefings I received from British experts when I was Chair of the Foreign Affairs Committee.

We all have to face the fact that the legitimate Yemeni Government have been progressively usurped by the Houthis in a guerrilla war that started in 2004. There was then the added complication of the Arab spring and the expulsion from office of the then president, President Saleh, who took the republican guard over to the side of the Houthis in a completely self-interested exercise. One then sees the conditions under which the Houthis were able, illegally, to usurp control of Yemen. That gave the international community a dilemma that remains: what are we going to do about it?

To their credit, and obviously because of their enormous interest as the country most at risk from what was happening in Yemen and of being under direct attack from Houthi forces in Yemen, the Saudis put together and led a coalition that was unanimously supported by the United Nations Security Council to try to restore legitimate order in Yemen. What we cannot escape is that if the Houthis will not engage in a political process, which yet again they have not, there is no alternative but for us to support those who, on behalf of the international community, are trying to put a legitimate Government, recognised by the United Nations Security Council, back into power and in control of administration in Yemen.

Emily Thornberry: I am very grateful to the hon. Gentleman for allowing me to intervene on him. He knows that I have a great deal of respect for him. Is not the point that resolution 2216 is now many years old? Does he not agree that we should be looking for a new resolution that meets current circumstances and has a chance of brokering peace, as opposed to continuing to support a resolution that in my view is simply being used as an excuse to continue the war?

Crispin Blunt: I am afraid that we cannot escape the central dilemma: there has been an illegal usurpation of power in Yemen. Having read Michael Knights' scholarly analysis of the development of the Houthi movement, which covers its radicalisation, the elements within it and how it has built alliances within Yemeni society, we should be under no illusion: the international community has no choice but to try to ensure that the illegal usurpation of power by this movement does not stand. That leads us to the conduct of the coalition's operations.

Mr Mitchell: My hon. Friend says that we have no choice but to do what we are doing, but it is absolutely clear that what we are doing will not be successful. We are going to fail. Indeed, the coalition is going to be humiliated because of the situation on the ground, which he has described. In those circumstances, apart from proceeding to get a ceasefire and a negotiation, with all the regional and great powers crowding in to make the negotiation a success, what does he propose that we do?

Crispin Blunt: My right hon. Friend's military analysis, which is based on his experience, particularly in the National Security Council—I am sure he learned a

great deal with the Royal Tank Regiment, but obviously he has had access to Government briefings on this matter—will bring enormous comfort to the Houthi forces who are defending Hodeidah. I happen to disagree. Hodeidah is the vital ground in this conflict. If we had believed him, the Emirati-led forces would never have taken Aden. It took them seven days once they had taken it to get shipping going back into Aden to bring supplies back into Yemen to help relieve the famine.

The failure of the international community to support the coalition to take Hodeidah back is continuing the conflict and continuing the opportunity for forces such as al-Qaeda and ISIS to take advantage of the situation. The failure to take Hodeidah means that the international community puts support into the country through Hodeidah and the Houthis who control it charge the forces of the international community an excessive tax for the privilege of getting aid into Yemen. That sustains the Houthi rebellion. That is how they are earning their money, quite apart from the support they receive from external parties such as Iran.

Graham P. Jones: What has changed about UN resolution 2216, which has been ratified? It calls for a ceasefire. What has changed today about our calling for a ceasefire? It calls for the Houthis to relinquish all the power they have taken, because they have taken it illegally, and it calls for an embargo on all arms going into Yemen. What has changed today about UN resolution 2216?

Crispin Blunt: I am minded to agree with the hon. Gentleman, who has made a number of useful interventions in the debate. Given the success of the Emirati side of the coalition, which has rolled up the southern part of the country with remarkable success, bringing its land forces to the gates of Hodeidah, where the Saudi part of the coalition has maritime investment and total air supremacy, I do not believe that it is a military impossibility to displace the Houthi forces that occupy Hodeidah. What is needed is absolute resolution and an understanding that this is the vital ground. Already, the main supply line of the Houthis to Hodeidah port is in the process of being cut by the coalition forces, on behalf of the international community.

Of course, we need to look at the conduct of the whole operation, but we must remember that this is the first time that Saudi Arabia has led a coalition of this kind. We have talked about the awful event on 9 August, with the destruction of a bus containing wholly innocent people, but the British and American contribution to Saudi accountability and Saudi targeting has at least meant that within 22 days, the coalition accepted responsibility, apologised and said that it would pay compensation to the victims. That is a significant improvement on the situation at the beginning of the conflict. We have seen the quality of the targeting and the conduct of the operation improve as the Saudis gain experience, with the assistance of their international allies.

Let us not think that we are immune from this. I was in this House on 15 April 1999, when a NATO spokesman had to defend the killing of 70 wholly innocent people when an American plane flying at 15,000 feet bombed a convoy of refugees in Kosovo. Jamie Shea said on that day:

“He dropped his bomb in good faith”.

That sounded pretty dreadful then and, quite rightly, people made a great deal of it. We are entirely right to make a great deal of what happened on 9 August and in all the other incidents. It is right to hold the coalition to account to the highest possible standards, but we must remember that this coalition is, in effect, our coalition. It has been unanimously endorsed by the international community through the UN Security Council.

If we accept the rather pessimistic analysis of my right hon. Friend the Member for Sutton Coldfield that nothing can be done and that there is no way Hodeidah can be taken off the Houthi rebels, it is a counsel of despair and a policy that will continue the illegal usurpation of power in Yemen.

Mr Mitchell rose—

Crispin Blunt: I want to continue my train of thought, because the failure to deliver the vital ground in this conflict has two critical consequences. It means that the international community cannot get the scale of aid that is required into Yemen because it does not control the port. Even if the port facilities are destroyed, the international community would be able to put back together sufficient port facilities to get—

Graham P. Jones: Will the hon. Gentleman give way?

Crispin Blunt: I will not, if the hon. Gentleman will forgive me.

This is the vital ground to get supplies into Yemen and to stop the Houthis earning their income off the imposts that are levied on the good people of the world through their development programmes that are trying to get supplies into Yemen. When Hodeidah is added to Aden—Hodeidah is the key port in Yemen, being much the biggest and the most important—this conflict will be on the way to being settled. Once it is taken, I think we will find that the Houthis are rather keener to attend peace talks and to engage in a political process that will bring this wretched tragedy to an end.

3.27 pm

The Minister for the Middle East (Alistair Burt): I thank all colleagues who have taken part in this excellent debate. It has mostly been a fair illustration of the complexities and difficulties of this conflict, which not a single person in the House wants to see continue. I think the source of some of the frustration we express is that we would like a simple answer that just ends it all, but there is not one. I understand the frustration that that brings.

There is a legitimate cause, which is to resist an insurgency, and there is a reason, which is to support an ally under fire from missiles. There are regional conflicts over which the events in Yemen have an influence. There are unimaginably painful events that challenge the UK Government, who are doing all they believe they can to bring the conflict to an end, and there is criticism of all parties to the conflict. The killing of children can never be justified—however it occurs, it cannot be right—so the catalyst for this debate, so ably led by the hon. Member for Liverpool, West Derby (Stephen Twigg), is clear. The only real issue is how to bring it to an end and what the UK can do.

However grateful I am, I beg colleagues not to load my shoulders with what I do not deserve. There are, fortunately, many peacemakers; my role, through the

[Alistair Burt]

UK Government, is to encourage and support them. I cannot deliver to the House a simple answer or give the political answer I know some colleagues believe would simply end it all—and I do not intend to do so—but before I deal with some of the issues raised, I will briefly run through the debate.

The hon. Member for Liverpool, West Derby, the Chair of the International Development Committee, gave a powerful speech covering all the background, with which the House, after too long, is now sadly familiar. I will answer many of his questions during my remarks, but to come to the long term right at the beginning, of course the UK has a long-term interest in supporting Yemen. We did so before the conflict. It was Gordon Brown who in 2009, as part of Friends of Yemen, sought further development in Yemen—a process followed through the UN for some years before the conflict broke out. So certainly we will support Yemen in the long term.

My right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) was harsh on us, but that harshness came from a genuine desire for peace and his upset with what he sees in Yemen. The right hon. Member for Islington South and Finsbury (Emily Thornberry) gave a powerful speech—no one can talk about the death of children without the emotion she rightly brought to it—and I will answer her three questions in due course. My hon. and gallant Friend the Member for Tonbridge and Malling (Tom Tugendhat) spoke of regional issues, ably put the conflict into context and expressed the risks he believed the coalition was taking, even if it had a rightful cause.

The right hon. Member for Leicester East (Keith Vaz) spoke movingly about Yemen as only he can—we have grown used to his emotion in speaking about the country of his birth and his hopes for the future. The hon. Member for Edinburgh West (Christine Jardine) wants the war to come to an end—as we all do—and set out clearly why, and my hon. and gallant Friend the Member for Aldershot (Leo Docherty) gave a thoughtful speech in which his experience of conflict in the region came through very well. He was neither sentimental nor unsympathetic, and I think he told it as it was. The hon. Member for Glasgow Central (Alison Thewliss) trod understandable ground given the Scottish National party's view on arms sales and spoke about it, with her usual power and distinction, as the fundamental issue in this complex conflict.

My hon. Friend the Member for Henley (John Howell) spoke about Iran and its involvement. Iran is a complex state with a complex authority structure and a country with which I am personally engaged in seeking to persuade it that its activities in Yemen should change and that if they did, the risks to it would diminish, and who knows what doors might be open to it. That is what diplomacy is all about. My hon. Friend the Member for Reigate (Crispin Blunt), with his great experience as a former Chair of the Foreign Affairs Committee, set out the context of the war, which is not simple, and related it not just to the region itself but to the post-2011 timescale and all that that means.

I am grateful to the hon. Member for Liverpool, West Derby for securing this opportunity to discuss the humanitarian crisis in Yemen, and I know from personal

experience that, as Chair of the International Development Committee, he has a deep knowledge of the situation. It is important for us all to be mindful of the background to the current conflict, but I will be brief as it has been covered. The causes of the conflict are numerous and complex. Since unification in 1990, Yemen has suffered internal power struggles, unrest and terrorist attacks. After a year of protests in 2011, the 33-year rule of Ali Abdullah Saleh transferred to President Hadi as part of a unity Government brokered with regional support. A national dialogue process began that offered an opportunity for a democratic future—I remember it well.

Tragically, that opportunity was lost when the Houthi insurgency movement, which claimed to have been excluded from the national dialogue process but was encouraged by the ousted Ali Abdullah Saleh, sought to take power through violence. In September 2014, Houthi rebels took the capital by force, prompting President Hadi to flee to the southern city of Aden. The Houthis then began advancing on the south of the country. President Hadi, as the internationally recognised leader of the legitimate Government of Yemen, requested military help from the Saudi-led coalition. The conflict between the Government of Yemen, backed by the coalition, and the Houthis and their allies has so far lasted three years.

The position when President Hadi was forced to flee was potentially disastrous. At that moment, there was a clear risk that the country would fall into the hands of forces avowedly hostile to Saudi Arabia, which shares with Yemen an 800-mile border that is vulnerable and porous. It was against that background that the Saudis and their allies were requested by President Hadi to intervene in March 2015, a decision that was not only justified but legally sound. Saudi Arabia and its allies are responding to a crisis that was forced on them and that poses a grave threat to international peace and security. The Houthis have frequently fired mortar bombs and rockets into Saudi territory, including Scud missiles.

Let me directly address what the Government have been doing to bring the conflict to a resolution—which is what we all want—and to alleviate the suffering of the Yemeni people. We continue to urge all parties to the conflict to do everything possible to protect civilians and to demonstrate their commitment to international law. That brings me, first, to the desperate events of the attack on the bus. One of the reasons for our belief that it is still possible to continue arms sales to an ally which is under attack is our belief in the efforts being made by the coalition to avoid the tragedy of the attack that led to the death of children on the bus. Let me quote what was said about it by the Joint Incidents Assessment Team. As one or two other Members have mentioned, this is deeply unusual in the context of the middle east.

The coalition has said that every civilian death is a painful tragedy, and it is always the first to investigate these incidents so that it can reduce future risk whenever possible.

On the attack itself, the coalition said:

“With regard to the bus incident, the JIAT has concluded that there were mistakes made in abiding by the rules of engagement. Based upon that, the Command of the Coalition would like to express regret for these mistakes, and offers its condolences and solidarity with the families of the victims”.

In the context of the deaths of children, I well understand how that must sound, but it is unusual in the wider context. That is what gives us the sense that the coalition

is doing all that it can not to target civilians unnecessarily and not to target children, but to do what it can in a military context to avoid such events.

We were deeply concerned by the tragic incidents of 2, 9 and 23 August in which so many Yemenis were killed. On 16 August, the Foreign Secretary spoke to the Saudi Foreign Minister and pressed for a quick and transparent investigation. On 1 September, the coalition announced the outcome of that investigation, as I have just set out. We welcome that acknowledgement and the steps that the coalition intends to take.

On 2 September, Her Majesty's Government issued a statement that reiterated our concerns, and our appreciation of the speed of the coalition's investigation of the 9 August incident. We encouraged the coalition to publish the outcomes of its investigation of the 23 August incident as soon as possible; we called for clarification of the circumstances of the incident of 2 August, for which responsibility is still unclear; and we condemned the Houthi attacks against commercial shipping in the Red sea, as well as the regular missile strikes against civilian targets in Saudi Arabia that have been launched by the Houthis with Iranian support.

I raised those matters with the Emirati Minister of State, Dr Gargash, on 3 September, with the Saudi Foreign Minister on 4 September, and with the Saudi Ambassador to London on 6 September. We have done all that we can, in relation to those incidents, to express the concern that has been expressed by the House and to encourage the coalition to do all that it can to avoid them in the future.

Alison Thewliss: The Yemen Data Project has counted more than 16,000 air raids—one every 90 minutes—over the past three years. More than 5,000 have involved non-military targets. What does the Minister believe has changed in the case of the most recent attacks? There has been a consistent pattern of hitting civilian targets indiscriminately.

Alistair Burt: As has been made clear during the debate, there is a war going on, in which the Government of Yemen have been usurped and those who are seeking to push back an insurgency are having to do it by military means because of the forces that they are facing.

Let me say a little more about the alleged breaches of international humanitarian law, because the issue is understandably vital to what the UK believes. We are, of course, aware of reports of alleged violation of that law, and we take them very seriously. It is important for all sides to conduct thorough and conclusive investigations of incidents in which it is alleged that international humanitarian law has been breached. As I have just indicated, we regularly raise the importance of compliance with the Saudi Arabia Government and other members of the military.

Saudi Arabia has publicly stated that it is investigating reports of alleged violations and that lessons will be acted upon. The key test for our continued arms exports in relation to international humanitarian law is whether there is a clear risk that those items subject to a licence might be used in serious violations of international humanitarian law. That situation is kept under careful and continued review. If the efforts of the coalition were not made, that would certainly be breached, but it is not, and that is why we believe as we do.

However, equally we are appalled by the many ballistic missile attacks the Houthis have launched in Saudi Arabia in recent months. There have been seven long-range ballistic missile attacks on Riyadh, indiscriminately, from March to August. The coalition claims that the Houthis have fired 190 ballistic missiles at the Kingdom of Saudi Arabia since the start of hostilities, and the Saudis have also recorded a number of smaller strikes on the KSA—mortars, artillery and so forth—with the total number currently standing at 67,000 strikes. That is not always given the prominence it needs to have.

Stephen Twigg: The Minister rightly reminds us of alleged atrocities on both sides. Does that not reaffirm the importance of an independent investigation? In particular, will he address my question about the UN panel of experts and the stance the UK will take at the HRC in Geneva on that issue?

Alistair Burt: Conveniently, I hope I can do so.

Leo Docherty: Will the Minister give way?

Alistair Burt: Let me at least answer the previous intervention first.

Her Majesty's Government are not opposing calls for an international independent investigation, but first and foremost we want the Saudis to investigate allegations of breaches of international humanitarian law that are attributed to them and for those investigations to be thorough and conclusive.

In relation to the HRC, the UN report further underlines the deeply concerning human rights situation in Yemen and the importance of reaching a political solution. We believe it is important to give the group of eminent experts more time to examine the conflict fully and to ensure that their conclusions in future reporting accurately reflect the conduct of all parties, because we are not completely convinced of that so far. The UK joined the consensus on the resolution that established the group of eminent experts last year and we hope the UN HRC will renew its mandate this year.

Graham P. Jones: The Minister is giving a powerful speech and a good explanation of the situation on the ground and the political judgment the Government are making. Does he share my grave concern that what we saw with ISIS is now happening in Yemen, with the use of human shields, politicised as part of the conflict? We are seeing rockets not just fired at the KSA, but fired from urban areas where there are Yemeni citizens who will then suffer from a retaliatory or a defensive strike by the KSA. This is a dreadful situation.

Alistair Burt: Nothing in this situation is good; everything is about trying to make the best of the most difficult situation, and the circumstances the hon. Gentleman describes through his knowledge are perfectly clear. We must continue to do all we can to de-escalate the conflict, and that is what I would like to come to next.

Emily Thornberry: Before the Minister moves on, I have a question. It is estimated that 400 civilians were killed in the past month, largely as a result of coalition action. Is the Minister in a position to tell us whether any of those deaths were a result of the use of British bombs or planes?

Alistair Burt: No, I am not able to answer that, because there is no tracking of the use of arms supplied by the UK. The risk assessment is done prior to the issue of licences; there is no feasible way of examining every piece of ordnance that may be used. So the short answer to the right hon. Lady is no, we are not aware of that.

May I talk about the political process? One question the right hon. Lady asked was about what the UK was doing, and she believed a further resolution, again, was the answer. I spoke to our UN permanent representative, Karen Pierce, just before the start of the debate. We are determined to continue to play a central role in efforts to end the conflict. On Saturday 8 September, the special envoy called an end to the UN-sponsored consultations due to the inability of the Houthi delegation to resolve transportation issues in a timely manner. The UK appreciates and strongly supports the special envoy's extensive efforts to bring together the representatives of the Yemeni Government for consultations in Geneva. We are disappointed that the Houthi delegation did not attend, despite the great efforts by the UN and other states to address their concerns. I spoke to the Omani Foreign Minister about these challenges on 5 September, and my officials did everything they could to help the UN to secure Houthi attendance. We welcome the Government of Yemen's engagement with the consultations and their positive discussions.

The peace process through the UN has not ended. That is why the United Kingdom will not be setting up its own peace process. There is a peace process, which we all have to get behind. We have to give every support to Martin Griffiths to do his job. That is our role. The permanent representative and the British Government take the view that a resolution is not the answer at the moment. The answer is what Martin Griffiths is already attending to, and the existing resolution does the job that it was designed to do. A special resolution would not further that process, but Martin Griffiths's work will. Passing a resolution without clear progress on the political track risks undermining the authority of the Council. As penholder, we have proposed and co-ordinated a UN Security Council presidential statement, which was agreed on 15 March 2018 and which builds on the text of 15 June. We are doing all we can as penholder in relation to that, but the most important thing is to back the work of the special envoy.

Let me now say something about the humanitarian side. The UK remains at the forefront of the international humanitarian response to the conflict in Yemen. None of us wants to do this, because we do not want there to be any need for it, but there is, so we are engaged. The UK is more concerned than ever by the catastrophic effect that the conflict is having on millions of Yemeni civilians, many of whom are children. The humanitarian crisis is the largest in the world, and the United Kingdom has helped to secure vital access for food, fuel and medicines to enter the country. As my hon. Friend the Member for Henley reminded us, we have provided £170 million in UK aid in this financial year, bringing our total aid to Yemen to £570 million since the conflict began.

Our support this year will meet the immediate food needs of 2.5 million Yemenis, treat children with severe acute malnutrition and provide safe water, shelter and emergency livelihoods to vulnerable communities across

the country. Other donors have played a substantial part, including Saudi Arabia and the United Arab Emirates, which together have provided almost \$1 billion to the UN's humanitarian appeal this year. We remain concerned about access to Houthi-controlled areas. Humanitarian agencies have highlighted long delays in the signing of agreements with de facto authorities. In practice, this means that aid organisations are unable to reach some of the people most in need in the Houthi areas. Speeding up that process would go a long way towards improving aid access across the region.

I shall conclude my speech, because I want to give the hon. Member for Liverpool, West Derby time to respond. As has been made clear in the debate, no one here wishes to see this conflict go on. I wish with all my heart that there was a simple answer to this, but there is not. We will remain engaged, including with those who are parties and participants in the conflict, to do all we can to help them to appreciate that the longer the conflict goes on, the more of a quagmire it becomes. We give that advice to our friends as well as to those who have influence with the Houthi. I can assure the House that the plight of the Yemeni people is a top priority for this Government. This is why the UK continues to play a leading role in helping to find a political solution to this devastating conflict and in alleviating the suffering of the Yemeni people. I acknowledge that what I have said might not carry the House, but the tone and seriousness of this debate require deep consideration in all the capitals that have influence. I will endeavour to carry out the clear wish of the House to ensure that the UK does all it can to ensure that peace comes to Yemen.

3.48 pm

Stephen Twigg: I thank the Minister for his characteristically full response to what has been an excellent debate. In particular, I thank him for his opening point about the long-term commitment to build on the excellent record of humanitarian support from the United Kingdom throughout this conflict and for his specific commitment that, at the Human Rights Council, the UK will support the renewal of the panel of experts' role. It is of critical importance that we have that independent assessment of all alleged violations of international humanitarian law by all sides during this conflict.

As my right hon. Friend the Member for Leicester East (Keith Vaz) reminded us, people often speak of Yemen as a forgotten war, and it sometimes feels like that, but this Chamber has considered Yemen on a regular basis with the seriousness that the topic deserves. However, action must clearly follow on from that. There have obviously been disagreements, as one would expect in such a debate, but we can all agree that what Yemen ultimately needs is a political settlement upon which the Yemeni people can shape their own future. The special envoy Martin Griffiths has a crucial role to play, and let us hope that he is able to bring the different parties to the table so that we can start to see movement towards the settlement that the Yemeni people so desperately require. We should not forget Yemen when this conflict comes to an end, because that is when the people will need our support the most.

Liverpool has a substantial Yemeni diaspora, and it is partly through getting to know those people that I have become involved in this issue. Whenever we debate this matter in this House, I get in touch to ask, "What

do you want me to say?” and it is always a simple message of peace and about the Yemeni voice being heard. When we debate foreign an international policy in this place, we need to engage more with diaspora communities, so let us show through this debate today that we have heard that message and that all of us will strive together to ensure that Yemen gets the peaceful future that its people deserve.

Question put and agreed to.

Resolved,

That this House has considered the recent escalation of violence in Yemen.

COUNTER-TERRORISM AND BORDER SECURITY BILL (PROGRAMME) (NO. 2)

Ordered,

That the Order of 11 June 2018 be varied as follows:

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

(2) Proceedings on Consideration and up to and including Third Reading shall be taken in one day in accordance with the following provisions of this Order.

(3) Proceedings on Consideration-

(a) shall be taken in the order shown in the first column of the following Table, and

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

<i>Proceedings</i>	<i>Table</i> <i>Time for conclusion of proceedings</i>
New Clauses and new Schedules creating offences relating to terrorism; amendments to Clauses 1 to 10; new Clauses and new Schedules relating to Prevent and amendments to Clause 18	6.00 pm
New Clauses, new Schedules and amendments relating to European Arrest Warrants; remaining proceedings on Consideration	8.00 pm

(4) Any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion at 8.00pm.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 9.00pm.—(*Mr Wallace.*)

Counter-Terrorism and Border Security Bill

Consideration of Bill, as amended in the Public Bill Committee

New Clause 2

ENTERING OR REMAINING IN A DESIGNATED AREA

“(1) The Terrorism Act 2000 is amended as follows.

(2) After section 58A insert—

‘Entering or remaining in designated areas overseas

58B Entering or remaining in a designated area

“(1) A person commits an offence if—

- (a) the person enters, or remains in, a designated area, and
- (b) the person is a United Kingdom national, or a United Kingdom resident, at the time of entering the area or at any time during which the person remains there.

(2) It is a defence for a person charged with an offence under this section to prove that the person had a reasonable excuse for entering, or remaining in, the designated area.

(3) A person does not commit an offence under this section of entering, or remaining in, a designated area if—

- (a) the person is already travelling to, or is already in, the area on the day on which it becomes a designated area, and
- (b) the person leaves the area before the end of the period of one month beginning with that day.

(4) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for a term not exceeding 10 years, or to a fine, or to both.

(5) In this section—

‘designated area’ means an area outside the United Kingdom that is for the time being designated for the purposes of this section in regulations under section 58C;

‘United Kingdom national’ means an individual who is—

- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,
- (b) a person who under the British Nationality Act 1981 is a British subject, or
- (c) a British protected person within the meaning of that Act;

‘United Kingdom resident’ means an individual who is resident in the United Kingdom.

(6) The reference in subsection (3) to the day on which an area becomes a designated area is a reference to the day on which regulations under section 58C come into force designating the area for the purposes of this section.

(7) Nothing in this section imposes criminal liability on any person acting on behalf of, or holding office under, the Crown.”
58C Section 58B: designated areas

“(1) The Secretary of State may by regulations designate an area outside the United Kingdom as a designated area for the purposes of section 58B if the following condition is met.

(2) The condition is that the Secretary of State is satisfied that it is necessary, for the purpose of protecting members of the public from a risk of terrorism, to restrict United Kingdom nationals and United Kingdom residents from entering, or remaining in, the area.

(3) The reference in subsection (2) to the public includes a reference to the public of a country other than the United Kingdom.

(4) Where an area is designated by regulations under this section, the Secretary of State must—

- (a) keep under review whether the condition in subsection (2) continues to be met in relation to the area, and

(b) if the Secretary of State determines that the condition is no longer met, revoke the regulations (or revoke them so far as they have effect in relation to that area if the regulations designate more than one area).

(5) In this section ‘designated area’, ‘United Kingdom national’ and ‘United Kingdom resident’ have the same meaning as in section 58B.”

(3) In section 123 (orders and regulations), after subsection (6) insert—

‘(6ZA) Regulations under section 58C—

- (a) must be laid before Parliament after being made, and
- (b) cease to have effect at the end of the period of 40 days beginning with the day on which they are made unless before the end of that period the regulations are approved by a resolution of each House of Parliament.

(6ZB) For the purposes of subsection (6ZA) the period of 40 days is to be computed in accordance with section 7(1) of the Statutory Instruments Act 1946.

(6ZC) Subsection (6ZA)(b)—

- (a) is without prejudice to anything previously done or to the power of the Secretary of State to make new regulations under section 58C;
- (b) does not apply to regulations that only revoke previous regulations under that section.”—(*Mr Wallace.*)

This new clause would provide for an offence under the Terrorism Act 2000 of entering, or remaining in, an area outside the United Kingdom that has been designated in regulations made by the Secretary of State. In making such regulations the Secretary of State would need to be satisfied that it is necessary to restrict UK nationals and residents from entering or remaining in the area for the purpose of protecting the public from a risk of terrorism.

Brought up, and read the First time.

3.52 pm

The Minister for Security and Economic Crime (Mr Ben Wallace): 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 amendments 1 to 5 and 15 to 18.

Amendment 13, in clause 18, page 19, line 14, at end insert—

“(8) After section 39 (Power to amend Chapter 2), insert—

‘39AA Review of support for people vulnerable to being drawn into terrorism

(1) The Secretary of State must within 6 months of the passing of the Counter-Terrorism and Border Security Act 2018 make arrangements for an independent review and report on the Government strategy for supporting people vulnerable to being drawn into terrorism.

(2) The report and any recommendations of the review under subsection (1) must be laid before the House of Commons within 18 months of the passing of the Counter-Terrorism and Border Security Act 2018.

(3) The laying of the report and recommendations under subsection (2) must be accompanied by a statement by the Secretary of State responding to each recommendation made as part of the independent review.”

Mr Wallace: Today is obviously the anniversary of 9/11, a devastating terrorist attack that happened on the soil of our ally the United States and ended in the deaths of 77 United Kingdom citizens who were working in New York at the time. Today is also one of the first days of the inquest into the Westminster Bridge attack, when we lost PC Keith Palmer and four other people.

Let me deal as succinctly as I can with the Government amendment in this group, beginning with new clause 2. Since the phenomenon of UK-linked individuals travelling to join terrorist organisations in Syria and Iraq began in earnest in 2014, the Government have kept under review various options for banning or requiring notification of travel to conflict zones overseas, underpinned by criminal sanctions. The essential feature of new clause 2 is to make it an offence for a UK national or resident to enter or remain in an area overseas that has been designated by the Home Secretary. The designation of an area will be given effect by regulations, and any such regulation would necessarily need to come into force quickly, but we recognise the need for full parliamentary scrutiny of any designation. Accordingly, such regulations will be subject to the affirmative procedure.

Once an area has been designated, there will be a grace period of one month, enabling persons already in the designated area to leave before the offence takes effect. Of course, there will be individuals who have a valid reason to enter and remain in a designated area, such as to provide humanitarian aid, to work as a journalist, or to attend a funeral of a close relative. To cover such cases, we have provided for a reasonable excuse defence. Once such a defence has been raised, the burden of proof, to the criminal standard, will rest with the prosecution to disprove the defence. The new offence carries a maximum penalty of 10 years’ imprisonment, and it will be open to the court to impose an extended sentence.

The new offence is necessary for two primary reasons. First, to strengthen the Government’s consistent travel advice to British nationals, which has advised against all travel to areas of conflict where there is a risk of terrorism. And secondly, breaching a travel ban and triggering the offence will provide the police and the Crown Prosecution Service with a further tool to investigate and prosecute those who return to the United Kingdom from designated areas, thereby protecting the public from wider harm.

Sir Edward Davey (Kingston and Surbiton) (LD): The Minister said a few moments ago that it will be for the prosecution to show that a person does not have a reasonable defence, but that is not what new clause 2 says:

“It is a defence for a person charged with an offence under this section to prove that the person had a reasonable excuse for entering, or remaining in, the designated area.”

Mr Wallace: I disagree with the right hon. Gentleman. If a person produces a reasonable defence, as it would play in court, we would have to say, “That is not a valid defence,” and therefore we would have to prove why it is not. In addition, the public interest consideration will be involved when the CPS seeks to bring charges.

It is also important to inform the House that, obviously, reasonable excuses will include those in line with the European convention on human rights, such as access to family, the right to visit and all those things that give people their rights, but we are trying to introduce an important tool to make sure we deal with the scourge of the foreign fighter threat we now face here.

Mr Jim Cunningham (Coventry South) (Lab): I do not want to digress too much, but in those circumstances, at which point could a person lose their British citizenship? Will that come into play at all?

Mr Wallace: The decision to deprive a person of their British citizenship would not be affected by this at all, one way or the other. The factors involved in making that decision range from intelligence to criminal behaviour and whether that person poses a threat to the United Kingdom. The decision would not be linked. Obviously, some people who have been deprived of their citizenship have been foreign fighters overseas engaged in fighting for ISIS or al-Qaeda, and this measure is aimed at stopping exactly that type of offence.

Everyone recognises the challenge we have in Europe. I was at the G7, and every member state has a cadre of foreign fighters who are a challenge when they come back. It is important to get a statute book that can deal with that. We often have evidence that foreign fighters have travelled to, say, Raqqa, and we may have evidence to some extent that they have supported or been engaged in areas of terrorism, but it has been very hard to prosecute. That is what this Bill is trying to do. The Danish Government have similar legislation, as do the Australian Government.

Keith Vaz (Leicester East) (Lab): The Minister is obviously right. We have to deal with foreign fighters, and the best way to do that is to prevent them from going in the first place. Will he confirm that no aspect of new clause 2 or the Bill will specifically address the issue of citizenship, and that even if a British citizen travels to a designated area, they will not have their British citizenship taken from them?

Mr Wallace: What I can say is that if a British citizen goes to a designated area and commits an offence, it will depend on what they were doing. If a British citizen who is a dual national goes to one of these areas to fight for ISIS or al-Qaeda, and if we cannot prosecute them, deprivation becomes more of an option. I would prefer to see these people put on trial in a British court, convicted and sent to prison. That is my preference, and all these other measures have been introduced to try to deal with these very difficult issues.

The Bill also extends the jurisdictional reach of some offences, such as under the Explosive Substances Act 1883, to try to ensure that people committing offences over there can be tried.

4pm

Joanna Cherry (Edinburgh South West) (SNP): As the Minister says, we already have quite a lot of offences with extraterritorial jurisdiction, and clause 5 would add to them. What can he do to convince us that the new clause is necessary and proportionate, given the plethora of extraterritorial offences that already exist?

Mr Wallace: We have 400 people in this country who have returned from activity in hotspots, many of whom we believe, from intelligence, have been active, but whom we have been unable to prosecute. That is a serious number of people. A number of them continue to pose a threat, and we have not been able, despite quite a lot of effort and looking, to find evidence to bring to court to prosecute them for the terrorist activity they may have been involved in.

If I was talking about one or two people, it might be a different issue. The French and the Germans have the same problem. It is a growing phenomenon that people are travelling in this world to commit offences. They are

tech-savvy; they are capable of sometimes masking some of their behaviour. The grooming that has gone on to seduce people into these locations is a big challenge, and I fear that if we do not legislate, we will not be able to prosecute those people coming back. Do I think the legislation will prosecute hundreds of people? No, I do not, but I think there will be a few people that we can prosecute if they did this. As I said to the shadow Home Secretary yesterday, I recognise that we have introduced this measure into the Bill late, and I apologise for that. However, we are in the Commons, and the Bill will no doubt go to the other place, and I am happy to discuss further how we can clarify it and safeguard it and make sure that it is not abused as a system, and that the reasonable excuse issue is further explored. I think that is appropriate.

Sir Edward Davey: Can the Minister say where else in British law it is an offence to be located somewhere, rather than to act in a certain way in that place?

Mr Wallace: I would have to speculate; I am not a barrister or lawyer, so I dare not venture down that road. A court may grant an injunction on an area. A stalker often faces injunctions—they are not allowed within 100 metres of a house, and if they go within 100 metres of it, they have committed an offence.

Sir Edward Davey: Because they have done something wrong.

Mr Wallace: The question was, is there anywhere else in law where going somewhere becomes the offence? There clearly is if someone breaks an injunction. I think there are injunctions not just against someone who has done something wrong, but I shall not pilot off down that course.

As I said earlier, obviously there is the further safeguard that breaching a travel ban and triggering the offence will provide the CPS with a further tool to investigate and prosecute those who return, thereby providing protection. Government amendments 15 to 25 are consequential on new clause 2.

John Woodcock (Barrow and Furness) (Ind): I congratulate the Minister and the Government for—although belatedly—bringing in this power, for which I and many others have long been calling. It was patently obvious that many of the Brits who we knew were travelling to Iraq and Syria had no other reason to be there than to support terror, but there was not sufficient evidence to prosecute, hence 400 of them, by the Government's own estimate, are coming back largely without prosecution. Do the Government have an estimate of how many of those 800 Brits who we know went over to Raqqa during the recent conflict could have been prosecuted under this legislation, had it been on the statute book at the time?

Mr Wallace: I am happy to write to the hon. Gentleman with a specific number, if we trawl through the whole lot. I certainly see cases where we have footage of people in certain locations. They may not necessarily be carrying a black flag, but they are dressed in combats and they are standing in front of an iconic building somewhere. I cannot express how frustrating it is to see what I see, with some very dangerous people coming

[Mr Wallace]

back to our communities, and I long to be able to prosecute them. Very often the “You done nothing” critics do not provide an alternative suggestion. This is an alternative suggestion. I have not heard other suggestions.

I have taken my time on this. When I was in Singapore last year, I met my Australian counterpart, who talked about such legislation. I spoke to the people who use it on the ground—the Australian police force and security services—and we have explored other ideas. It is incredibly frustrating to know that in our communities are people who pose a real risk and who we have struggled to be able to prosecute. That is not because of resource, but because of statute, and that is what we are trying to fix.

I place on record that the hon. Member for Barrow and Furness (John Woodcock) has done a lot on this issue. Unlike many people who speak on these things, he has met detainees in Turkey and other places. He will know the challenges that the Turkish Government and our Government face. He has been supportive and made suggestions on this type of measure, which will make a difference. While Syria is tragically coming to a place where there are endless horrors on the horizon in terms of Idlib that we must all unite to try to stop, the groomers are encouraging people to go to new places and new safe spaces. We have seen aspirant travellers into parts of Africa. We have seen aspirant travellers to the conflict in parts of the Philippines. They are out there now encouraging our young people to go into a safe space, so they can indoctrinate them to become terrorists. That is why I passionately feel and the Government feel that we need to put this measure on our statute book.

Sir William Cash (Stone) (Con): My right hon. Friend and I have had quite a lot of discussions on this issue. I have also had discussions with the former Home Secretary, now Prime Minister, on the subject as long ago as 2015. The Minister knows what I am going to say, because I gave a speech during the proceedings of the Counter-Terrorism and Security Act 2015 on 6 January 2015—more than three years ago—on whether we could stop these terrorists coming back to kill people. Since the events I referred to in that speech, many have been killed. The issue is about making people stateless. I know my right hon. Friend will have considered that; will he please comment on it?

Mr Wallace: My hon. Friend knows that making people stateless is a hefty measure. From our legal advice, we cannot make someone stateless. If they are a dual citizen, we can deprive them of citizenship. I understand the point that my hon. Friend makes, but in an international community, we cannot entirely pass our problems around. Part of the offence with designated areas is that other countries do not like us unilaterally saying, “It is not our problem anymore. We do not have any offences to charge them with, so we are going to deprive them of citizenship and off they go to you. It is your problem now.” Our preference is to bring them back, charge them and put them in prison. We think very hard about the international consequence of deprivation.

Sir William Cash: Will the Minister allow me one further point? I had referred to the international convention, article 8 of which clearly states that if a person who is effectively in a designated area under the new clause has

sworn allegiance to, or acted in a manner such that he is giving his allegiance to, another state and is also saying by implication that he no longer regards himself as a British citizen, it is possible to make them stateless. For that reason, I wish I could get a more emphatic answer to my question.

Mr Wallace: As ever, my hon. Friend makes an articulate and knowledgeable point. My disagreement is that, no matter how it may take allegiance, I do not recognise ISIS to be a state. It is a non-state. It is a fabrication of pretty awful people. We should not give it credibility: just because some poor, weak, often exploited people, but also some pretty nasty people, have sworn allegiance to it, it does not make them part of a state. It is one thing for someone to renounce citizenship and say, “I am now going to be a citizen of country X,” but Islamic State is a fiction of many people’s imagination, as we have seen. It is in rapid decline.

I would like to push on to amendment 1, the flag seizure power, which would confer on the police a power to seize flags or other articles associated with a proscribed organisation. Under section 13 of the Terrorism Act 2000, it is an offence for a person to wear, carry or display an item of clothing or other article in such a way as to arouse reasonable suspicion that they are a member or supporter of a proscribed organisation. By conferring on the police the power to seize such articles, we will ensure that they and the Crown Prosecution Service have the best evidence to pursue a prosecution under section 13.

Of course, the police already have the powers to seize evidence following an arrest, but in the context of policing a march or demonstration, arresting an individual may not always be an option if the tests for making an arrests are not satisfied. Even if arrest is an option, it may not be an appropriate policing response at that time. Obviously, the decision would be at the discretion of the police. In such cases, if the police wish to take action against a person displaying such a flag, then instead of arresting the individual, the officer may choose to report the person for summons on suspicion of committing an offence under section 13 of the Terrorism Act. This new power would enable the officer in these circumstances to seize items such as flags that are reasonably in evidence under the section 13 offence without there having been an arrest, provided that the officer is satisfied that it is necessary to seize such items to prevent the evidence being concealed, lost, altered or destroyed. By preventing the loss and destruction of such items and articles, this approach will better support investigations and prosecutions by providing more evidence to help take forward prosecutions.

Gavin Robinson (Belfast East) (DUP): The Minister will know that there are particular issues around flags and their association with proscribed organisations in Northern Ireland. Will he outline for our benefit what engagement he has had with the Police Service of Northern Ireland, or indeed with the Public Prosecution Service in Northern Ireland, around this clause, the associated difficulties in pursuing such prosecutions and the ancillary arguments that are made that a modern-day flag associated with a proscribed organisation actually has roots in the legitimate historical associate group?

Mr Wallace: I know that throughout the passage of the Bill we spent days with the PSNI. On the point about the DPP, I will make sure that the hon. Gentleman

gets an exact answer on that from officials. As he will know, I have first-hand experience of what can go wrong and of the consequences of trying to take a flag or something from a proscribed organisation. Certainly, taking away a flag in certain parts of Northern Ireland has, in the past, acted as an instant lightning rod for a riot or a breakdown in civil order, and there were definitely better methods that could be used to police a parade. There is also an obligation on the police to make sure that policing is done in a way that allows a legitimate march to go ahead, but that does not provoke a public order disaster. That is why police discretion is important.

I understand the point that the hon. Gentleman is trying to get at, which is that, in Northern Ireland, the matter is not straightforward. A flag does not have pure terrorist content. Different parts of the community will interpret other people's flags. There is also a historical basis in organisations having a flag which links to the first world war. Things are not as straightforward as people think. I have been very cautious in introducing this amendment to make sure that my experience—and, obviously, the hon. Gentleman has greater experience—of Northern Ireland is not forgotten. I do not want to see flag protests becoming more and more polarised than they were in the past. I will happily get back to the hon. Gentleman in relation to the DPP in Northern Ireland.

I turn now to Government amendments 2 to 4 to clause 3, which close a widely recognised gap in the law with regard to the viewing of terrorist material online. Following the helpful debate in Committee and considerable discussions with the Labour party and its Front-Bench Members, I took the decision that it was best to drop the concept of the three clicks. Throughout the passage of this Bill, I have been open to suggestions from all parts of the House. I agreed completely that, first, the three clicks would not survive the test of time and that, secondly, we would not end up with good law or achieve our aim. I undertook to see how we could improve on this, and I listened to the hon. Member for Torfaen (Nick Thomas-Symonds). I am 48—just about a kid of the '80s—so I remember the Spectrum and the ZX81, but I think it is best that legislation in the digital age looks like us, sounds like us and is not written by people who probably switch on a computer once a year.

Instead of splitting hairs about clicks and everything else, we came to the view that it was right in principle for the Government to update legislation for the digital age with provisions on the collection or recording of information that is likely to be useful to terrorists. The provision applies consistently to information that is accessed online, rather than as under the current measure, which only covers information that is downloaded. When the previous legislation was written regarding downloading content or taking copies, broadband was very slow—if it existed at all—so the only way people could watch content was by downloading it first. Now with superfast or fast broadband, people are streaming everything. This creates a loophole that can be exploited and that we have to close.

4.15 pm

Joanna Cherry: I am a little puzzled. The Government have conceded that clause 3, as originally drafted, was imperfect and lacked sufficient clarity, but do they not make the problem worse by removing the requirement for three clicks, so that only one click will suffice, and

broadening the offence to include not just viewing but accessing material in any way? I do not understand how these amendments address the imperfection and lack of clarity.

Mr Wallace: The intention behind the three clicks provision was an ambition to ensure proportionality and provide a safeguard for those who might inadvertently access such material, but we recognise the underlying difficulties of this approach and the uncertainty regarding how it will be implemented. That is why we tabled amendment 2.

Amendment 4 complements amendment 2. It is intended to provide a similar safeguard, but in a clearer and more certain way, without relying on a blunt instrument. These amendments will make it clear on the face of the legislation that the reasonable excuse defence would apply if the person does not know, and has no reason to believe, that the information they are accessing is likely to be useful to terrorism. This means that a person would be able to defend themselves on that basis in court. As a result of section 118 of the Terrorism Act 2000, if such a defence is raised, the court and jury must assume it to be satisfactory, unless the prosecution is able to disprove it beyond reasonable doubt.

Joanna Cherry: I am not satisfied with that explanation, because the reasonable excuse defence is only there for somebody who does not know what they are doing. What if somebody legitimately accesses the material, knowing its content, but without any intent to commit harm—for example, an academic or a researcher? They would not be protected by that defence, would they? *[Interruption.]*

Mr Wallace: The hon. Member for Torfaen is absolutely right; it is set out quite clearly in the 2000 Act. The reasonable excuse defence is a good defence. It will cover journalists and academics, which is important. It would also mean that the prosecution is unlikely to commence in those circumstances, because it would not pass the Crown Prosecution Service threshold test of being in the public interest and of there being a realistic prospect of conviction. The police and the CPS are rightly focused on those who pose a genuine threat, and they have no interest in wasting their valuable time investigating and prosecuting people who pose no threat, where there is no public interest and no prospect of conviction.

Amendment 3 expands the offence of viewing information likely to be useful to a terrorist, so that it also includes otherwise accessing such material through the internet. This is simply intended to ensure that the offence captures non-visual means of accessing information such as audio recordings, in addition to video, written information or other material that can be viewed.

The Government recognise the sensitivities of the issues and the need to ensure proportionality and to provide appropriate safeguards, and we have been open to exploring how clause 3 can be improved to do so in a clearer and more certain way. But we make no apologies for sending a clear message that it is unacceptable to view or stream such serious and harmful terrorist material without a reasonable excuse, nor for having in place robust penalties for those who abuse modern online technology to do so. We consider that clause 3, as amended, is both proportionate and necessary to allow the police to take action to protect the public from potentially very serious threats.

[Mr Wallace]

Government amendment 5 responds to the oral evidence heard by the Public Bill Committee about the maximum penalty for the offence of failure to disclose information about acts of terrorism. Section 38B of the Terrorism Act 2000 makes it an offence to fail to disclose to the police information that might be of material assistance in preventing an act of terrorism or in securing the apprehension, prosecution or conviction of a terrorists. This offence might apply in a case where a person, not themselves a terrorist, knows that a family member or a friend is planning or has committed an act of terrorism and fails to inform the police. In his evidence to the Committee, the independent reviewer of terrorism legislation, Max Hill QC, argued that the maximum penalty for this offence is too low and should be increased. Having considered the issue further in the light of recent cases, we agree. Those who know that others are engaging in, or planning, terrorist activity have a clear duty to inform the police about such actions. Where people do have information about attack planning or other terrorist activity and they fail to inform the police, it is right that we have appropriately stringent sentencing options in place. An increase in the maximum penalty from five to 10 years' imprisonment will send a clear signal about the seriousness of this offence.

This group of amendments also includes amendment 13, in the name of the hon. Member for Torfaen, which seeks to provide for an independent review of the Prevent programme. I shall wait to hear what he has to say about that amendment.

Nick Thomas-Symonds (Torfaen) (Lab): I am grateful to the Minister for setting out the designated area offence.

Before I turn to that, I join entirely with the Minister in his opening remarks marking the anniversary today of the terrible attacks on the twin towers on 9/11 in 2001, and indeed his remarks about the inquest on the Westminster bridge attack. We all join together in paying tribute to our emergency services, to the first responders in the United States and to all the families who were affected by those terrible events. Of course, as we debate this legislation today, we bear in mind that experience, and indeed the experience of other terror attacks.

I am pleased by and accept what the Minister said in apology for the late arrival of this new clause. I am sure he will appreciate that it was disappointing that we were not able to subject it to scrutiny in Committee, because it would obviously have been more useful had we been able to do so. Of course, that does not mean that we will not want to put it to scrutiny in the other place, and we certainly will do that, but I would have liked to have been a position to give it more scrutiny before today. None the less, I accept that, as legislators, we have to look to deal with the threat that foreign fighters pose to this country when they return, and I am not proposing that the Opposition oppose this measure. However imperfect legislation can be, the rule of law is paramount. If we ever sacrifice the rule of law—if we undermine our own values in dealing with those who seek to destroy them—then we lower ourselves to the level of their barbarism.

I am pleased that, in dealing with this, the Minister has rejected calls to update the law of treason, which, after all, reached our statute book in 1351, has not been

used since 1945, and was meant for a different age. We are also pleased that the Minister has rejected calls simply to dole out justice summarily and arbitrarily, which would undermine the rule of law. Unfortunately, other members of the Government—not least the Defence Secretary, I am afraid, last December—have previously suggested that. I am glad that those courses for dealing with this have clearly been rejected by the Minister.

As the Minister set out, new clause 2 designates in a statutory instrument laid before Parliament an area for the purpose of protecting members of the public from terrorism. In a letter to me, the Minister made it clear that such a statutory instrument would be introduced via the affirmative procedure, so that whenever an area was to be designated, it would be done on the Floor of the House. I hope he can confirm that that will be the case.

As the new clause sets out,

“It is a defence for a person charged with an offence under this section to prove that the person had a reasonable excuse for entering, or remaining in, the designated area.”

That reasonable excuse defence will be an extremely important safeguard. I also draw attention to what Max Hill QC, the current independent reviewer of terrorism legislation, said in October 2017:

“those who travelled out of a sense of naivety, possibly with some brainwashing along the way, possibly in their mid-teens and who return in a state of utter disillusionment...we have to leave space for those individuals to be diverted away from the criminal courts.”

Prosecutorial discretion and whether prosecution is in the public interest will, of course, be vital in this area.

While it is essential to deal with this matter by legislation, we will want to look at it in more detail, particularly in the other place. I welcome what the Minister said about being willing to work constructively on this, as he has on other parts of the Bill. We clearly cannot guarantee where future conflicts will take place, but we have to be prepared for those eventualities. We will want to look at the mechanism by which the Home Secretary designates these areas and ensure that we have appropriate safeguards. I am sure that nobody in this House would want to discourage aid workers and other people who we want to be in these areas from going to them. That clearly is not the intention of this law, and we will have to look at how we can ensure that that is the case.

I turn to the issue of seizing flags. In evidence to the Committee, Assistant Commissioner Basu mentioned the absence of this power from the Bill. I have looked carefully at amendment 1, and I am grateful to the Minister for his briefing on the context of how this power will be used. The issue of the sensitivity with regard to Northern Ireland was raised in interventions on the Minister. I am grateful to hear that he has been in contact with the Police Service of Northern Ireland, and I hope that that will continue.

At present, the issue is that police can only seize material with an arrest at the scene. Amendment 1 allows material to be seized where notice is given of a summons—in other words, the person does not have to be arrested at the scene, and a summons can follow within the prescribed six-month period. The person will still have to appear in court, but there will not have been an arrest at the scene. There is a suggestion of the power being used where there is not quite enough evidence to arrest someone at the scene, but I suspect that that would be extraordinarily rare in practice, because if a

flag is in support of a proscribed organisation, it is difficult to see how someone would not be committing a criminal offence in those circumstances.

I tend to see this amendment in terms of how large protests will be managed. This power provides police at the scene with an additional option. It may well be the case that trying to arrest someone at the scene can either cause a public order problem or exacerbate one, and the summons method might be easier. It is not, of course, for us to comment on an operational matter. That would have to be a judgment of the police officer at the scene, but we can set out the framework. I expect that we will have to review how the power works in practice, but it is not my intention to oppose the amendment in principle.

I turn to the Government amendments on the three clicks offence, which has been raised in interventions on the Minister. I raised a number of concerns about this in Committee and tabled a total of five amendments on it. First, let me say that I understand why the law needs to be updated in this area. It was designed for a different internet age, when people tended to download content and watch it. It does not cover those who stream it, and clearly it must cover those who do so. The difficulty in my view is that the three clicks approach simply creates more problems than it solves, and I am grateful to the Minister for listening in that regard.

4.30 pm

However—this point was raised in an intervention by the hon. and learned Member for Edinburgh South West (Joanna Cherry)—research into terrorism and its ideology is obviously hugely beneficial in understanding the reasons why people are drawn into terrorism, if nothing else. We should not be penalising those who conduct legitimate research or investigative journalism, nor should we be penalising legislators, including those on our own Home Affairs Committee who may well wish to look at some of this content over time for particular reports that they are considering.

On the reasonable excuse defence, such a defence was already in the original Act—the Terrorism Act 2000—and it has of course been interpreted by the courts since. In Committee, I asked the Minister to look at amplifying that, if possible. I clearly would not want the Minister to set out in statute every single version of the reasonable excuse defence, because there may well be additional new reasons that the courts will themselves want to interpret, and the courts should have the freedom to do so. However, I wanted the Minister to try to cover what I would describe as inadvertence, where somebody simply clicks on something without any intention of viewing terrorist material.

That is what the new provision being introduced to the Bill will actually do, rather than have the arbitrary three clicks, given that nobody could tell over what period the three clicks were to be made and all the rest of it. This method of taking out the three clicks and amplifying the reasonable excuse defence so that it covers cases where there is no intention to look at terror material, while at the same time keeping all the different aspects of the reasonable excuse defence—journalism, research and other reasons, such as for those conducting investigative journalism—is a better balance than was struck in the original version of clause 3. I am not suggesting for a moment that any piece of legislation is perfect, and the Bill will have its imperfections that the

courts will no doubt pick up when it goes on to our statute book. At the same time, however, we have to try to deal with the issue of streaming, and I think this is a better attempt at doing so than the original version of the clause.

I will turn to the issue of the maximum sentence. A single instance of an increase in the maximum sentence will now be added to the Bill for the offence of failing to disclose information about acts of terrorism. The evidence from the independent reviewer of terrorism legislation was important. On this, I just want to press the Minister on what he said in Committee.

“we have kept the Sentencing Council apprised of the provisions in the Bill, and the chairman has indicated that the council plans to revisit the guidelines once the Bill has completed its parliamentary passage.”—[*Official Report, Counter-Terrorism and Border Security Public Bill Committee*, 3 July 2018; c. 105.]

It is absolutely vital that the Minister again goes back to the Sentencing Council both about the other increased sentences in the Bill that we have already discussed and, in addition, about this other increased sentence. I hope that the Minister will be able to give an undertaking on that.

Finally, I come to amendment 13, in my name, regarding an independent statutory review of the Prevent programme. Let me make it clear at the outset that I have visited the Prevent programme—I am very grateful to the Minister, who has always assisted me in facilitating such visits, and indeed to the Home Office civil servants, who accompanied me—and I have seen some of the excellent work that goes on. I do not for a moment denigrate the work that is being done to divert people from a life of terrorism to a far more constructive life—that is absolutely to be praised—but I suggest that it is part of good governance regularly to review whether policies are working as they should be, and if improvements can be made on the basis of those reviews, they should be made.

The Minister will of course be aware that concerns have been expressed about the Prevent programme, and these could be considered within the scope of the review. The first concern is with regard to its aims. I have seen the Prevent programme in action in schools, for example, and in dealing with particular individuals. I have heard the previous independent reviewer of the terrorism legislation, David Anderson, speak about it, and I have interviewed people who feel they have benefited from the programme. I would describe that sort of work as the welfarist aspect of Prevent. We have to be clear about its aims, because it is perceived by some communities as an intelligence gathering exercise. If we feel that certain communities have lost confidence in the programme, of course we have to deal with that.

Prevent also has the aim of community cohesion. I have seen some very good work on that within the narrow confines of the programme, but there is concern about whether there is scope for the kind of community cohesion activity that is required, given the swingeing cuts we see to local government services, and specifically to children’s services and youth clubs—something that local authorities have highlighted to me when I have been out looking at Prevent programmes.

I am not saying that there is not excellent work going on as well, but we have to accept that some communities find it difficult to be confident in the programme. In those circumstances, it is sensible and reasonable to want to review it, ensure that it has wide community support

and make improvements if necessary. That does not undermine the counter-terrorism strategy—far from it; that is about improving it, and about good governance.

In Committee, the Minister spoke about internal reviews of Prevent. Fine, but let us have a full statutory review as well, and make the improvements that are needed to our efforts to tackle counter-terrorism.

Mr John Hayes (South Holland and The Deepings) (Con): I hear what the hon. Gentleman says about Prevent, and welcome his warm support for its principles. I am glad that he has been to see its programmes, as I did when I was Minister for Security. He makes a useful point about the oversight of Prevent and about measuring the implementation of the Prevent duty. He will remember that we introduced that duty when I was the Minister. The duty affects a wide range of organisations, but the evidence suggests that its effectiveness varies across them. It would seem to be useful to take a look at that, but I would not call that a wholesale review; rather it is measuring its effect.

Nick Thomas-Symonds: I am grateful to the right hon. Gentleman for his intervention. I know the work that he did in this area. I have seen the Prevent duty in operation, both on visits as a shadow Minister and in my constituency, as it happens. I appreciate his point about whether a statutory review is justified. Clearly, we are talking about an aspect that could be taken into account in a statutory review, but wider issues to which I have already referred could also be taken into account. A statutory review would give us the opportunity to re-evaluate the programme fully, to look at those communities that have lost confidence in it and why, and to improve our ability to tackle counter-terrorism.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I will speak about new clause 2 and the context in which it has been brought forward. The first responsibility of any Government is always to protect their citizens, and as the threats to our country evolve, so must our laws. In a speech on 17 October 2017, Andrew Parker, the director general of MI5, described the ongoing terrorist threat as

“multi-dimensional, evolving rapidly and operating at a scale and pace we’ve not seen before.”

The threat posed by terrorists and malicious actors is not going away—far from it. Last year, there was an increase of 58% in the number of arrests for terrorism-related offences. The threat is increasing and new clauses will be required to combat it.

Members have alluded to the fact that today is 11 September. No doubt we all remember where we were on this day in 2001 during the attack on the United States. I was on the wards in my first job as a hospital doctor. I was looking after an old lady who was watching television, and from behind her, I saw on the screen the aeroplane fly into the first tower.

We were all here last year when Westminster was attacked. People were tragically killed and PC Palmer gave his life protecting this House and protecting us. As we debate this topic today, we will be remembering those who were injured in those attacks and the good work and bravery of the police and the other emergency services who protect us. Every day when we come to work, the Annunciator reminds us that the threat level

is “severe”. It has been severe continually for at least the past four years. This means that at any given time an attack is considered to be highly likely. As I said, it is our first duty to protect the citizens of the country. It is important, in a free and democratic country, that we do that in a way that is both proportionate and effective.

On declared areas, my understanding is that there is a significant precedent in Australia, where a specific law states that it is a criminal offence for people to go to an area. I understand that it has been used on three separate occasions in Australia, where, as is proposed here, the maximum sentence is 10 years imprisonment. That is understandable, given what the Security Minister has said, which is that 400 people who have returned to this country are believed to have been active in fighting abroad.

Alex Chalk (Cheltenham) (Con): Does my hon. Friend agree that one of the problems facing police and prosecutors when people come back from overseas is that if they want to investigate them for preparing acts of terrorism, it is sometimes extremely difficult to get hold of evidence that may be in other parts of the world? This measure is an important way of filling that gap in the law, so that people can, when the evidence allows it, fairly be brought to account.

Dr Johnson: I thank my hon. Friend for his intervention. He puts what I was going to say much more eloquently than I could. He is exactly right. The Government need to have a way to manage the threat posed by these individuals, when they are not able to gather evidence from abroad, perhaps in a country that is a very dangerous place to be. How effective does the Minister feel the measures have been, where they have been introduced in Australia, in preventing people from going to those places and prosecuting them on their return?

The Bill also serves a vital role in updating and closing the gaps in counter-terrorism legislation in the online world. As has been described eloquently by other hon. Members, the way people use the internet has changed and continues to change. Material is more likely to be shared online than as hard copy. Material is often streamed, rather than necessarily downloaded. As the growth of the internet has provided us with unprecedented ways to stay connected and share information with each other, its potential has also been harnessed by those who wish to do us harm. This is seen every day in the huge amount of terrorist propaganda that is created and shared online. This is done at a rate much quicker than our ability, at present, to remove it. The updating of the offence of obtaining information likely to be useful to a terrorist to cover terrorist material that is viewed or streamed over the internet rather than downloaded is a reflection of how internet media are consumed today. In my view, this is an overdue update of our laws.

Furthermore, the Bill makes it clear that the existing offence of displaying in public an image that arouses reasonable suspicion that a person is a member or supporter of a proscribed organisation will now cover the display of images online. Again, that is important because if somebody on a protest march walks down a street carrying a flag or displaying an image, it will be seen by a limited number of people. Their ability to spread such images more widely and to influence more people is greatly enhanced by the ability to share them online. That is why this law is important.

4.45 pm

It will be a criminal offence for individuals to share or publish things online, but will the Minister update the House on what is being done to encourage or mandate the social media companies on whose platforms such images may be shared to remove them rapidly? We know that such images can be shared incredibly quickly and can travel around the globe many times on Facebook. That is demonstrated by schoolchildren, who produce an image and then share it to see how far it can go. There is no doubt that such images can be shared very quickly. What is the Minister doing to ensure that images that are known to be harmful are removed rapidly? What discussions have Ministers had to ensure that those who are responsible for social media accounts must identify the people who use those accounts, so that when something is shared online, it is easy for the police and security services to identify the individual who is responsible for the images?

While part 1 of the Bill is concerned with the modern threats posed by terrorism in the digital age, part 2 is concerned with the age-old threat posed by hostile states. The chemical attack in Salisbury, which I understand we will debate further tomorrow, shocked this country and the world. It was thought that such attacks by other states on our soil belonged to a bygone era. As more details have emerged, including those that the Prime Minister informed the House of last week, the mundane nature of the attack—flying into the UK on valid passports and travelling from Waterloo station—makes it all the more terrifying.

Part 2 of the Bill seeks to strengthen our borders against such an attack in the future by creating new powers to investigate hostile state activity at the border. Police and customs officials will be able to stop, question, search and detain an individual at the point of entry to the country.

Luke Graham (Ochil and South Perthshire) (Con): My hon. Friend is explaining to the House how terrible the attack in Salisbury has been. Does she agree that it is actually a threat to the whole United Kingdom and that it is important that the provisions in the Bill are carried through not only so that action can be taken but so that information can be shared with security and police services right across the United Kingdom?

Dr Johnson: I agree that it is important in any part of police work that, where appropriate, information is shared throughout the country so that individuals who seek to do us harm can be stopped or caught if they have already committed an offence.

Being able to stop people at a border and question their intentions on coming to this country will be important in enabling the Government, the security services and the police to protect the citizens of the UK.

Stephen McPartland (Stevenage) (Con): Does my hon. Friend agree that our constituents would expect us to be able to stop people at the border and question them in case they are a threat to this country?

Dr Johnson: I thank my hon. Friend for a great intervention. He is right that for many of our constituents, it will come as a surprise that we are not able to do this already.

Huw Merriman (Bexhill and Battle) (Con): To continue on that theme, does my hon. Friend agree that the security elements of the White Paper on the future relationship will be essential in guarding our borders because they will ensure that we continue to work very closely with our European Union neighbours to tackle this as 28 countries, rather than just one?

Dr Johnson: I agree. Terrorism is a global threat. It affects us in this country, but, as we remember on 11 September, it has affected the United States, and it continues to affect countries throughout the world. It is absolutely right that we share information with trusted countries. We have the “Five Eyes” security grouping, and we also have the EU. It is important that we work with all our international friends to keep our country safe.

Michael Tomlinson (Mid Dorset and North Poole) (Con): It was said earlier from a sedentary position, “Well, that’s what the EU is for.” Does my hon. Friend agree that it is the whole international community? We are leaving the EU, but does that mean that this is any less serious a subject? As my hon. Friend has said, we will continue to work with the EU even after we leave.

Dr Johnson: I agree absolutely.

Gavin Robinson *rose*—

Dr Johnson: I give way to the hon. Gentleman.

Gavin Robinson: I am happy for the hon. Lady to expand on her point before she gives way—I hope—again.

Dr Johnson: The hon. Gentleman looked so keen to get to his feet.

It is absolutely right that we tackle the threat to our country by co-operating with our international friends and neighbours, and those neighbours will of course include the EU. Furthermore, it will not matter that we have left the EU because it will be in our mutual interest to co-operate on security.

Gavin Robinson: I am grateful to the hon. Lady for continually giving way as it allows us to develop some of the points.

This power already exists. Our authorities have the ability to stop people at our borders and airports who are suspected—or not even suspected—of terrorist offences. We discussed on Second Reading—and I engaged with the Minister subsequently on this point—how Border Force often uses the power erroneously against British citizens travelling from Belfast to Birmingham, for example, or from Glasgow down to Birmingham or London, and so on. It is not appropriate. I hope in this debate to get a sense that there will be some restrictions on a power that is worth while and useful from a terrorist prevention perspective, but which is being used improperly and erroneously.

Dr Johnson: I thank the hon. Gentleman for his question, although it is one for the Minister, rather than me. I would certainly expect the authorities to use the power proportionately and where necessary to keep people safe, not to stop and question people at the border without reasonable grounds.

[Dr Caroline Johnson]

Several hon. Members have raised the reasonable excuse issue in respect of people returning to this country. People who have been to a declared area will have the reasonable excuse defence. So people will be able to travel to these areas for legitimate purposes—for example, for journalism or to visit family for a funeral or some such important bereavement event. It will also be allowed for people delivering aid, and obviously for the armed forces. The Government have worked to ensure that these declared areas provisions meet the important test of protecting our citizens and are both proportionate and effective.

Joanna Cherry: The hon. Lady is being very generous with taking interventions. She said a moment ago that leaving the EU would not matter in terms of our co-operation with the EU. Does she not understand that when we leave the EU we will be a third country and that third countries do not have the same access to information sharing as members of the EU? Indeed, it is why our “Five Eyes” allies like the UK being in the EU—they get access, through the UK, to information they would not otherwise have.

Dr Johnson: I disagree with the hon. and learned Lady. Each country has a duty to protect its citizens. She says the “Five Eyes” like access to the EU’s information, but is it not also reasonable to suppose that the EU likes access, through us, to information from the “Five Eyes”? I am sure that the Government would share information only with the consent of the countries that had given that information, when appropriate; it is as much in the interests of the EU to have access to our information as it is for us to have access to the EU’s information.

Joanna Cherry: Can the hon. Lady name any third country that has the same access to information trading within the EU as an EU member?

Dr Johnson: I am afraid that—[*Interruption.*]

Mr Hayes: It may be—I do not say this with any acrimony—that the hon. and learned Member for Edinburgh South West (Joanna Cherry) is letting her pro-European prejudices get the better of her understanding of security. The truth is that, as she will know, we draw on a variety of sources of information. It is true that we use the Schengen database, but only as part of the network of information that we gather across all kinds of borders and from all kinds of sources to help to inform our intelligence and security services. The likelihood of that changing as a result of our departure from the EU is being exaggerated by those who have a different agenda.

Joanna Cherry: Name a country that has the same access.

Dr Johnson: I thank my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) for his intervention. I agree with him profoundly. I think it is scaremongering to suggest that for some reason the EU would not wish to share security information with us, and that we would somehow become less of a security partner or friend because we had left the EU.

Huw Merriman: There is not a country that has left the EU yet. We are that test case. The reality is that the EU27 will rely on us hugely when it comes to security,

because we are such a great provider of that. Perhaps I could urge Opposition Members to be a little more ambitious and recognise that we have a lot to gain from this, instead of running up the white flag.

Dr Johnson: Again, I agree profoundly.

The Bill is the result of a thorough review carried out by not just the Government but the security services of how we can best protect our citizens. I believe that we can best protect them by ensuring that the Government, the police and the security services have to hand all the tools that they need to deal with the modern threats that are posed to this country.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I echo the comments made by both the Minister and the hon. Member for Torfaen (Nick Thomas-Symonds) about the anniversary of 9/11 and the Westminster Bridge inquiry, and all who have been affected by those tragic events.

As we have heard from the hon. Member for Sleaford and North Hykeham (Dr Johnson), the first job of any Government, whether in London or in Edinburgh, is to keep their citizens safe. It is clear that we need to take action to update legislation in these difficult times of high-level terrorist threat combined with the constant march of technology and online communication. I fully appreciate the difficulty of keeping legislation current, answering the calls of the police and security services for further powers and maintaining the balance of freedom and civil liberties that we expect and enjoy. Of course, while we are supportive of the Government’s efforts, it is incumbent on any decent Opposition to offer amendments to improve the Bill and ensure that the Government get that balance right.

In Committee, we submitted many amendments that, sadly, the Minister was not wise enough to accept. However, he was wise enough to make some concessions to the Opposition. Amendment 2, for instance, would remove the requirement to view documents or records containing information likely to be useful to terrorists on three or more occasions—the three-click policy. We have some serious concerns about the impact that that may have on innocent individuals who have no interest in, intent to engage in, or wish to encourage terrorist acts. I am glad that the three-click policy has been removed, but I fear that it has simply become a one-click policy.

The previous policy was arbitrary and unworkable, given that the clicks could occur in an unspecified window of time, did not have to relate to the same content on each occasion and did not require any terrorist intent for the offence to be committed. As I did in Committee, I accept the Government’s point that more people now stream material online than download it to a computer or other device, and in that context it is vital that we continue to review our counter-terrorism approach.

The Government had argued in relation to clause 3 that the three-clicks requirement was intended to identify a pattern of behaviour; this amendment runs completely counter to that objective. As had been asked for in Committee, the Minister has included a reasonable excuse defence for this new one-click offence. I would like the Minister to address concerns raised by many, not least my hon. and learned Friend the Member for

Edinburgh South West (Joanna Cherry), who say that it is possible that the wording will have the perverse impact of narrowing the reasonable excuse defence available to people charged with the offence, as the courts are likely to reason that, in legislating for a reasonable excuse without including lack of terrorist intent within that excuse, Parliament did not intend for lack of terrorist intent to be an available excuse for this offence. We have to ensure that the clause does not criminalise people who may view these documents with no nefarious intent, such as academics and journalists.

5 pm

I turn to the Government's proposed new offence of entering, or remaining in, a designated area. The ministerial communication on this Bill has otherwise been excellent, but it was poor in relation to this new offence. The deadline for tabling amendments was the rise of the House on Thursday, yet we received the email with supporting documents about the offence at just after 7 pm on Thursday. That is poor practice.

I listened to the Minister set out his thinking on this and although I accept, as most of us will do, many of the points he made and what the new clause is trying to do, I am still not fully convinced it is necessary or proportionate. A reasonable excuse defence is included in the proposal; however, people travelling to visit family, conduct research, document human rights abuses or undertake humanitarian relief could all be criminalised and imprisoned for up to 10 years should their reasonable excuse be found wanting. Some people will simply opt not to travel, which would have a chilling effect on family relationships, academic inquiry and investigative journalism. The likes of our fantastic correspondent David Pratt of the *Herald* and *National* may think twice before travelling to war and conflict zones to bring us the real story on the ground.

The offence also risks criminalising vulnerable people who are groomed or otherwise convinced to travel under false pretences, as well as people who are unable to leave an area once it has been designated. In some circumstances, people will simply be unaware that an area has been designated, and may fear returning home once they become aware that they have committed an offence by failing to return within the requisite period.

Reasons for travelling to volatile and even dangerous overseas locations are varied and complex, but by no means are they uniformly malign or connected with terrorism. In the short time that we have been acquainted with this proposal, the Government in their correspondence and at the Dispatch Box today have not to this point convinced us of the necessity of the offence and at 6 pm we will be voting against new clause 2. I am not hopeful of success in that Division, and with that in mind I urge the Minister to commit to a review 12 months after implementation to ascertain the necessity of the offence and to evaluate whether the reasonable excuse defence has provided the appropriate level of protection to the groups I have highlighted.

Finally, I would like to speak in support of amendment 13, tabled by the hon. Member for Torfaen (Nick Thomas-Symonds), which I was delighted to support. A few months ago I, along with colleagues from the Justice Committee, visited Medway Secure Training Centre. At lunchtime, we sat with some of the staff and the young adults detained there. One of the detainees I sat with and had a long conversation with was a hugely impressive

young woman of 17. I am not sure of the type of person I was expecting to meet in such facilities, and that is wrong as we should not have an expectation, but I certainly was not expecting to meet someone as impressive, intelligent and articulate as this young woman. She was popular with all the children and young adults—they had voted for her to be their representative on a centre management committee—and she was popular with staff, and she had helped improve the centre's reward and discipline system. In short, she was an impressive young lady. Thirty minutes later, I was told that the young woman we had met was Safaa Boular, who at that time was a remand prisoner awaiting trial on terrorism charges. That had a profound effect on me, and on how I view the radicalisation of young and vulnerable people.

This is not an easy issue; in fact, it is an extremely difficult and almost impossible one. Safaa, along with her mother and sister, had planned to carry out truly terrible acts. The fact that she was convicted and, just last month, sentenced to life imprisonment is testament to that. I am not saying for one second that people like Safaa should not be punished—of course they should—but I know that we have to do more to help people like her before they become radicalised. Despite the fact that the Prevent strategy is better implemented on the ground in Scotland than it is south of the border, I am pleased to support amendment 13, which I urge the Minister to accept. All it asks for is a review.

Mr Wallace: The hon. Gentleman makes an honest and powerful point about Safaa Boular, whom he met. Terrorists do not always present themselves in balaclavas or as nasty pieces of work, and they are often the victims of grooming or other troubles. The people who groom the likes of Safaa Boular are those returnee fighters who are hardened and who come back here. In the past, we have found such people difficult to put on trial and put away to protect the likes of her from those groomers. The designated area offence will give us the ability to do that. If returnee fighters pose a real and present threat of radicalising people in these communities, as they do—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Just to help: the Minister will obviously want to come back at the end of the debate, and I want him to save something to come back with. Even those on the Front Bench are meant to make only short interventions.

Mr Wallace: I apologise, Mr Deputy Speaker.

Mr Deputy Speaker: No problem.

Gavin Newlands: Thank you, Mr Deputy Speaker. I fully accept the central point that the Minister is making, but he has failed to convince us on the question of proportionality and on the necessity for the new clause. I should also point out that Safaa was not radicalised or groomed by someone who had returned; she was radicalised and groomed by someone overseas. In conclusion, I urge the Minister to commit to this review of the Prevent strategy.

Sir Edward Davey: Across the House, we share a determination to tackle terrorism. Seventeen years ago today, I was visiting my grandmother. She was watching

[*Sir Edward Davey*]

the television and she showed me what was happening in the appalling attacks in the United States. We in this House also know about the atrocities that happened just 100 yards away on Westminster Bridge recently. So we all want to ensure that we can do whatever we can to keep our people safe and to fight against the scourge of international terrorism. The question tonight, however, is whether the new clause and the new Government amendments will help to protect us. We have seen a huge number of laws added to the statute book, quite rightly, to help us and our security services in the attack that we are making on terrorism and in the fight back, but I am not yet convinced that this new clause and these amendments will add to the successful work that has been going on.

I say to the Minister that I reach that conclusion reluctantly, but I should like to put forward my arguments, because I am not alone in this. Skilled independent commentators have reached a similar judgment to the one that I have reluctantly reached. My first argument in relation to new clause 2 is that it is not needed. Clause 5, with which we agree, will quite rightly expand extraterritorial jurisdiction. We have seen this before, and clause 5 takes those measures further to ensure that terrorist offences committed abroad can be prosecuted in the United Kingdom. That is sensible stuff. New clause 2 wants to go further, however. Rather than being primarily concerned with terrorist acts abroad, it seeks to criminalise the whole concept of going abroad. In other words, it is not about the actions of a person but about locations.

The Minister, in his usual rational way, tried to reassure us that this was not meant to apply to aid workers or journalists, and I presume that it would not apply to people who wanted to visit sick relatives and who might even risk going to a war-torn country to do so. He referred to proposed new subsection 58B(2), which is found in new clause 2, which offers that defence, but the way I read it, the person charged will have to prove that they had a reasonable excuse for entering a designated area. That is not quite what the Minister said at the Dispatch Box, and although I did not intervene at the time, I do not think that people will be innocent until proven guilty, and that should worry the House.

The other issue is one of common sense. If a terrorist or freedom fighter who has returned is accused of going to such an area, they could no doubt make a reasonable excuse defence. They could say that they were an aid worker, and the Government would then still have to prove that they have evidence that the person was doing something wrong and was not an aid worker. I am not absolutely convinced that the Government have got this right, and I will go on to quote the former independent reviewer of terrorism legislation, David Anderson QC, who supports my view.

Nick Thomas-Symonds: There are obviously concerns about new clause 2 that we will have to consider in the other place; it is a shame that it arrived late. As for the idea of the reverse burden, under section 118 of the Terrorism Act 2000 a defendant has to raise it and then it is up to the prosecution to disprove it.

Sir Edward Davey: I am just going by what the Minister has tabled today.

David Anderson, the former independent reviewer of terrorism legislation, said in 2016 of a very similar proposal that

“this offence would not be worthwhile for the UK.”

He also complained about the burden of proof being “on the honest and worthy to show entry into the prohibited area for a legitimate purpose.”

He said that foreign terrorist fighters

“will also cite aid purposes, so the ultimate burden of proof will still demand evidence not just of presence but also of training, logistical support, or involvement in fighting”

and went on to argue that such activities are of course already covered by the law. He also looked at the practical problems, referring to the fluidity of the “area controlled by Islamic State (Daesh)”

and how difficult it would be to fix an area in law when the task might be like mapping the shifting sands of time and reality as the space governed by such organisations changes. There are practical problems with this legislation and, like the former independent reviewer of terrorism legislation, the Liberal Democrats do not think that the Government have made a case for it. We want to ensure that the other place scrutinises the measure given that this House has not been given sufficient time.

Finally, Government amendments 2 and 4 seek to replace their original proposal for obtaining and viewing certain material over the internet—the so-called three-click rule—with a one-click rule and a defence of ignorance about the content of the click. I spoke against the three-click proposal on Second Reading, as did many other Members on both sides of the House, and asked Ministers to go away and think again, but I did not expect them to come up with an even worse proposal. The defence for viewing such material with good cause has actually been reduced, and I am not alone in thinking that. Amnesty International fears that there is a serious risk of a chilling effect on the freedom of inquiry, whether from journalists, academics or researchers.

Mr Wallace: The right hon. Gentleman makes the same mistake that the SNP Front-Bench team made. Contrary to narrowing the definition, proposed new subsection (3A) in amendment 4 states:

“The cases in which a person has a reasonable excuse for the purposes of subsection (3) include (but are not limited to) those in which at the time of the person’s action or possession, the person did not know, and had no reason to believe”.

There is no finite list. The legislation is as broad as possible to include a whole range of reasonable excuses, including ones that we have not even thought about.

Sir Edward Davey: I am grateful to the Minister for trying to clarify the situation, but I will let others in the House read the words on the amendment paper and reach their own conclusions. In my opinion, there is a serious concern that the definition is not wide enough and that there will be, as Amnesty International and others have said, a serious chilling effect on independent inquiry. Let us remember that it is already an offence under legislation introduced by the previous Labour Government to collect or record such information. Anyone behaving in a way to prepare for a terrorist act or to encourage such an act already, rightly, commits an offence, and there is a reason why, under the Counter-Terrorism and Security Act 2015, viewing material, as opposed to collecting or recording it, was not made an offence—it is called evidence.

5.15 pm

Max Hill, the current independent reviewer of terrorism legislation, says:

“the Government and researchers have repeatedly asserted that there is no clear production line from viewing extremism or even being ‘radicalised’ into becoming an active terrorist.”

In summary, he says this new mode of offence is based on the premise of a one-way or conveyor-belt radicalisation to terrorism thesis that, in other areas, the Government argue does not exist. The Government are not even following their own argument or the evidence. It is not me saying that but the independent reviewer of terrorism legislation.

Max Hill particularly criticises clause 3. He warns that

“a principled boundary line as to the legitimate usage of criminal law is being crossed.”

He has also said:

“Given a choice—given a free hand—I would be more likely to argue that it is not necessary to legislate in this way at all.”—(*Official Report, Counter-Terrorism and Border Security Public Bill Committee*, 26 June 2018; c. 39, Q86.)

The Government-appointed independent reviewer of terrorism legislation is saying that we should not be legislating. The House should listen to the independent expert who has been assigned the task of advising us.

I will translate Max Hill’s very diplomatic legal language into what he is actually trying to say. I do not have to work very hard to read between the lines of this expert. He is basically saying that clause 3—and thereby Government amendments 2 and 4—is unnecessary and should be rejected. I hope the House rejects new clause 2, and with it Government amendments 2 and 4.

John Woodcock: I rise to speak strongly in favour of new clause 2, not least because I have spent the past nine months beseeching the Government to introduce exactly this measure. I thank the Minister not only for his kind words in response to my earlier intervention but for the constructive and open way in which he has worked with me. He has been clear from day one that he had already identified this measure and was looking at following the Australian example.

It is disappointing to hear the right hon. Member for Kingston and Surbiton (Sir Edward Davey), for whom I have a great deal of respect, speak so passionately against bringing in this measure. It was less surprising to hear the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) do the same. I listened carefully to both, and I am none the wiser as to what either the Liberal Democrats or the Scottish National party would do to improve the incredibly dangerous situation to which this country has been exposed through the current conflict against Daesh.

By the Government’s own figures, more than 800 British citizens of interest to the security services have travelled to Iraq and Syria during the conflict. More than 400 of them, around half, have returned to the UK, yet there have only been 40 prosecutions for terrorist offences. That one in 10 rate is absurdly low, currently, when we know that the overwhelming majority of those people are going over to Iraq and Syria with no other purpose than to support jihad—to support this evil organisation. Yes, I think the shadow Minister was right in the way that he referenced what Max Hill had said about the number of people who return who may have been

coerced to go over, may be disillusioned and may be able to play a valuable role in preventing others from doing so. At the moment, though, the message that this country is sending through the laughably low prosecution rate is that it is okay to go over there, to follow that dream; that people can look for the Ummah over there, and then they will be able to come back and reintegrate into society and the police and security services cannot touch them. That is a dreadfully dangerous message to be sending to people. And the measure before us, surely, is a common-sense measure, for which safeguards can easily be provided. Those who are travelling over for legitimate purposes to do aid work clearly will do so as part of a wider group and will be able to show verification for doing so.

Bim Afolami (Hitchin and Harpenden) (Con): Will the hon. Gentleman give way?

John Woodcock: I will in just a moment. I very much hope that this legislation will get on to the statute book, and when it does I very much hope that there are very few prosecutions. It ought to provide a deterrent effect for future generations who would otherwise be tempted to go over there. I will happily give way to the hon. Gentleman, if his colleague gets out of the way in time. Okay; he does not want to intervene.

It is disappointing to hear that the Scottish National party intends to press the new clause to a Division.

Joanna Cherry *rose*—

John Woodcock: I will give way to the hon. and learned Lady, and I hope she will answer to her constituents and the people of Scotland why she thinks that her approach would make the Scottish National party, in an independent Scotland, fit to keep its citizens safe from terror.

Joanna Cherry: I would just very gently say to the hon. Gentleman that it ill behoves him to question the motives of democratically elected Members who seek to test the necessity and proportionality of an amendment that was only tabled two or three days ago. I would ask him to consider his approach and his language. The reason I wanted to intervene was that the Australians have a sunset clause on this power. Does he think it might be an idea for the Government to introduce a sunset clause as a safeguard?

John Woodcock: I cannot see any convincing argument for doing so. If the hon. and learned Lady wanted to make one, surely she or her party spokesman could have done so. To be clear, I do not think the motives—nothing that I have said about her party has suggested, I hope, that she actively wants to make the citizens of Scotland at greater risk from terror. However, I am afraid that that is what her party would do. Time and again, there is a long tradition, over many—

Joanna Cherry: On a point of order, Mr Deputy Speaker.

John Woodcock: A point of order? Oh, for goodness’—

Joanna Cherry: Is it really in order for this hon. Member to impugn my motives and suggest that I want to make the people of Scotland, or indeed the United

[Joanna Cherry]

Kingdom, unsafe simply by testing an amendment? Is that really in order? It seems to me pretty close to being out of order.

Mr Deputy Speaker (Sir Lindsay Hoyle): I know that would not be the case with the hon. and learned Lady, and I am sure that was not the intention of the hon. Gentleman.

John Woodcock: I think what we are hearing today is the real lack of scrutiny that the Scottish National party has consistently had in this place, and perhaps in the Scottish Parliament, over the years.

Joanna Cherry rose—

John Woodcock: No, I am not giving way. Sit down. Sit down. After that absurd non-point of order, I am not going to give way. The hon. and learned Lady has had her opportunity, and her party has had its opportunity, to set out why they believe that they can actually add to the security of the United Kingdom. They have just summarily failed to do that, as her party, I am afraid, has done over many years in this place.

Sir Edward Davey rose—

John Woodcock: I will of course give way to the right hon. Member for Kingston and Surbiton.

Sir Edward Davey: I am grateful to the hon. Gentleman and he should know that I have a lot of respect for him. Therefore, I would ask him gently if he would go away and look at the words of David Anderson QC, just two years ago, on an almost identical amendment. That very respected independent reviewer of terrorism legislation said that this type of amendment would not work and was not needed.

John Woodcock: I am of course aware of David Anderson's views, and I am afraid I simply do not agree with him. Will the measure solve the problem of British citizens being brainwashed into supporting jihad? Clearly, it will not—I will say a little more about the Prevent strategy in a moment—but it is surely a valuable extra tool that has been shown to be severely lacking in the UK's arsenal in the past few years, given the hundreds of people who have come back from the terror hotspot of Daesh-controlled Iraq and Syria and not been prosecuted.

I will wind up my remarks by talking about Prevent. I heard what the shadow Minister said about the official Opposition's motion on review, and I have no doubt that those views are sincerely held, but I will not support him on the amendment, if it is pressed to a vote. I agree that Prevent should be continually under review, but I am concerned about the head of steam that has developed, sometimes from my good friends in this place, which has given the impression that there is something fundamentally at fault with Prevent. There are of course those in Muslim communities who question it, but the responsible position for people in this House and beyond is to make the case for the Prevent programme's valuable work and to highlight the number of people who feel that their lives or the lives of their loved ones have been saved through it.

Ultimately, those who want to discredit Prevent and want it to fail are those who want to give a very different message to our young people. I hope that those on my side of the House—it remains my side of the House, at least—will reflect on the language and tone that they use when describing Prevent.

Mr Wallace: I was listening to the hon. Gentleman's dulcet tones. He articulates the challenge with security. None of us wants to ratchet up security. We want to balance our liberal open democracy and our individual freedoms with the clear and solid duty of the state to keep people safe.

In the 21st century, we have had a rapid growth in insecurity around the world, brought to our doors by such things as the internet and communications service providers. My hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson) talked about the work on CSPs and what we can do to deal with the issue. That is why the offence related to streaming is so important for us. It may not satisfy the Scottish National party on streaming, but streaming is a method by which people are being radicalised and terrorist content is being spread. Streaming is a modern method of viewing terrorist content that helps to turn those young 16-year-olds into potential terrorists. People have to come up with better alternatives. They cannot say, "We are going to stick with the older legislation that is entirely predicated on downloading." They have to recognise how these people are doing business. That is why we brought in that offence of streaming.

The right hon. Member for Kingston and Surbiton (Sir Edward Davey) made a point about designated areas and the burden of proof. I wrote to the Opposition spokesman, the hon. Member for Torfaen (Nick Thomas-Symonds), on exactly that point. He has clearly articulated from the Dispatch Box that once the defendant has raised the defence, the burden of proof to disprove that defence to the criminal standard rests with the prosecution, as in section 118 of the 2000 Act. The burden of proof is positioned in that way, and at the moment we have decided that not having an exhaustive list is the way to go. Just as with the previous issues of reasonable excuse and streaming, we think the right thing to do is to allow people to present an excuse for being there. It also allows the broad space for their human rights and everything else to be correctly regarded.

5.30 pm

Joanna Cherry: I am very grateful to the Minister for the many telephone conversations that we have had during the passage of this Bill and for keeping me up to date, albeit not on last week's amendment. Does he understand that the reason why some of us on the SNP Benches are concerned by the designated area clause is that my very good friend and professional colleague at the Bar, David Anderson, who has expertise in this area, has expressed some concerns? Will the Minister note for the record that that is why some of us want to put this measure to the test—not for any reasons of frivolity, but for reasons based on sound legal concerns about necessity and proportionality?

Mr Wallace: Of course we listen to and respect current and former reviewers of terrorism. Lord Carlile, the former Liberal Democrat, has often had different opinions from Lord Anderson. Indeed, the current reviewer of

terrorism, Lord Hill, has different views. They all do an amazing and thorough job, and they will, for example, have oversight of the use of this offence. They will be able to review the use of this offence as part of their role. I have no doubt that Max Hill, who has gone to be the next Director of Public Prosecutions, will be able to carry out the prosecution's discretion, which is so important when deciding on the public interest test in some of these offences in the Crown Prosecution Service. The hon. and learned Lady may have confidence in those reviewers of terrorism, but I have confidence in Max Hill as the next DPP, coming from the review of terrorism, to make those sound judgments about when it is in the public interest to prosecute or not.

I can give assurances to Members about the Sentencing Council. Absolutely, we shall continue to work with it, and we will write to its members to make sure. When it comes to the naming of the designated areas, I will seek to bring the matter to the Floor of the House. It is an affirmative motion, and I am absolutely open to that; I do not oppose it in any way.

The hon. and learned Member for Edinburgh South West (Joanna Cherry) made a point about data and the European Union. She will know that national security is not in the jurisdiction of the European Commission or the European Union. What a country chooses to share in data for national security purposes is entirely the business of the member state. We can choose what we want to do with our intelligence, and it is not for someone else to pass that on. Her point about the "Five Eyes", therefore, is not correct. Even when we share intelligence in the "Five Eyes", if the intelligence comes from another partner in the "Five Eyes", we do not have the authority to share that with our European partners because it does not belong to us; it belongs to that sharing partner.

Furthermore, on that data sharing point of the European Union, that is a negotiation that we are seeking to secure. Such a negotiation is in the interests of both the United Kingdom and the European Commission. If they want to keep their people safe, security is a partnership; it is not a competition. That is why our offer on negotiation of security is an unconditional open offer, which seeks to share in a way that we have done in the past.

Joanna Cherry rose—

Mr Wallace: I am sorry, but I want to press on, because I want to get to the final point and address Labour's amendment on Prevent. I hear what the hon. Member for Torfaen says and I in no way question his motives.

Since I have been the Security Minister, I have made sure that we have published more and more statistics on Prevent; they did not previously exist. These statistics enable all of us in the public realm to scrutinise the results of Prevent referrals, including information on where they come from, people's ages and the accuracy of the referrals. Without any statutory review, after some time—I think we have published two bulletins so far—we will be able to see whether the accuracy of Prevent referrals from different sectors is producing the results that we want. We will know how many people are being correctly identified as vulnerable and exploited. At the same time, we regularly review Prevent within the Government and the Department, and through engaging with the 80-odd community groups that deliver some of the Prevent programmes.

If the Government or I felt that Prevent was not producing a result and diverting many people from the path of violence, I would be the first to come to the House and say, "We have to get it right." The critics of Prevent—which the hon. Member for Torfaen is not—never set out an alternative. They criticise its title, but always set out a provision that is exactly the same as Prevent.

It is not necessary to have a statutory review of Prevent at this time. It is improving and becoming more accurate, and people are absolutely becoming champions of it across every sector. Today I saw, I think in *The Daily Telegraph*, a letter by a long list of academics about the chilling effect of Prevent. Never mind that the Higher Education Funding Council for England said in its evidence to this House that it had yet to see any evidence of the chilling effect. In fact, a judge in a recent challenge about the Prevent duty said the same thing—that the defendant had yet to prove any chilling effect. I have not seen a letter from academics about the chilling effect on universities of no platforming, whereby people are shut out of debates entirely. The Prevent duty is about having balance in debate and due regard to the impact.

I understand the hon. Gentleman's motives and, to some extent, what the Opposition want to achieve. I would say that the publication and transparency that we are increasingly moving towards with Prevent, and the assurances that Prevent is not an inward reporting system—that is, people do not go into Prevent and get reported to the intelligence services; it is deliberately kept as a separate safeguarding activity—means that the best way forward is to continue improving Prevent as it is. We can discuss its accuracy and success rates, but until someone comes up with an alternative policy to what we and the Labour Government had, it is unnecessary to put a review in statute. Therefore, despite our collaborative working on the Bill, I ask the House to reject the hon. Gentleman's amendment.

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

The House proceeded to a Division.

Mr Deputy Speaker (Sir Lindsay Hoyle): I ask the Serjeant at Arms to investigate a delay in the Aye Lobby.

The House having divided: Ayes 292, Noes 47.

Division No. 235]

[5.38 pm

AYES

Adams, Nigel	Berry, Jake
Afolami, Bim	Blunt, Crispin
Afryjie, Adam	Boles, Nick
Aldous, Peter	Bone, Mr Peter
Allan, Lucy	Bottomley, Sir Peter
Allen, Heidi	Bowie, Andrew
Amess, Sir David	Bradley, Ben
Andrew, Stuart	Bradley, rh Karen
Argar, Edward	Brereton, Jack
Atkins, Victoria	Bridgen, Andrew
Bacon, Mr Richard	Brine, Steve
Badenoch, Mrs Kemi	Brokenshire, rh James
Baker, Mr Steve	Bruce, Fiona
Baldwin, Harriett	Buckland, Robert
Barclay, Stephen	Burghart, Alex
Baron, Mr John	Burns, Conor
Bellingham, Sir Henry	Burt, rh Alistair
Benyon, rh Richard	Cairns, rh Alun
Beresford, Sir Paul	Campbell, Mr Gregory

Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Choqe, Sir Christopher
 Churchill, Jo
 Clark, Colin
 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
 Davies, Philip
 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
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Gray, James
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 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
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Jack, Mr Alister
 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
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 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, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 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
 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
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Woodcock, John
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Wendy Morton and
Mims Davies

NOES

Bardell, Hannah
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Brake, rh Tom
 Brock, Deidre
 Brown, Alan
 Cable, rh Sir Vince
 Cameron, Dr Lisa
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Crawley, Angela
 Davey, rh Sir Edward
 Day, Martyn
 Docherty-Hughes, Martin
 Edwards, Jonathan
 Farron, Tim
 Gethins, Stephen
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hobhouse, Wera

Hosie, Stewart
Jardine, Christine
Lake, Ben
Lamb, rh Norman
Law, Chris
Linden, David
Lloyd, Stephen
Lucas, Caroline
MacNeil, Angus Brendan
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
Monaghan, Carol

O'Hara, Brendan
Saville Roberts, Liz
Sheppard, Tommy
Stephens, Chris
Stone, Jamie
Swinson, Jo
Thewliss, Alison
Whitford, Dr Philippa
Williams, Hywel
Wishart, Pete
Tellers for the Noes:
Gavin Newlands and
Mr Alistair Carmichael

Question accordingly agreed to.

New clause 2 read a Second time, and added to the Bill.

Clause 2

PUBLICATION OF IMAGES

Amendment made: 1, page 2, line 9, at end insert—

“() After subsection (3) insert—

“(4) A constable may seize an item of clothing or any other article if the constable—

- (a) reasonably suspects that it is evidence in relation to an offence under subsection (1), and
- (b) is satisfied that it is necessary to seize it in order to prevent the evidence being concealed, lost, altered or destroyed.

(5) In connection with exercising the power in subsection (4), a constable may require a person to remove the item of clothing or other article if the person is wearing it.

(6) But the powers conferred by subsections (4) and (5) may not be exercised so as to seize, or require a person to remove, an item of clothing being worn next to the skin or immediately over a garment being worn as underwear.”—(*Mr Wallace.*)

Section 13 of the Terrorism Act 2000 provides for an offence of wearing, carrying or displaying an item of clothing or other article in such a way as to arouse reasonable suspicion that the person is a member or supporter of a proscribed organisation. This amendment would further amend that section so as to confer a power on constables in certain circumstances to seize such items or articles.

Clause 3

OBTAINING OR VIEWING MATERIAL OVER THE INTERNET

Amendments made: 2, page 2, line 16, leave out

“on three or more different occasions”.

Clause 3 amends section 58 of the Terrorism Act 2000 so as to make it an offence to view on 3 or more occasions over the internet documents or records containing information likely to be useful to terrorists. This amendment would remove the requirement for the material to be viewed 3 or more times. Instead Amendment 4 makes it clear that the circumstances in which a reasonable excuse defence will apply include those where the person did not know that the document would contain such information.

Amendment 3, page 2, line 16, after “views” insert “, or otherwise accesses,”.

This amendment would broaden the offence of viewing material (see the explanatory statement to Amendment 2) so that it also includes accessing the material in any other way.

Amendment 4, page 2, line 19, leave out subsection (3) and insert—

“(3) After subsection (1) insert—

“(1A) The cases in which a person collects or makes a record for the purposes of subsection (1)(a) include (but are not limited to) those where the person does so by means of the internet (whether by downloading the record or otherwise).”

(4) After subsection (3) insert—

“(3A) The cases in which a person has a reasonable excuse for the purposes of subsection (3) include (but are not limited to) those in which at the time of the person's action or possession, the person did not know, and had no reason to believe, that the document or record in question contained, or was likely to contain, information of a kind likely to be useful to a person committing or preparing an act of terrorism.”—(*Mr Wallace.*)

See the explanatory statement for Amendment 2.

Clause 6

INCREASE IN MAXIMUM SENTENCES

Amendment made: 5, page 3, line 28, at end insert—

“() In section 38B (information about acts of terrorism), in subsection (5)(a), for “five years” substitute “10 years.”—(*Mr Wallace.*)

It is an offence under section 38B of the Terrorism Act 2000 to fail to disclose information that might be of material assistance in preventing an act of terrorism or in securing the apprehension, prosecution or conviction of a terrorist. This amendment would increase the maximum sentence for this offence from 5 years to 10 years.

Clause 8

EXTENDED SENTENCES ETC FOR TERRORISM OFFENCES: ENGLAND AND WALES

Amendments made: 15, page 5, line 37, at end insert—

“160A An offence under section 58B of that Act (entering or remaining in a designated area).”

This amendment is consequential on NC2. It would provide for the new offence of entering or remaining in a designated area to be included in the list of specified terrorism offences in Schedule 15 to the Criminal Justice Act 2003.

Amendment 16, page 6, line 38, at end insert—

“9C An offence under section 58B of that Act (entering or remaining in a designated area).”—(*Mr Wallace.*)

This amendment is consequential on NC2. It would provide for the new offence of entering or remaining in a designated area to be included in the list of offences that may trigger a special custodial sentence under section 236A of the Criminal Justice Act 2003.

Clause 9

EXTENDED SENTENCES FOR TERRORISM OFFENCES: SCOTLAND

Amendment made: 17, page 7, line 37, at end insert—

“(viiia) section 58B (entering or remaining in a designated area).”—(*Mr Wallace.*)

This amendment is consequential on NC2. It would provide for the new offence of entering or remaining in a designated area to be included in the definition of “terrorism offence” in section 210A(10) of the Criminal Procedure (Scotland) Act 1995.

Clause 10

EXTENDED SENTENCES FOR TERRORISM OFFENCES: NORTHERN IRELAND

Amendment made: 18, page 9, line 5, after “etc),” insert—

“section 58B (entering or remaining in a designated area).”—(*Mr Wallace.*)

This amendment is consequential on NC2. It would provide for the new offence of entering or remaining in a designated area to be included in the list of specified terrorism offences in Schedule 2 to the Criminal Justice (Northern Ireland) Order 2008.

Clause 18PERSONS VULNERABLE TO BEING DRAWN INTO
TERRORISM

Amendment proposed: 13, page 19, line 14, at end insert—

(8) After section 39 (Power to amend Chapter 2), insert—

“39A Review of support for people vulnerable to being drawn into terrorism

- (1) The Secretary of State must within 6 months of the passing of the Counter-Terrorism and Border Security Act 2018 make arrangements for an independent review and report on the Government strategy for supporting people vulnerable to being drawn into terrorism.
- (2) The report and any recommendations of the review under subsection (1) must be laid before the House of Commons within 18 months of the passing of the Counter-Terrorism and Border Security Act 2018.
- (3) The laying of the report and recommendations under subsection (2) must be accompanied by a statement by the Secretary of State responding to each recommendation made as part of the independent review.”—(*Nick Thomas-Symonds.*)

Question put, That the amendment be made.

The House proceeded to a Division.

Mr Deputy Speaker (Sir Lindsay Hoyle): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 265, Noes 296.

Division No. 236]

[5.57 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
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
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
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
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elmore, Chris
Evans, Chris
Farron, Tim
Fitzpatrick, Jim
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
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
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
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, 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
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Linden, David
Lloyd, Stephen
Lloyd, Tony
Lucas, Caroline
MacNeil, Angus Brendan
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.
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Monaghan, Carol
Morden, Jessica
Morgan, Stephen
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
O'Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle

Ruane, Chris
 Russell-Moyle, Lloyd
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Skinner, Mr Dennis
 Slaughter, Andy
 Smith, Angela
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark

Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Stephanie Peacock

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
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex

Chishty, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 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
 Davies, Philip
 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
 Evannett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark

Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Gray, James
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 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
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Jack, Mr Alister
 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
 Kwarteng, Kwasi

Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 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, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 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

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
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek

Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Woodcock, John
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Wendy Morton and
Mims Davies

(c) in sub-paragraph (7) at end insert—

(d) leave out sub-paragraph (8).

(4) leave out paragraph 9.”

This new clause would delete provisions in the Terrorism Act 2000 which restrict access to a lawyer for those detained under Schedule 7.

Government amendments 6, 7, 19, 8 and 9.

Amendment 26, page 36, line 7, schedule 3, at end insert—

“(6A) The Investigatory Powers Commissioner (“the Commissioner”) must be informed when a person is stopped under the provisions of this paragraph.

(6B) The Commissioner must make an annual report on the use of powers under this paragraph.”

Government amendment 10.

Amendment 27, page 46, line 17, leave out “and 26”.

Amendment 28, page 46, line 26, leave out sub-paragraph (3).

Amendment 29, page 46, line 33, leave out sub-paragraph (6) and insert—

Amendment 30, page 46, line 37, at end insert—

“provided that the person is at all times able to consult with a solicitor in private.”

Amendment 31, page 47, line 29, leave out paragraph 26.

This amendment would delete provisions in the Bill which restrict access to a lawyer for those detained under Schedule 3 for the purpose of assessing whether they are or have been engaged in hostile activity.

Amendment 14, page 47, line 31, leave out “and hearing” and insert “but not hearing”.

Government amendments 11, 12 and 20 to 25.

Question accordingly negatived.

New Clause 1

CONTINUED PARTICIPATION IN THE EUROPEAN ARREST WARRANT

“(1) It is an objective of the Government, in negotiating the withdrawal of the United Kingdom from the European Union, to seek continued United Kingdom participation in the European Arrest Warrant in relation to persons suspected of specified terrorism offences.

(2) In this section, “specified terrorism offences” has the same meaning as Schedule 15 of the Criminal Justice Act 2003.”
—(*Nick Thomas-Symonds.*)

This new clause would require the Government to adopt the continued participation of the UK in the European Arrest Warrant in relation to people suspected of terrorist offences as a negotiating objective in the withdrawal negotiations with the European Union.

Brought up, and read the First time.

Nick Thomas-Symonds: 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 3—*Access to a solicitor*—

“(1) Schedule 8 of the Terrorism Act 2000 is amended as follows.

(2) In paragraph 7 leave out “Subject to paragraphs 8 and 9”.

(3) In paragraph 7A—

(a) leave out sub-paragraph (3),

(b) leave out sub-paragraph (6) and insert—

Nick Thomas-Symonds: New clause 1 would make our continued participation in the European arrest warrant a negotiating objective of the Brexit negotiations. There can be little doubt about the value of the EAW to this country. The Security Minister will be aware, for example, that it was vital to apprehending the man who helped to organise and co-ordinate the London bombings of 7/7. According to the National Crime Agency, between 2010 and 2016, the UK issued 1,773 requests to member states for extradition under the EAW and received 78,776 from member states. Of those the UK issued, 11 related to terror offences, 71 to human trafficking, 206 to child sex offences and 255 to drug trafficking.

According to the Government’s own White Paper, more than 12,000 individuals have been arrested, and for every person arrested on an EAW issued by the UK, the UK arrests eight on EAWs issued by other states. Without the EAW, extraditions can cost four times as much and take three times as long. The Security Minister will of course be aware that in counter-terror investigations speed really is of the essence, and it is therefore vital that we set the objective of continuing to play a key role on the European security scene.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I completely agree with what my hon. Friend has said, and I support the new clause. Does he share my concern that the current Brexit Secretary has a track record of voting against home affairs and justice co-operation before taking up his current post, and does he believe that that is reconcilable with the Government’s

stated objective of close security co-operation? This is no-brainer stuff. We should be co-operating to deal with terrorist suspects and serious organised crime.

6.15 pm

Nick Thomas-Symonds: I entirely agree. The Brexit Secretary's previous record is of real concern, and it is certainly inconsistent with the Government's stated objective. Tonight, the Security Minister has an opportunity to support the new clause and to put to bed any doubts that Members may have on this matter.

On 5 September, only days ago, in a speech updating the House on the attacks in Salisbury and referring to the two suspects, the Prime Minister said:

"with respect to the two individuals, as the Crown Prosecution Service and police announced earlier today, we have obtained a European arrest warrant and will shortly issue an Interpol red notice."—[*Official Report*, 5 September 2018; Vol. 646, c. 169.]

That only goes to show that the European arrest warrant is a critical tool in our security toolkit. It is vital to ensure that should those suspects set foot in the EU, they will be remanded to the UK to face justice.

Having heard what the Security Minister himself has said in the past, I think that he actually agrees with me. On 9 December last year, he told the House:

"As we have said and will continue to say, we seek tools similar to the European arrest warrant, which we find incredibly useful. It helps us and our law enforcement agencies."—[*Official Report*, 19 December 2017; Vol. 633, c. 1018.]

That is his view, and I hope that it will be reflected in his approach to the new clause this evening.

On 19 June, the EU's chief negotiator, Michael Barnier, said that there was room for manoeuvre on the European arrest warrant. He said that if the UK

"cannot take part in the European Arrest Warrant"

in the way that it does now,

"This does not mean that we"

—the EU and the UK—

"cannot work together on extradition."

The Government's own White Paper stressed the difficulty in which the Government now find themselves, stating:

"Existing extradition arrangements between the EU and third countries do not provide the same level of capability as the EAW."

Continued participation in the European arrest warrant really should be an objective of our negotiations. As we all know, organised crime knows no borders. To keep our country safe, we must co-operate with the EU27 and, indeed, other countries around the world.

My new clause does not bind the hands of negotiators. It simply says clearly that continued participation in the European arrest warrant is a negotiating objective. If it were passed tonight, it would send a signal to Brussels, reassuring those who are concerned about the Government's approach to security in the negotiations—my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) picked up that point in his intervention—and would also send a signal to the Security Minister's colleagues.

Kevin Foster (Torbay) (Con): We are not seeking to send signals this evening; we are seeking to create an Act, and inserting the new clause would create a part of that Act that would become irrelevant within months. Does the hon. Gentleman not agree that it would merely

litter the legislation? While I accept some of his points, the Government have already made continued co-operation an objective. Why should we litter a permanent piece of legislation with a clause that would be defunct within months?

Nick Thomas-Symonds: With great respect to the hon. Gentleman, his argument seems to be circular. He will not vote for the new clause because he agrees with it: that appears to be his position. The idea that any piece of legislation is immune from becoming out of date, given time, is simply not credible.

Robert Neill (Bromley and Chislehurst) (Con): I have a great deal of respect for the hon. Gentleman, and I understand the substance of where he is trying to get to, but in fairness to my hon. Friend the Member for Torbay (Kevin Foster), will the hon. Gentleman accept that there is a difference between what might be termed Brexit-facing legislation, such as the Trade Bill—and I myself have sometimes not been afraid to push a point because I thought it relevant—and a Bill that does not face in that direction? Given that the Government have made very clear their desire to replicate as closely as possible our arrangements under the European arrest warrant, I cannot, in this instance, agree with the hon. Gentleman that this is the right route for the Bill, although I accept his objective.

Nick Thomas-Symonds: As the hon. Gentleman knows, I have a great deal of respect for the work he does as Chair of the Justice Committee, but I simply say to him that security, which is what this Bill is about, is very much engaged in the issue of the European arrest warrant. As we look in the round at our security position, which we must do and are doing in the context of this Bill, I believe the EAW and the tools it gives us cannot be excluded from our consideration of security. That is why in my view this new clause belongs in this Bill, and why I hope that still, even at this late stage, the Security Minister might support it, because I think that deep down he agrees with it and I would like to see that reflected in the Division Lobby.

I think the Security Minister and I do agree on the original clause 14. The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) and I both tabled amendments to it in Committee. This is the part of the Bill that gives the power to impose charges on the organisers of an event for the purpose of protecting a relevant event or site from danger or damage connected to terrorism. The concern I and many others had in relation to that clause was to do with article 10 of the European convention on human rights, on freedom of expression, and arguably article 11 and the right to peaceful assembly. We did not wish to get to a position where somehow people were priced out of the right to peaceful protest. I am glad that the Government listened on that and have amended this clause so as not to impose any potential charges on those organisations that wish to gather and protest peacefully. I understand of course that the priority must be to keep citizens safe when people gather together and that that sometimes requires infrastructure in terms of policing events, but we must strike a balance between these charges and the right to assemble. On that basis, I am pleased that the Minister has made the concession and can support that amendment.

[Nick Thomas-Symonds]

Amendment 26 in my name addresses a specific concern that I have flagged previously with the Security Minister. It relates to border stops where there is no reasonable suspicion in relation to the individual. I previously suggested that the Investigatory Powers Commissioner be informed whenever a person is stopped under the provisions of the relevant paragraph and that there be an annual report. I have suggested this amendment again on Report because of a concern about the position in Northern Ireland, which I will come back to shortly. However, the Minister justified the power in Committee by referring to an example. An aeroplane may land at one of our airports and we may have general intelligence that someone on it poses a threat, but we do not know which person it is. That is the justification for the power and the context in which the Security Minister and I had a discussion in Committee.

This evening, however, I am seeking some reassurances about how this applies to the situation in Northern Ireland, and the Security Minister will be aware that proportionately the number of border stops is high in Northern Ireland. In 2017, that border represented 3% of the passenger numbers for the whole UK but 18% of the stops. In other words, people are six times more likely to be stopped there than in another part of the UK. The figures show that nobody who was stopped was detained for more than an hour, and in the rest of the UK the figure for that is 9%. But this power applies to the first place a train from the Republic stops in Northern Ireland to let passengers off, and I refer the Minister specifically to paragraph 2 of schedule 3, which states that an examining officer may question a person who is in the border area for the purpose of determining whether their presence in the area is connected with the person's entry into or departure from Northern Ireland. This applies on the border strip and at the Newry and Portadown train stations. Under the provision as it stands, people could be stopped, questioned and detained without reasonable suspicion.

As I have said, I understand the need for that power in relation to the perpetrators of hostile activity outside the United Kingdom coming in, but we do not want through this provision to somehow create a hard border for people on the island of Ireland, between the north and south. I really hope that, even if the Minister does not respond to this at the Dispatch Box tonight, he will at least go away and look at this issue before the Bill appears in the other place, and indicate what protections he envisages in relation to that power being exercised in Northern Ireland.

Stephen Pound (Ealing North) (Lab): I know that the Security Minister needs no reminding of the sensitivity of this matter. Does my hon. Friend agree that there could not be an area of greater sensitivity than the area around Newry and Portadown? Does he also agree that we need a full, robust and transparent reporting mechanism? Otherwise, rumours will spread, and there are some people who will seek to make the situation appear worse than it is. We must have this out in the open, because this is an area of such sensitivity. I cannot stress overmuch how delicate and dangerous this situation is.

Nick Thomas-Symonds: I am grateful to my hon. Friend for that intervention. He always speaks eloquently when he speaks from the Front Bench on these matters.

I do not want to divide the House on this issue. My amendment proposes a robust reporting mechanism. The Minister has stated that there are other ways of doing this, and I am perfectly happy to consider them, but I hope that he will go away and look at this proposal before the Bill appears in the other place, so that we can avoid the kind of suspicion that my hon. Friend has just described.

Amendment 14 relates to legal professional privilege and to a person's ability to consult a lawyer in private. That is an important principle. In recent weeks, following the case in the UK Supreme Court of the Serious Fraud Office *v.* Eurasian Natural Resources Corporation, it has been stated that

“the rule of law depends on all parties being able to seek confidential legal advice without fear of disclosure”.

I do not believe that we have to balance liberty against security in these circumstances, as we have to do in so many other areas. There is a simple, practical solution to this, and I hope that the Minister will go away and look at it so that I do not need to divide the House on this amendment.

This relates to stops at the border. There is a power in the Bill for an officer not only to watch someone receiving legal advice but to hear that legal advice being given. The power to watch has pertained for some time. Lawyers often give advice with an officer standing behind a glass frontage, for example. That has been a feature of our criminal justice system for many years. The Chair of the Justice Committee is nodding, and he will know that that practice can be used to protect the person being questioned, or indeed to protect the lawyer in certain circumstances. I have no issue with that. The power to overhear the advice gives rise to a major issue, however.

I heard the concerns that the Minister expressed in Committee. His first argument was that, rather than contacting a lawyer, a person might contact someone they wanted to notify of the fact that they had been stopped. He also argued that they might notify a lawyer who would not adhere to the professional standards that we would expect and who might pass some information on. The third scenario that he mentioned was that of a lawyer inadvertently passing on a piece of information. The solution that I have suggested to the Minister, which I hope would deal with all three points, would be to have a panel of lawyers, properly regulated by the Solicitors Regulation Authority and the Law Society, just as we currently have a duty solicitor scheme in police stations. In that situation, lawyers would both have the expertise and be properly regulated, meaning that the Minister might not have the same concerns about people's ability simply to contact who they wished.

6.30 pm

James Heappey (Wells) (Con): I am interested in the shadow Minister's suggestion. Would he have any concerns about whether sufficient lawyers could be accredited to guarantee appropriate availability? Does he propose that they undergo some sort of security vetting in addition to their accreditation through the Law Society or whichever other organisation is deemed appropriate?

Nick Thomas-Symonds: I am not aware of an area of law where there is currently a shortage of lawyers, but perhaps the hon. Gentleman will be able to tell me of one—I say that based on many years' experience of practising as a lawyer. As for the second question, I

have no issue with vetting people before they can join a panel. Indeed, it is the case now that people are considered for their expertise in professional matters before they join a legal panel. I am just making a perfectly practical suggestion that would deal with the Minister's worries while preserving that highly important principle of legal professional privilege which, as I said in my opening remarks, the Supreme Court has said in recent weeks is vital to the rule of law in this country. We should not abrogate that as we seek to tackle the real terror threat before us. I hope that the Minister will at least undertake to go away and consider whether that could realistically be looked at in the other place. It is an important principle, and I do not want to divide the House on it, but whether there is to be a concession is a matter for the Minister.

Stephen Doughty: I do not want to detain the House for long, but having served as a member of the Bill Committee I wanted to put on the record some of my concerns about the new clauses and amendments in this group.

I wholeheartedly support new clause 1, tabled in the name of my hon. Friend the Member for Torfaen (Nick Thomas-Symonds). I cannot see any reason why the Government would want to reject it given that the Chequers agreement and the White Paper—I have read both carefully—point out the 40 different areas of justice and policing co-operation that are so essential to our security and our counter-terror efforts across European borders. The White Paper suggests that some of that co-operation could even be strengthened and deepened, so I cannot see any reason why setting out in the Bill the importance of seeking participation in the European arrest warrant, one of the most crucial of those 40 instruments, would be a problem.

Given the transnational nature of some of the terror plots and serious organised crime that we have seen not only in my constituency, but in some tragic events over the past year at a UK level, I cannot see why we would want to diminish our security co-operation through, for example, Europol and Eurojust. As we approach the Brexit deadline that was set when the Government triggered article 50, we are potentially leaving a great deal of uncertainty around such issues. We do not want criminal or counter-terror investigations that are ongoing at the end of March next year to be jeopardised by the failure to secure participation in the European arrest warrant going forward.

As for my hon. Friend's amendment 26, the Minister is aware of my concerns because we have discussed them both in person and in Committee. I fully support appropriate strengthening mechanisms to ensure that individuals can be detained at border points and that the police and security services have the appropriate powers to interdict those who might be trying to commit terror acts, serious organised crime or, indeed, espionage or other serious matters. However, it is important that that is balanced against ensuring that such powers are used carefully and effectively. Where problems exist, there should be appropriate appeal and oversight mechanisms to ensure that citizens feel that such matters are being used appropriately and securely and that individuals who are wrongly interdicted have appropriate restitution, which is important for confidence in the system as a whole.

My last point is an important one for the Bill as a whole. This part of the Bill includes many new powers and schedules, and there is cross-party agreement that our security services and the police need them to keep this country and other countries safe and to prevent us from experiencing terror attacks or the consequences of serious organised crime, but they can be applied only with appropriate resourcing.

We have seen what the Metropolitan Police Commissioner has had to say today about the 2% pay rise for police being a “punch on the nose.” We have seen the National Audit Office's reports on the concerns about cuts in policing, and we in the Home Affairs Committee have been conducting an inquiry into police funding. The frontline policing community policing and specialist counter-terrorism policing that will be required to apply the provisions of the Bill, on which there is cross-party agreement, cannot happen out of thin air or by magic; it only happens if it is properly resourced.

I urge the Minister to make a strong case in the Home Office in the coming months that the police need more resources. We cannot continue cutting in this area, otherwise we put our national security at risk.

Robert Neill: I promise to keep my remarks short. Two important matters have been raised, and I take on board the force of the shadow Minister's arguments in favour of the value of the European arrest warrant. My right hon. Friend the Security Minister will know that, in the last Parliament, the Justice Committee produced a report on the legal implications of Brexit, which included a strong case for retaining access to the European arrest warrant and its arrangements.

It is important that we stress the value of the European arrest warrant to our crime-fighting arrangements. It is particularly significant, of course, that the National Crime Agency, giving evidence to our Select Committee at the time of the report, stressed the value of the European arrest warrant. All the legal practitioners stressed its importance, and the Minister recognises that the European arrest warrant arrangements are infinitely superior to those that were available under the Extradition Act 1989.

It has sometimes erroneously been said by one or two Members of this House that the European arrest warrant can be used disproportionately, and my right hon. Friend the Minister will know that, since the reforms to the operation of the European arrest warrant back in 2013, that disproportionality has been removed and the UK is actually an overwhelming beneficiary of the proper use of the European arrest warrant.

The Prime Minister made it clear at the beginning of this negotiation process that it is her objective to achieve this, and I am sure my right hon. Friend the Minister will be able to say that whatever the mechanism, whether in the Bill or not, the Government are committed to maintaining access to the EAW and to the rest of the supporting mechanism of criminal justice arrangements, such as data sharing, information sharing and intelligence sharing, the European criminal records information system and other schemes. All those will necessarily be a crucial part of the Government's negotiating strategy. Whether or not it is mentioned in the Bill is not the point—the Government are reaffirming their commitment.

Legal professional privilege is an important issue to be considered. Unless I am wrong, there are sometimes arrangements for counsel, such as in relation to some of

[Robert Neill]

the specialist tribunals dealing with these matters, to be specially cleared and vetted. Perhaps my right hon. Friend the Minister will take that away and consider whether further application of that scheme might offer a sensible and proportionate way forward.

Gavin Newlands: It is a great pleasure to follow the irrepressible Chair of the Justice Committee, of which I am a member.

Before I discuss access to lawyers under legal professional privilege, it would be churlish of me not to thank the Minister for tabling amendments 6 and 7, versions of which both the shadow Minister and I tabled in Committee. The amendments will essentially ensure that public demonstrations cannot be subject to any financial charge under the Road Traffic Regulation Act 1984. It is vital for our democracy, now more than ever, that the right to assemble, and to do so without charge, is protected.

Without going over the ground covered fairly extensively from the Labour Front Bench, I put it on the record that I share the concerns voiced by the hon. Member for Torfaen (Nick Thomas-Symonds) about the Northern Ireland border stops and the huge sensitivity of this issue. I genuinely hope that the Minister will look at that, take it away and come back having addressed it.

The Bill as it stands restricts access to a lawyer for those detained under schedule 7. Specifically, it would restrict the right of an individual to consult their legal representative in private, away from a relevant officer. Being able to speak with a legal representative in private is a fundamental right, which should not be infringed. Indeed, in oral evidence, a whole cast of people backed us up. Michael Clancy of the Law Society of Scotland spoke about the fundamental importance when he said:

“If we want people to be in a position where they can freely discuss matters with their legal representatives, we have to preserve this value. It is key to the rule of law that people can discuss matters openly with a legal representative so that the solicitor, advocate or barrister is in a position to advise properly on what avenues are open to the person. Clearly one would want to ensure that that was adequately protected.”—[*Official Report, Counter-Terrorism and Border Security Public Bill Committee*, 26 June 2018; c. 49, Q103.]

Richard Atkinson from the Law Society of England and Wales also raised concerns, suggesting that the proposal risked the excellent reputation across the world of UK justice systems. He said:

“The cornerstone is legal professional privilege. That is not access to a lawyer; it is the confidential nature of discussions between a lawyer and their client. That is the cornerstone that has been in existence for hundreds of years and that is held out internationally as a gold standard that we have in this country. That is what is being undermined by this Bill saying that a police officer can stand and listen to the consultation that is going on between the client and the lawyer.”—[*Official Report, Counter-Terrorism and Border Security Public Bill Committee*, 26 June 2018; c. 28, Q63.]

Access to a lawyer—fundamental access to justice—is something we should not compromise on. This is not about constraining the powers of the hard-working men and women who work at our borders; it is acting on the concerns that were expressed to us, to ensure that correct and proper due process is followed.

I suspect that the schedule has been drafted as a result of concerns that lawyers and legal advisers could be exploited and manipulated in some way, as has

been outlined. However, as was pointed out, it is not unknown to our criminal justice system; we already have powers in place to deal with such occasions. For example, in code H of the Police and Criminal Evidence Act 1984, which deals with counter-terrorism cases, if there is a concern about an individual lawyer, there is provision for the suspect to have the consultation with that lawyer delayed, but to be offered the services of another lawyer in the meantime, so the suspect is not devoid of legal advice. We should protect that access at all costs. I accept that the Government propose the changes with the best of intentions, but we have pointed out that there are ways for it to be done without eliminating or infringing on the basic principle under the rule of law.

I express my support for the Liberal Democrats' new clause 1, to which I have added my name. One of the greatest threats to our national security currently is, of course, Brexit and the fact that we face losing our seamless access to multilateral information-sharing tools. As we have heard, organised crime and terrorism do not respect borders and it is essential that Police Scotland—in fact, all the police services in the United Kingdom—can access the information systems, support and technical expertise available through Europol, not only to make Scotland safe, but to contribute to making Europe safer. As the hon. Member for Torfaen said, the recent naming of two suspects in the Salisbury incident and the issuing of a European arrest warrant showed just how vital this tool is to protecting the UK from threats, and why it must be maintained.

Following our exit from the EU, there is a major risk that any new arrangements that are put in place will be suboptimal to those at present. Further to that, there is also an issue with data sharing between the UK and the EU, as the EU will most likely require the UK to maintain data protection and privacy laws that can be deemed equivalent to those in force in the EU. We must ensure that our law enforcement agencies can continue to have the same access to Europol as they currently enjoy.

There is also a need to preserve stability in the law. Repealing legislation and preparing new legislation to fill in gaps arising from leaving the EU will compromise a significant part of domestic legislation that is passed at, or following, a withdrawal. Any future arrangements must take into account the autonomy of Scottish criminal justice institutions and provide a continuing basis for the direct co-operation that currently exists between law enforcement agencies in Scotland and their counterparts.

As a matter of security, we cannot afford an operational break in our access to EU cross-border tools, because they are part of the day-to-day work of the police force. Just today, the Lord Advocate of Scotland, giving evidence to the Scottish Parliament Justice Committee, said:

“I don't think it controversial to observe that leaving that regime without replacing that regime would significantly and adversely affect our capabilities. From a professional criminal justice point of view, the realistic issue is the extent to which this can be mitigated.”

The Government's dangerous Brexit plans, such as they are, may well leave us outside the European arrest warrant and key agencies such as Europol. I cannot insist enough that that would be incredibly dangerous to the future security of Scotland, the United Kingdom and, potentially, the EU. We must be able to share vital

information to keep people safe from terrorism, human trafficking and organised crime. Leaving the European arrest warrant is yet another potentially disastrous Brexit bonus that we could all do without. I wholeheartedly support new clause 1.

6.45 pm

Sir Edward Davey: I rise partly because I have been encouraged by the speech made by the Chair of the Select Committee, the hon. Member for Bromley and Chislehurst (Robert Neill). He made the point that this issue is central to the Brexit negotiations, so the House is grateful to the Labour Front Benchers for tabling new clause 1. I also rise because although the Government wish to sign up to some new security deal and the Minister understands the importance of the European arrest warrant, there can be no doubt that these tools are at risk. Given how significant they are, not only for the fight against terrorism, but for the fight against some of the most serious criminals in our world, many people are deeply worried.

The Government have continually made the argument—I have some sympathy with it—that the other members of the European Union will want to work with us because we have some of the best security services in the world. That is undoubtedly the case. I visited Europol and Eurojust in the Hague. When I talked with the then executive director of Europol, Rob Wainwright—he has now left and been replaced by Catherine de Bolle—he made it clear that the UK was at the heart of this crime-catching set of tools and instruments. It was clear from that and the work of the Select Committee and others who have delved into the issue that co-operation has become central to our activities to tackle criminals, whether that is organised crime, terrorists or others. If that is put at risk at any level, it should worry the House greatly.

It may be—I suspect it will be—that there is a deal on some of the most serious crimes. I would imagine that our European friends will want to co-operate with us against terrorists and other people who seek to commit mass murder. Of course they will want that co-operation, and I wish the Government well in achieving that goal. That is why it is good to see new clause 1, but I say to the Minister that there is a whole range of other serious offences that Europol, Eurojust, the European arrest warrant and the various data-sharing systems enable our forces to use. I am not yet convinced that Europeans are going to gladly throw all those open to us. There is certainly an incentive when it comes to terrorism and mass murder, but what about financial fraud? When I was at Europol, it was pretty clear that a lot of its resources were going after financial fraud in the capitals of the European Union and beyond—in Switzerland and elsewhere. I am not so sure we will be let in on that major issue, which is of crucial importance to the British economy.

If we go down the list of activities that Europol does on a day-to-day basis, it is not clear that the incentives for the Europeans to co-operate with us are as great as they are on terrorism. I am deeply troubled, because we need to deepen co-operation in tackling these organised criminals. The Government do not quite understand how these European organisations work. When Rob Wainwright, an ex-MI6 agent, was there, Britain was leading the operation at Europol. We will no longer be leading that operation, and that means a big loss of influence. We will not be in the room.

I went to Eurojust, and I saw the one floor of the office block in the Hague where it has one delegate from each country. They sit and work together to help each other deal with the different issues with criminals crossing jurisdictions, whether they are warrants for tracking mobile phones or other legal necessities required to conduct an investigation and, in some cases, a chase. They were clear that they had to be in that room, in that building. Where will the UK delegate to Eurojust be? I think that they will be outside. Furthermore, given the Government's red line on the European Court of Justice, one really feels that the Europeans will be slightly less flexible on many aspects of these crime-fighting tools. I know that we are rightly focusing on terrorism today, but these other aspects of security link into that. The Government need to work much harder than I have seen so far to make sure that we are fully signed up members of absolutely everything and that the Europeans have an incentive to include us in on everything.

Finally, other Members have mentioned Northern Ireland. It is absolutely clear that the use of the European arrest warrant to tackle terrorists who go across the borders there is an essential tool, and it is right at the top of the concerns of the PSNI and the Garda. Whatever the scenario in the future—whether it is a no deal and a crash-out, or some other cobbled-together deal—the real concern is the European arrest warrant and whether it will operate on all these issues. I am talking about not just on suspected terrorism, but on suspected fraud and smuggling from where the terrorist organisations get their money.

Ensuring that we get the European arrest warrant sorted out in these negotiations on terrorism and on other offences could not be more important for the security of the British people. I wish the Minister and his colleagues well on this, but the Opposition are absolutely right to press this point. This could not be more central to the security of our country.

Mr Wallace: I will start if I may by addressing the amendments in this group. First, let me turn to the Anti-Terrorism Traffic Regulation Order. Amendments 6 and 7 respond to the debate in Committee about the provisions of clause 14, which, among other things, will enable a traffic authority to impose reasonable charges in connection with the making of an Anti-Terrorism Traffic Regulation Order or Notice.

In Committee, I indicated that I would consider amendments tabled by the hon. Members for Paisley and Renfrewshire North (Gavin Newlands) and for Torfaen (Nick Thomas-Symonds) designed to prohibit charges from being imposed on the organisers of public processions and assemblies. They were quite properly concerned about protecting the right to peaceful protest. Having considered the matter further, I agree that it should not be possible to impose those charges as they have suggested, and amendments 6 and 7 ensure that that is the case.

Throughout the Bill, I have made it my business to make sure that we make changes with as much consensus as possible. I have made the point that, in my time as an Opposition Back Bencher, I rarely, if ever, saw my party or the Opposition get any concession—small or big—from the Government. I do not take that attitude in legislation, and I am delighted that we could make concessions.

[Mr Wallace]

The Opposition and the SNP were correct in making their points, and it is right that we have put them on the statute book in the right place.

The other Government amendments in this group concern the new power in schedule 3 to stop, search, question and detain persons at a port for the purpose of determining whether they are, or have been, engaged in hostile state activity. It is important to note that this is an exact mirror of schedule 7 concerning counter-terrorism as was introduced by the previous Labour Government in 2000. Therefore, all the questions raised by hon. and hon. and learned Members from all parts of the House should be put in context that some of those issues have been in existence for 18 years—the point on the Irish border, for example. The power was specifically introduced into the Bill to deal with the aftermath of the attack in Salisbury in March. The point is that, in an open trading liberal democracy, we are vulnerable to hostile states abusing that ability to travel and that openness to come and do harm to our society and our citizens. It is a very real threat.

This was in fact considered before last March because the independent reviewer of terrorism legislation, David Anderson—who has often been quoted by the Opposition—highlighted the fact that we were stopping people we suspected of hostile state activity under schedule 7 counter-terrorism stops and said that hostile state activity needed its own separate stop power. We agreed with his observations and have acted on them. It was a tragic coincidence that the attack happened in March, reminding us just how hostile some states can be.

Amendment 10 is about oversight and representations to the Investigatory Powers Commissioner, as we seek to allow those representations also to be made in writing. It is incredibly important that we have these powers. We face a real challenge if a state—as opposed to an amateur or a terrorist—seeks to penetrate our border supported by the logistics of that state. An example is the recent case of GRU officers entering this country with genuine passports, logistically supported by the wider state. This type of activity is better disguised. It is not as easy as it is to stop someone with a rather dodgy back story who is coming here for the purposes of terrorism. This is serious, which is why it is important to take this power.

I know that there is concern about having no requirement for suspicion. That goes to the heart of the ability for us sometimes to action intelligence that is broad. For example, we might know about a certain route that is used or about certain flights in a period of a week, but known no more beyond that. We need to be able to act on that intelligence effectively on the spot.

Nick Thomas-Symonds: I accept that point. Indeed, I set it out in my speech. Our concern is specifically in relation to Northern Ireland. How best are we going to secure accountability for how the power is used?

Mr Wallace: I agree. We have had the power regarding the Northern Ireland border, or any other border, since 2000. In theory, we are able to deal with matters using a counter-terrorism stop. Over the years, I have never seen so much nonsense written about the border of Northern Ireland. I have patrolled the border. I have

lived on the border. I have been on the border of Northern Ireland as the Minister for Northern Ireland. I have known the varying powers—the smugglers and the people involved—on that thing for decades.

There have always been checks and stops on the border. There has been a different customs regime on the border of Northern Ireland since the 1920s. Famous smugglers have taken advantages of duty differences. There have been different tax ratios, duties and powers to make immigration stops, and we have carried these out even since the Good Friday agreement. In fact, one of the last things I did before the reshuffle that made me the Security Minister was to stand on the road near Newry doing a traffic stop of cars coming across from Ireland; they were squeezing the money out of me during my time there. These checks have always happened. This has happened for counter-terrorism for the last 18 years and we feel that should be mirrored in the case of hostile state activity.

Sir Edward Davey: May I take the Minister back to the point about spies from other countries and people from other security forces, whether from Russia or elsewhere? In my time in government when I was occasionally asked, as a member of the National Security Council, to sign off warrants so that the security services could search bags, tap phones and so on—even at very short notice—it was clear to me that we had powers, if we had suspicions, to do everything required to track, trace and examine the people coming into this country with hostile intent from foreign powers, and we did that on a regular basis. Will he just explain to me why the new powers are needed, given that we already have a panoply of powers?

Mr Wallace: I can clarify briefly. If we had a line of reporting that said, in a certain week, that there was intelligence that a hostile state was seeking to come in via Heathrow airport, but we only had a certain period, or if we had some intelligence that someone from a hostile state was coming in on a plane on a Monday through there, and we were therefore choosing to focus on those planes, that would be too broad to issue a specific warrant, and too broad for us to seek a warrant to search everybody's bags covertly on the whole aeroplane. Everyone would be standing around worrying how long it was going to take. This is a power that reflects the operational pressure. On the Front-Bench spokesman's question about oversight, when someone is stopped under this power, a report will be taken and made to the judicial commissioner, who has the power of oversight. I can give the hon. Gentleman the assurance that it will be recorded, and if materials are retained—journalistic or legal—that, again, will involve a permission needing to be given to examine it.

7 pm

There is another addition that is different from other detentions. Because we recognise the issue about the potential overhearing of consultation between a lawyer and the person detained, whatever is said in that detained stop, whether it is over the four hours or whatever, is not admissible in court, so it cannot be used against the person. That is different from a normal PACE arrest in a police station. That is the sort of balance that we have tried to strike. It is also the exact mirror of what we have had for the past 18 years in that space.

Nick Thomas-Symonds: On the point about consultation with a lawyer, I have offered a very practical solution. Will the Minister at least undertake to look at that before this Bill goes to the other place?

Mr Wallace: I know that the hon. Gentleman absolutely means the best in making his recommendation. I certainly give him the assurance that I will take it away and look at it before the Bill's introduction in the other place. Many of his points about giving reassurance to people are certainly valid. He accepts, I think, that there is a risk that a state that has deliberately planned to enter this country will sometimes be making sure—if they do a proper operation—that the so-called lawyer they would consult would be in a position to be tipped off. That is why his suggestion is a good one, and I promise to take a look at it.

Tony Lloyd (Rochdale) (Lab): There is really no fundamental disagreement on the objective that the Minister is trying to achieve. The idea that the Irish border could be used as a way for foreign powers, or those who would do us harm, to come into Great Britain and Northern Ireland is simply unconscionable, so we are in the same place. However, he knows Northern Ireland well and knows the border well, and he also understands the necessity of having a regime of trust. Given that background, he has gone quite a long way in what he has said about the reporting requirements. Between now and when the Bill moves to another place, will he think very long and hard to make sure that there is enough reassurance to those involved that, in the context of Northern Ireland, this could not be used in a way that leads to misunderstanding or—I do not want to use the word “frivolous”—would allow those who want to trash what lies behind his intent to do so? We are in the same place; we simply want a mechanism of accountability.

Mr Wallace: I am grateful to the hon. Gentleman for the tone of his comments. I am happy to give him as much assurance as he would like. I am very conscious as to the issue around the Irish border and its sensitivities. I will certainly seek to give him that reassurance in writing. If there is any further assurance that we can seek to give in relation to the PSNI, I will definitely do that.

SNP Members have made a similar point about their concern about the border. With all due respect to them, they make a strong point—and also with regard to the European arrest warrant—about the value of seamless sharing and the value of the Union, but there is an issue whereby they seek on a daily basis to erect barriers between our Union. It is no good their saying that they like the seamless tool of the European arrest warrant while at the same time seeking to split our great nation and erect barriers between a political and economic union. They should just remind themselves that they cannot have it both ways.

My hon. Friend the Member for Bromley and Chislehurst (Robert Neill) made a clear point on the European arrest warrant. It is very clear that the Government's offer on security to the European Commission is unconditional. We wish to have the European arrest warrant or something as identical as possible. Some Opposition Members made a point about the current Brexit Secretary's position. I assure them that if that was not our negotiating position, I would not be standing

here as the Security Minister. The key to good security is partnership, and not just on the European arrest warrant. One fault of the new clause is, why not say the Schengen information system II? Why not say Prüm? Why not say all the other sharing mechanisms that are really important to our security?

I do not believe that placing this in primary legislation makes sense, first because this is a counter-terrorism and hostile state Bill, and secondly because it is what we are asking for. If it was not what we were asking for, I might understand the pressing need for the new clause, to try to change the Government's position, but it is what we are asking for. The message I urge all Members to give to the European Commission is, “How far do you want to cut off your nose to spite your face?” It is not a position of the members of the European Union. When I meet their intelligence services, police forces and Ministers, they all agree that they want to give us a security agreement.

It is not because we have better capabilities, which we do. It is because the sum of the parts is greater than the individual parts when it comes to security partnership, and this will benefit us both. It does not matter who has equity of capability. It benefits us both when we work together in a security partnership.

Stephen Doughty: If what the Government seek to achieve is no different from new clause 1, the Minister should just vote for it. I ask him in all seriousness, what message does he have for the 80 Members on his own Back Benches who threaten to vote down the Chequers deal because of their concerns about European Court of Justice oversight of those security arrangements? I see the hon. Member for North East Somerset (Mr Rees-Mogg) in his place. What does the Minister have to say to those Members, who would wreck the security co-operation we have with Europe?

Mr Wallace: I would say to them and to anyone else that the first duty of a Government is security, and it is absolutely important that we maintain that. The message to Michel Barnier is that security is not a competition; it is a partnership. I hope he will reflect that in his negotiations with this country, but I do not believe that putting it on the face of primary legislation is the best way to go about it, especially as it is our Government's ask to the European Union on that issue. I therefore urge the hon. Member for Torfaen (Nick Thomas-Symonds) to withdraw his new clause.

Nick Thomas-Symonds: I certainly will not be withdrawing my new clause. Continued participation in the European arrest warrant is vital for the security of this country. Can the Minister name another example of a Minister failing to vote for a part of a Bill he agreed with?

Mr Wallace: I would be interested to know whether the hon. Gentleman could name a single Labour Minister who, during the passage of any European treaty or any other treaty, put the negotiating position—not the results of the negotiation, but the negotiating position—in primary legislation. I do not think he will find one. We do not intend to put it in primary legislation, especially because it is what we are asking for and we do not need to. I therefore urge hon. Members to reject the new clause.

Nick Thomas-Symonds: I do not find that explanation convincing in any sense.

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

The House divided: Ayes 255, Noes 293.

Division No. 237]

[7.9 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
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
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Coaker, Vernon
Cooper, Julie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
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
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam

Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elmore, Chris
Evans, Chris
Farron, Tim
Fitzpatrick, Jim
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
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
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
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
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
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
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Linden, David
Lloyd, Stephen
Lloyd, Tony
Lucas, Caroline
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarthy, Kerry
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Monaghan, Carol
Morden, Jessica
Morgan, Stephen
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
O'Mara, Jared
Onasanya, Fiona
Onn, Melanie
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Qureshi, Yasmin
Rashid, Faisal

Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
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
Skinner, Mr Dennis
Slaughter, Andy
Smith, Angela
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
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
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Stephanie Peacock

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
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 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
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Philip
 Davis, rh Mr David
 Dinéage, 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
 Elphicke, Charlie
 Eustice, George
 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
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Gray, James
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 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
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Jack, Mr Alister
 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
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark

Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 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, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Parish, Neil
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 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
 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
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 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
Wendy Morton

Question accordingly negated.

Clause 14

TRAFFIC REGULATION

Amendments made: 6, page 15, line 24, at end insert—

“(3A) But a charge may not be imposed in relation to the holding of a relevant event if the event is a public procession, or public assembly, held for the purpose of—

- (a) demonstrating support for, or opposition to, the views or actions of any person or body of persons,
- (b) publicising a cause or campaign, or
- (c) marking or commemorating an event.”

Clause 14 inserts a new section 22CA into the Road Traffic Regulation Act 1984 which enables charges to be imposed in connection with traffic regulation orders or notices made or issued in order to protect a relevant event from terrorism risks. This amendment would provide that such charges cannot be imposed in relation to public processions or assemblies held for certain purposes.

Amendment 7, page 15, line 25, at end insert—

““public assembly” means an assembly of two or more persons in a public place which is wholly or partly open to the air;

“public place” means—

- (a) any highway or, in Scotland, any road within the meaning of the Roads (Scotland) Act 1984, and
- (b) any place to which at the material time the public, or any section of the public, has access (on payment or otherwise) as of right or by virtue of an express or implied permission;

“public procession” means a procession in a public place;”
—(*Mr Wallace.*)

This amendment is consequential on Amendment 6.

Clause 23

OTHER TRANSITIONAL PROVISIONS

Amendment made: 19, page 21, line 34, leave out “1 to 5” and insert “1, 2, 3, 4 or 5”.—(*Mr Wallace.*)

This amendment is consequential on NC2.

Clause 25

COMMENCEMENT

Amendments made: 8, page 23, line 14, at end insert—

“(0) paragraph 18A of Schedule 4 and section 21(1) so far as relating to that paragraph,”

This amendment is consequential on Amendment 11.

Amendment 9, page 23, line 24, leave out paragraph (d) and insert—

“(d) paragraphs 17 and 18, 19 to 25 and 26 to 31 of Schedule 4 and section 21(1) so far as relating to those paragraphs.”—(*Mr Wallace.*)

This amendment is consequential on Amendments 8, 11 and 12.

Schedule 3

BORDER SECURITY

Amendment made: 10, page 42, line 35, at end insert—

“(0) Representations under sub-paragraph (1) must be made in writing.”—(*Mr Wallace.*)

Paragraph 13 of Schedule 3 to the Bill provides for the making of representations by affected parties about how the powers of the Investigatory Powers Commissioner under paragraph 12 of that Schedule should be exercised. This amendment would require such representations to be made in writing.

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: 11, page 73, line 29, at end insert—

“*Legal Aid (Scotland) Act 1986 (c. 47)*

18A In section 8A of the Legal Aid (Scotland) Act 1986 (criminal advice and assistance: automatic availability in certain circumstances), in subsection (2) at the end insert—

- “(d) a person who is detained under section 41 of, or Schedule 7 to, the Terrorism Act 2000, or
- (e) a person who is detained under Part 1 of Schedule 3 to the Counter-Terrorism and Border Security Act 2018.”

Section 8A of the Legal Aid (Scotland) Act 1986 confers power on the Scottish Ministers to provide for legal advice and assistance in relation to criminal matters to be available, without reference to certain financial limits or criteria, to the description of clients listed in that section. This amendment would add to that description persons who are detained in Scotland under Schedule 3 to the Bill or under section 41 of, or Schedule 7 to, the Terrorism Act 2000. See also the explanatory statement to Amendment 12.

Amendment 12, page 77, line 25, at end insert—

“*Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2011 (S.S.I. 2011/217)*

25A (1) In regulation 8 of the Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2011—

- (a) the words from “to whom” to the end become paragraph (a), and
- (b) at the end of that paragraph insert “, or
- (b) who is detained—
- (i) under section 41 of, or Schedule 7 to, the Terrorism Act 2000, or
- (ii) under Part 1 of Schedule 3 to the Counter-Terrorism and Border Security Act 2018.”

(2) Nothing in sub-paragraph (1) affects any power under the Legal Aid (Scotland) Act 1986 to revoke or amend any provision of the regulations amended by that sub-paragraph.”

This amendment would secure that legal advice and assistance will be available to persons detained in Scotland under Schedule 3 to the Bill, or under section 41 of, or Schedule 7 to, the Terrorism Act 2000, without reference to the financial limits set out in section 8 of the Legal Aid (Scotland) Act 1986. See also the explanatory statement to Amendment 11.

Amendment 20, page 79, line 21, at end insert—

“*Criminal Procedure and Investigations Act 1996 (c. 25)*

31A In section 29 of the Criminal Procedure and Investigations Act 1996 (power to order preparatory hearing), in subsection (6)(e), after “purposes of terrorism” insert “, eliciting information about armed forces etc, entering or remaining in a designated area”.”

This amendment is consequential on NC2.

Amendment 21, page 79, line 22, at end insert—

“31B The Terrorism Act 2000 is amended as follows.”

This amendment is consequential on Amendment 23.

Amendment 22, page 79, line 23, leave out “of the Terrorism Act 2000”.

This amendment is consequential on Amendment 21.

Amendment 23, page 79, line 23, at end insert—

“32A In section 23A (forfeiture: other terrorism offences etc), in the list of provisions in subsection (2)(a), after the entry relating to section 57, 58 or 58A insert—

“section 58B (entering or remaining in a designated area);”.

32B In section 118 (defences), in subsection (5)(a), after “58A,” insert “58B.”

This amendment is consequential on NC2.

Amendment 24, page 79, line 29, at end insert—

“34A In section 27 (meaning of “terrorism offence”), in the list of provisions in subsection (1)(a), after the entry relating to sections 56 to 58A insert—

“section 58B (entering or remaining in a designated area).”

This amendment is consequential on NC2.

Amendment 25, page 79, line 36, at end insert—

“35A In section 41 (offences to which Part 4 applies: terrorism offences), in subsection (1)(a), in the entry relating to sections 56 to 61, after “purposes of terrorism” insert “eliciting information about members of armed forces etc, entering or remaining in a designated area.”—(Mr Wallace.)

This amendment is consequential on NC2. It clarifies that the offence under the new section 58B is included among the offences to which Part 4 of the Counter-Terrorism Act 2008 applies (which provides for notification requirements for persons convicted of terrorism offences).

Third Reading

7.23 pm

Mr Wallace: I beg to move, That the Bill be now read the Third time.

On 22 May last year, I was woken from my slumber by the tragic news of the attack on the Manchester Arena: the murder of women, children and men who had been out enjoying their day and night at the arena. A member of ISIS chose to target them ruthlessly, in a way that showed total discrimination, when they were at their least defensible. Last year, society faced numerous attacks from terrorists. In March this year, we saw the reckless and very dangerous use of the Novichok nerve agent on our streets, which sadly led to the death of a British citizen.

The Government did not knee-jerk—we did not jump, as has sometimes happened over the past few decades, to take measures. The Government considered the issues, considered our vulnerabilities and not only took strong steps to produce a Bill that will help our security forces and our police tackle the changing threats, but were determined to be as collaborative as possible throughout the legislating process. Tonight, Members will have heard how we rightly accepted the observations from the Labour Front Bench and the SNP about some of the measures. The Labour party and the Government discussed the streaming of content online and came up with a sensible solution to make sure that people who stream horrific material are brought to justice.

This is not an attention-seeking Bill; it is a Bill designed to make a difference, to make our streets safer, to make our citizens safer and to send a message that one of the reasons the United Kingdom is one of the world leaders in counter-terrorism is that we not only learn our lessons from every event, but build on the experience of previous Governments. Much of the Bill is built on the back of the Terrorism Act 2000, which was brought in by the last Labour Government. We have taken the best elements and learned from our experiences and the threats to produce a piece of legislation that in my view and that of the Government strikes the right balance between liberty, individuals’ rights and the security of this nation. It is a balance that we do not take for granted and that we review constantly.

That is why this country probably has some of the greatest oversight of its intelligence services, ably led by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), the judicial commissioners, Lord Justice Fulford and the independent reviewer of terrorism legislation. All those learned and respected individuals take a strong role, as do the Members who sit on the Intelligence and Security Committee, in scrutinising the people who are charged with delivering the security of this nation. That, coupled with our long adherence to human rights, makes me confident that the Bill does not tip the balance in the wrong way, but navigates the difficult course that we are faced with, given the emerging technologies, to keep people safe.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I am grateful for the approach that the Minister and the Secretary of State have taken and for the fact that the loophole in terror insurance to cover non-physical damage has been addressed in the Government’s plans. However, the explanatory notes suggested that the Government would do several things to support my community, which was so badly affected last June, yet still not a penny of Government support is going to the employers in my constituency who were affected by that terror attack. Despite the fact that the Government failed to update the legislation sooner, that could have been done some time ago and was not. My constituents and their businesses are still not being compensated for the damage they have experienced—150 firms have lost more than £2 million.

Mr Wallace: The hon. Gentleman made that point in Committee. I was due to meet him last week. Unfortunately, because of the Salisbury issues, that meeting was delayed, but I will meet him. I have spoken to the Exchequer Secretary. The hon. Gentleman is right about some of the issues with the package for his community, compared with what has happened after other events. That is a discussion for us to have with the Mayor of London.

Neil Coyle rose—

Mr Wallace: The hon. Gentleman’s points are well made but, with respect to him, I need to draw to a close.

If it is passed, this Bill, much of which has the support of all parties in this House, will leave this House doing the right thing to keep people safe, striking the right balance with our rights and allowing us to remember those people who in the last few months and years have lost their lives tragically to terrorism and, lately, to the actions of a hostile state. I am afraid we must remember that out there, there are very bad people, very bad terrorist organisations and, nowadays, some very bad states who wish to do real harm to our values. This Bill protects our values, but deals with the issues and gives our security services and police forces the tools that they need.

7.29 pm

Nick Thomas-Symonds: The UK national threat level, set by the independent Joint Terrorism Analysis Centre and the security services, has been at severe or higher since 29 August 2014. We put on the record our debt of gratitude to the police and the security services for the work they do in keeping us safe. Since the terrible murder of Fusilier Lee Rigby in May 2013, 25 terrorist attacks in the UK have been foiled. We should never forget that as we consider this Bill.

[Nick Thomas-Symonds]

In June 2016, there was the terrorism-related murder of our late colleague in the Labour party, Jo Cox, and between March and September 2017, there were a further five terrorist outrages, at Westminster, on 22 March, at Manchester Arena, on 22 May, at London Bridge, on 3 June, at Finsbury Park, on 19 June, and at Parsons Green, on 15 September—although, mercifully, no one was killed in that final attack. It is fundamental that our approach in legislation does not undermine the very values that the terrorists seek to attack. The rule of law has to be fundamental to our approach.

I am grateful for the consensual approach that the Security Minister has taken on the Bill and the concessions he has made. The concession in respect of the three clicks in clause 3 makes it a better Bill. The concession on clause 14 and the preservation of the right to peaceful protest is very important, too, and is very much a part of what he rightly said about protecting our own values as an open, liberal and tolerant democracy.

I hope that this consensual approach can now continue into the Lords. As I indicated in my speech on the first set of new clauses and amendments, I am concerned that the designated areas clause came so late, and we will therefore want to subject it to scrutiny. As I indicated, we are not opposing it, but I would like to subject it to appropriate scrutiny—and I am sure it will be so subjected in the other place. I hope that the Minister will continue to work with me in that regard.

In addition, the Minister made two concessions during our debate on the second set of new clauses and amendments. First, he said he would look at the situation in Northern Ireland and accountability for the number of stops. I appreciate what he said about that. Of course, powers have been in place since 2000, but we have to ensure transparency in how the stop power is used. The second concession was on legal professional privacy. He knows that I feel passionately about this and have set out its key importance. He said that he would look at my very practical proposal before the Bill goes to the other place. That was, I accept, a concession. I hope he will continue to work on a consensual basis. Under my proposal, we would not need to balance liberty and security; we could have the position as it is but with a very practical solution.

Before drawing my remarks to a close, I want to put on the record my thanks to the Minister, the rest of my colleagues in the shadow Home Affairs team, the Members who served on the Committee and finally the Clerks who served the Committee so well as well as all of us who wished to table new clauses and amendments on Report.

7.33 pm

Gavin Newlands: I would like to echo the thanks expressed by the hon. Member for Torfaen (Nick Thomas-Symonds) to our police and security services and all those who put themselves in harm's way to keep us safe. We owe them a debt of gratitude. I also thank the Clerks in the Public Bill Office for their assistance during the passage of the Bill. This is the first time I have been in charge of a Bill for the Scottish National party. I also thank the individuals and organisations that provided evidence—[HON. MEMBERS: "We can't hear you."] Is that okay? Have I got you now? Right, thank you.

I also thank the Opposition Front-Bench team for their collegiate approach during the Bill Committee's deliberations.

Mr Mark Francois (Rayleigh and Wickford) (Con): I do not agree with it, but I want to hear it.

Gavin Newlands: I appreciate that.

The Minister himself, despite the late tabling of new clause 2, has been open to improvements suggested by the Opposition, and I thank him also.

The SNP supports the Government in their attempt to modernise this crucially important legislation, and we appreciate the need to combat the constantly evolving threat from international terrorism in the modern digital world, but we must be extremely careful about how this is executed. We are fully aware of the challenges that we face from increasingly sophisticated criminals and terrorists, and we are in favour of giving law enforcement agencies and the security and intelligence agencies the powers they require to keep our communities safe, but those powers must be subject to stringent checks and safeguards if we are to maintain the balance of security and civil liberties that we currently enjoy.

While stressing that we support the Government's aims, I remind the Minister that they have awarded themselves, and the police and security services, an enormous amount of power in the last three years, not only—potentially—in this Bill, but in the Investigatory Powers Act 2016 and the Immigration Act 2016, to name but two. Sadly, more often than not the Government have simply not got the balance right between civil liberties and the extension of intrusive powers.

If Scotland were independent—and that time is coming—we would no doubt be drafting and enacting more legislation to deal with the increased threat of terrorism. Luckily, that legislation would not be drafted by me, but I cannot help wondering how similar our measures would be. I should like to think—in fact, I am positive—that we would ensure that our Ministers, our police and our security services had the necessary powers, without impinging too much on civil liberties. That, I am sorry to say, often seems to be an afterthought in the case of this Government.

7.36 pm

Sir Edward Davey (Kingston and Surbiton) (LD): In his opening remarks, the Minister rightly reminded us of the terrorist outrages that have been inflicted on our country and our people. The response to those outrages brings the whole House together, and I know that the Minister and his colleagues do their very best, along with the skilled people in the security services, to keep us safe on a daily basis.

On Second Reading, I explained to the Minister why I had some concerns about individual measures in the Bill. The Liberal Democrats wanted to see whether or not they would pass through the House and emerge in a better form. I have to say that in our view, regrettably, the Bill has not improved as a result of that scrutiny, and if anything, it has got worse. I will not rehearse what I said on Report, but I will say that my criticisms referred to the comments of independent experts— independent reviewers of counter-terrorism legislation—and were not made in the absence of any evidence.

There are, of course, some good parts of the Bill. Clause 5, which extends extra-territorial jurisdiction, is very welcome, as is clause 19, which deals with terrorism reinsurance and which I discussed on Second Reading. Those welcome measures, however, have been packaged with a collection of ill-thought-through measures that will not work: they will not do what they promise to do. In its report, the Joint Committee on Human Rights concluded that

“some of these offences risk a disproportionate interference with the right to privacy, the right to freedom of thought and belief, and the right to freedom of expression.”

The Committee—a Committee of both Houses—warned us that the Bill

“strikes the wrong balance between security and liberty”

and doubted its compliance with the European convention on human rights.

My list of things that are wrong with the Bill has grown since Second Reading, and the more I have looked at those items, the more my concern about some of them has deepened. Clause 1, for instance, expands the offence of inviting support for a proscribed organisation to recklessly expressing support for such an organisation. I was too kind about that on Second Reading. I argued that the concept of recklessness already exists in criminal law in respect of physical actions and physical violence, but even in that context it is controversial, given the different legal versions of what “recklessness” actually means in respect of physical actions. How much more subjective is “recklessness” when applied to speech? Ministers have failed to defend this extension, and I think that they are in serious danger of criminalising innocent people and the naive.

Given that this is a Third Reading debate, I will not rehearse many of the other problems with the Bill, but I do want to end on one particular problem that I failed to mention on Second Reading. It relates to the border security powers we briefly discussed in the last part of our debate. What the Bill says in schedule 3 is quite chilling. It gives a lot of power to state officials, which goes beyond anything I have ever seen before. I refer what the Bill says to colleagues, because this is what they are voting on tonight. In giving powers to border security guards to stop, question and detain, the Bill does not require them to justify that at any level. It states:

“An examining officer may exercise the powers under this paragraph whether or not there are grounds for suspecting that a person is or has been engaged in hostile activity.”

It says “whether or not”; not “if” there are grounds for suspecting, but “whether or not”.

Mr Wallace: As I said earlier, these are just mirrors of the powers that have been in force since 2000. When over subsequent years the right hon. Gentleman was a member of the National Security Council in the last coalition Government did he use his senior position in the Government to seek, as this power is so unjust, and “chilling” as he says, to undo it? Will he also please reflect on this? I read the Joint Committee on Human Rights report, and there was one flaw in it: it did not take evidence from the police, the intelligence services or victims. It took evidence from Cage and other such groups, but I think its duty was to be balanced. Perhaps the right hon. Gentleman will reflect on his time in government.

Sir Edward Davey: I am happy to reflect on that. As I said to the Minister in an earlier intervention, as a member of the NSC, I was often asked to sign warrants to go after some of the most wicked people and in each case I was impressed by our security services and the systems of accountability. I signed every single warrant put before me because it was very clear that the powers were proportionate and justified. I am arguing tonight that the Government are going further. I do not think it is in the traditions of British justice that we give *carte blanche* powers to the border security guards, and if other Opposition Members were to read this provision in detail, I do not think they would be as comfortable as they are being lured into being.

I urge colleagues even at this late hour to actually read this part of the Bill, as I think we are in danger of losing our attachment to reason. That is a dangerous position in this very important Chamber. I hope that if some of us stand up tonight and say, “These powers are overreaching,” we can send a signal to the other place that it can do its job and scrutinise this legislation in ever more depth.

7.42 pm

Neil Coyle: I welcome the Government’s attempt to use this Bill to close the terror insurance loophole, with the two provisos already mentioned, but there are other concerns that have not been addressed. Even if terror insurance now covers non-physical damage, the take-up of terror insurance covers only about 2.5% of UK businesses, and the Government have not addressed how to boost take-up and ensure greater coverage.

I thank the Minister for his letter, which I received today. It addresses two further issues. First, it is good that certification will be sped up, but there is no detail in the letter as to how that will be done. Secondly, there is no detail in it about how the potential for legislation to become out of date again will be addressed other than through a vague assurance. I hope that more detail will be provided in the other place.

The Bill was an opportunity to address the fact that some seek to take profits out of public generosity and public support when terror attacks occur. Sadly, giving only half a million pounds in profits, above admin costs, in the last year alone for Grenfell, Manchester and the London Bridge and Borough market attacks is appalling. That is pickpocketing from the victims of terror and it should have been addressed here. I hope the Government will look at this again before the Bill reaches the House of Lords.

Question put, That the Bill be now read the Third time.

The House divided: Ayes 376, Noes 10.

Division No. 238]

[7.44 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amesbury, Mike

Amess, Sir David
Andrew, Stuart
Antoniazzi, Tonia
Argar, Edward
Ashworth, Jonathan
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve

Baldwin, Harriett	Double, Steve	Henderson, Gordon	McCarthy, Kerry
Barclay, Stephen	Dowd, Peter	Herbert, rh Nick	McGinn, Conor
Baron, Mr John	Dowden, Oliver	Hill, Mike	McLoughlin, rh Sir Patrick
Beckett, rh Margaret	Doyle-Price, Jackie	Hillier, Meg	McMahon, Jim
Bellingham, Sir Henry	Drax, Richard	Hinds, rh Damian	McMorrin, Anna
Benyon, rh Richard	Duddridge, James	Hodgson, Mrs Sharon	McPartland, Stephen
Beresford, Sir Paul	Duffield, Rosie	Hollingbery, George	McVey, rh Ms Esther
Berry, Jake	Duguid, David	Hollinrake, Kevin	Mearns, Ian
Betts, Mr Clive	Duncan, rh Sir Alan	Hollobone, Mr Philip	Menzies, Mark
Blomfield, Paul	Duncan Smith, rh Mr Iain	Holloway, Adam	Mercer, Johnny
Boles, Nick	Dunne, Mr Philip	Hopkins, Kelvin	Merriman, Huw
Bone, Mr Peter	Ellis, Michael	Howarth, rh Mr George	Metcalfe, Stephen
Bottomley, Sir Peter	Ellwood, rh Mr Tobias	Howell, John	Milling, Amanda
Bowie, Andrew	Elmore, Chris	Huddleston, Nigel	Mills, Nigel
Bradley, Ben	Elphicke, Charlie	Hughes, Eddie	Milton, rh Anne
Bradley, rh Karen	Eustice, George	Hunt, rh Mr Jeremy	Mitchell, rh Mr Andrew
Brennan, Kevin	Evennett, rh Sir David	Jack, Mr Alister	Moore, Damien
Brereton, Jack	Fabricant, Michael	Jarvis, Dan	Mordaunt, rh Penny
Bridgen, Andrew	Field, rh Mark	Jenkin, Sir Bernard	Morgan, rh Nicky
Brine, Steve	Fitzpatrick, Jim	Jenkyns, Andrea	Morgan, Stephen
Brokenshire, rh James	Ford, Vicky	Jenrick, Robert	Morris, James
Bruce, Fiona	Foster, Kevin	Johnson, rh Boris	Mundell, rh David
Buck, Ms Karen	Fox, rh Dr Liam	Johnson, Dr Caroline	Murray, Ian
Buckland, Robert	Foxcroft, Vicky	Johnson, Gareth	Murray, Mrs Sheryll
Burghart, Alex	Francois, rh Mr Mark	Johnson, Joseph	Murrison, Dr Andrew
Burgon, Richard	Freeman, George	Jones, Andrew	Neill, Robert
Burns, Conor	Freer, Mike	Jones, Darren	Newton, Sarah
Burt, rh Alistair	Fysh, Mr Marcus	Jones, rh Mr David	Nokes, rh Caroline
Butler, Dawn	Gaffney, Hugh	Jones, Gerald	Norman, Jesse
Cairns, rh Alun	Gale, Sir Roger	Jones, Graham P.	Norris, Alex
Campbell, rh Mr Alan	Gapes, Mike	Jones, Mr Marcus	O'Brien, Neil
Campbell, Mr Gregory	Gardiner, Barry	Kawczynski, Daniel	Onasanya, Fiona
Carden, Dan	Garnier, Mark	Keegan, Gillian	Onn, Melanie
Cartlidge, James	George, Ruth	Kennedy, Seema	Parish, Neil
Cash, Sir William	Ghani, Ms Nusrat	Kerr, Stephen	Paterson, rh Mr Owen
Caulfield, Maria	Gibb, rh Nick	Khan, Afzal	Pawsey, Mark
Chalk, Alex	Gill, Preet Kaur	Killen, Ged	Peacock, Stephanie
Chapman, Jenny	Girvan, Paul	Knight, rh Sir Greg	Penrose, John
Charalambous, Bambos	Glen, John	Kwarteng, Kwasi	Perry, rh Claire
Chishti, Rehman	Goldsmith, Zac	Kyle, Peter	Philp, Chris
Churchill, Jo	Goodwill, rh Mr Robert	Laird, Lesley	Pincher, Christopher
Clark, Colin	Graham, Luke	Lamont, John	Platt, Jo
Clarke, Mr Simon	Graham, Richard	Lancaster, rh Mark	Pollard, Luke
Cleverly, James	Grant, Bill	Latham, Mrs Pauline	Pow, Rebecca
Clifton-Brown, Sir Geoffrey	Gray, James	Lavery, Ian	Prentis, Victoria
Coaker, Vernon	Green, Chris	Leadsom, rh Andrea	Prisk, Mr Mark
Coffey, Dr Thérèse	Green, rh Damian	Lee, Dr Phillip	Pritchard, Mark
Costa, Alberto	Greening, rh Justine	Lefroy, Jeremy	Pursglove, Tom
Courts, Robert	Grieve, rh Mr Dominic	Leigh, Sir Edward	Quin, Jeremy
Cox, rh Mr Geoffrey	Grogan, John	Letwin, rh Sir Oliver	Quince, Will
Coyle, Neil	Gyimah, Mr Sam	Lewell-Buck, Mrs Emma	Redwood, rh John
Crausby, Sir David	Hagh, Louise	Lewer, Andrew	Rees-Mogg, Mr Jacob
Creasy, Stella	Hair, Kirstene	Lewis, rh Dr Julian	Reeves, Ellie
Crouch, Tracey	Halfon, rh Robert	Liddell-Grainger, Mr Ian	Robertson, Mr Laurence
Cummins, Judith	Hall, Luke	Little Pengelly, Emma	Robinson, Gavin
Cunningham, Mr Jim	Hamilton, Fabian	Lloyd, Tony	Robinson, Mr Geoffrey
Daby, Janet	Hands, rh Greg	Lopez, Julia	Robinson, Mary
Dakin, Nic	Hanson, rh David	Lopresti, Jack	Rodda, Matt
Davies, Chris	Hardy, Emma	Lord, Mr Jonathan	Ross, Douglas
Davies, David T. C.	Harper, rh Mr Mark	Loughton, Tim	Rowley, Danielle
Davies, Glyn	Harrington, Richard	Mackinlay, Craig	Rowley, Lee
Davies, Mims	Harris, Carolyn	Maclean, Rachel	Ruane, Chris
Davies, Philip	Harris, Rebecca	Madders, Justin	Rudd, rh Amber
Davis, rh Mr David	Harrison, Trudy	Mahmood, Mr Khalid	Russell-Moyle, Lloyd
De Piero, Gloria	Hart, Simon	Mak, Alan	Rutley, David
Debbonaire, Thangam	Hayes, rh Mr John	Malthouse, Kit	Sandbach, Antoinette
Dhesi, Mr Tanmanjeet Singh	Hayman, Sue	Mann, Scott	Scully, Paul
Dinenage, Caroline	Heald, rh Sir Oliver	Martin, Sandy	Selous, Andrew
Docherty, Leo	Healey, rh John	Maskell, Rachael	Shannon, Jim
Dodds, rh Nigel	Heappey, James	Masterton, Paul	Shapps, rh Grant
Donelan, Michelle	Heaton-Harris, Chris	Matheson, Christian	Sharma, Alok
Dorries, Ms Nadine	Heaton-Jones, Peter	Maynard, Paul	Shelbrooke, Alec

Sherriff, Paula
Shuker, Mr Gavin
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Skinner, Mr Dennis
Smith, Chloe
Smith, Eleanor
Smith, Henry
Smith, Jeff
Smith, rh Julian
Smith, Nick
Smith, Royston
Smyth, Karin
Soames, rh Sir Nicholas
Sobel, Alex
Spellar, rh John
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, rh Mel
Stuart, Graham
Sunak, Rishi
Swayne, rh Sir Desmond
Sweeney, Mr Paul
Swire, rh Sir Hugo
Syms, Sir Robert
Tami, Mark
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, Nick
Thomson, Ross
Throup, Maggie
Timms, rh Stephen

Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Twist, Liz
Umunna, Chuka
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Robin
Walker, Thelma
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Whately, Helen
Wheeler, Mrs Heather
Whitehead, Dr Alan
Whitfield, Martin
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Dr Paul
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim
Zeichner, Daniel

Tellers for the Ayes:
Wendy Morton and
Iain Stewart

NOES

Cable, rh Sir Vince
Davey, rh Sir Edward
Farron, Tim
Hobhouse, Wera
Jardine, Christine
Lamb, rh Norman
Lloyd, Stephen

Lucas, Caroline
Stone, Jamie
Swinson, Jo

Tellers for the Noes:
Mr Alistair Carmichael and
Tom Brake

Question accordingly agreed to.

Bill read the Third time and passed, with amendments.

DEFERRED DIVISIONS

Ordered,

That, at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motion in the name of Mel Stride relating to the Organ Donation (Deemed Consent) Bill: Money.—
(*Andrew Stephenson.*)

Organ Donation (Deemed Consent) Bill (Money)

Queen's recommendation signified.

7.58 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): I beg to move,

That, for the purposes of any Act resulting from the Organ Donation (Deemed Consent) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided.

I am pleased to say that the Government fully support this Bill, which has been ably promoted by the hon. Member for Coventry North West (Mr Robinson), who I congratulate on his fantastic efforts to build cross-party support for this significant piece of legislation, as evidenced by the attendance this evening, well past home time.

8 pm

Mr Geoffrey Robinson (Coventry North West) (Lab): I thank the Minister for her kind words. I say right from the start that she and the Government have been an invaluable asset in getting the Bill to this stage. It has been supported throughout the House of Commons, and I was delighted with that. All the party leaders in this place have supported it. I must pay tribute to the tremendous support that I have received from the office of the Leader of the Opposition and from my right hon. Friend the Leader of the Opposition himself. All that taken together—plus the Prime Minister's considerable personal support—means that we can now have a money resolution, which we are delighted to accept. It provides £18 million for an essential public awareness campaign, which is intended to make it clear to the public what exactly the Bill does, why we are doing it and how it will operate. If we lose public support, we have lost everything, so this money will be well spent.

The Government are confident that the other money linked to the programme can be found from their savings and—to give credit here, too—for the first time we have a long-term commitment to funding of £20 billion over 10 years. We should be able to find a share of the other resources we shall need—the increase in surgeons, nurses and facilities—from that and from the savings that the Act itself will bring after the first year of planning, when it comes into operation. The cost of long-term and chronic care for kidney patients is enormous. The savings are therefore real, and we take the Government's assurance that, together with the money resolution, that will be sufficient for our present purposes.

Having thanked all those concerned and everybody in the Chamber now, I commend the money resolution to the House.

Question put and agreed to.

Business without Debate

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

EU-SINGAPORE FREE TRADE AGREEMENT (FTA) AND INVESTMENT PROTECTION AGREEMENT (IPA)

That this House takes note of European Union Document No. 7966/18 on the signature of the proposed agreement along with Addenda numbered 1 to 13 and European Union Document

No. 7967/18 on the conclusion of the proposed agreement along with Addenda numbered 1 to 13; welcomes the proposed signature and conclusion, on behalf of the EU, of the EU-Singapore Free Trade Agreement; further notes European Union Document No. 7973/18 on the signature of the proposed agreement along with Addenda numbered 1 to 2 and European Union Document No. 7974/18 on the conclusion of the proposed agreement along with Addenda numbered 1 to 2; and further notes the signature and conclusion of the proposed Investment Protection Agreement between the EU and its Member States and Singapore.—(*Iain Stewart.*)

The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 12 September (Standing Order No. 41A).

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

CONTRACTS

That the draft Business Contract Terms (Assignment of Receivables) Regulations 2018, which were laid before this House on 4 July, be approved.—(*Iain Stewart.*)

Question agreed to.

Personal Independence Payments

Motion made, and Question proposed, That this House do now adjourn.—(Iain Stewart.)

8.2 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Thank you, Mr Speaker, for the opportunity to speak this evening. I am grateful to colleagues for joining me tonight.

Like many across this House, I came to this place because I wanted to give back to my community, to speak up for the vulnerable and to stand up for those who look to us for leadership and understanding. Let me be clear: the Government's flagship welfare reforms—whether it is universal credit, the personal independence payment or the job centre closures—have failed. They have failed to support those in need, failed to support those with disabilities and long-term chronic conditions, and failed to show the basic values that we expect to see from any Government.

I have called for a debate on the roll-out of personal independence payments, known as PIP, because of the calls, the emails and the visits to my surgery from people pushed to breaking point. Personal independence payments, or PIP, were a replacement for the disability living allowance for people of working age—between 16 and 64. Those who are over 65 will remain eligible for disability living allowance. The PIP was introduced for new claimants in 2013, under the Conservatives and Liberal Democrats, and the Department for Work and Pensions aimed to reassess all existing working-age DLA claimants.

I looked at the www.gov.uk website in preparation for this debate. You know, Madam Deputy Speaker, if you are looking for help with PIP, the suggestion on the Government's website is to look for a local support organisation or the local Citizens Advice Bureau. That is called taking the biscuit: we have all seen the savage cuts to local government, local community groups and to citizens advice bureaux, so it is hugely insulting to have the Government suggest that people look for services and support that no longer exist. If you do find the brilliant people who still work there and who are still trying to provide support, have sympathy, because they cannot get their heads round the constant changes that have come from the Department for Work and Pensions.

I know colleagues want to intervene, but I would like to tell a story from one of my constituents from Coatbridge, Chryston and Bellshill. Mr William Queen has Perthes disease, which is a rare condition that affects his hip joints. When his reassessment came up, William, who had already moved on to the personal independence payment from the disability living allowance, was refused his request and had his PIP withdrawn. He had an extraordinary assessment with Atos, where the assessor did not even take his disability into consideration. We know what firms such as Atos and Capita are like, and they should have no role in providing public services to vulnerable people. William was left suffering with increased stress and anxiety and, more importantly, empty pockets. When someone cannot work due to their disability, they should not be made to feel worse by a cold and dismissive system designed by the Department for Work and Pensions. William and so many people like him have been treated disgracefully, and they deserve better.

Jim Shannon (Strangford) (DUP): I commend the hon. Gentleman for bringing this matter to the House for consideration. I fully support the comments he is making. Universal credit is only just happening in my constituency, and vulnerable people who I represent and who speak to me every week about PIP have already contacted me in fear of the changes and charges. Does he agree that communication to vulnerable and ill people is not acceptable and that more needs to be done by the DWP and the Government? Hopefully the Minister can bring back something positive in her response.

Hugh Gaffney: Yes, I agree. In doing research yesterday, I found that Disability Rights UK has highlighted DWP research that four out of 10 PIP claimants do not appeal, as it would be too stressful for them. We have unfair assessments that result in people losing money, but they do not appeal because of the stress that would be caused. What a disgrace!

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My hon. Friend is making a powerful speech. He represents a constituency that neighbours mine. Glasgow North East has had the worst impact from the change from DLA to PIP, with some £2 million a year being taken from the pockets of the poorest people in my constituency. More than 580 people have lost their entitlement as a result of the change. Behind the figure is a litany of despair and misery. Does my hon. Friend not agree that the Government have to understand that they need to take a compassionate approach? The misery faced by my constituents and his has to end.

Hugh Gaffney: Talking about compassion, the introduction of PIP, which was supported by the Tories—we should not forget that the Liberals backed it, too—was meant to lead to a fairer, more transparent and more consistent system. It has been anything but. We should not forget that the overarching aim was to slash public services—in other words, saving money on the backs of the most vulnerable in our country. They are the people who are suffering. Has it worked? No, it has not worked for those who want a fairer, transparent and consistent system.

Despite all the Tory and Lib Dem cuts, the Office for Budget Responsibility has continued to downgrade its estimate of the savings from the introduction of PIP. So the Government's aims have not been achieved. At the same time, we have seen many people and families hurt in the process. That hurt is made worse by the fact that despite the DWP being responsible for handling PIP claims and making the decision on entitlement to benefits, private companies such as Capita and Atos have been doing the assessments. Perhaps we should not be surprised by what we see and hear every day. It is time for change.

Luke Graham (Ochil and South Perthshire) (Con): The hon. Gentleman is talking about cuts, but does he recognise that the welfare reforms have led to an increase in welfare spending? If cuts were the Government's desire, then yes, we have failed. However, if that means we are providing more funding for those most in need, that is where my right hon. Friend the Secretary of State has succeeded.

Hugh Gaffney: I am sorry, but I do not agree with the hon. Gentleman. I do not know who goes into his surgery to talk to him, but I certainly do not hear that from the people who come in to talk to me.

Many colleagues have consistently raised PIP with the Government over recent months and years. My hon. Friend the Member for North West Durham (Laura Pidcock) is one and I congratulate her on the birth of her baby boy and I hope that they are both doing well.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I just wish to pick up on the point made by the hon. Member for Ochil and South Perthshire (Luke Graham). Does my hon. Friend agree that, in fact, the introduction of PIP has been used as a means of cutting support for disabled people? When we look at the figures from charities such as Mind, we can see that more than half of the people who started off on disability living allowance and transferred to PIP are to get reduced points or no points at all. This is purely a means of cutting support for disabled people.

Hugh Gaffney: I totally agree with my hon. Friend and I thank her for her intervention.

Many MPs have spoken on the issue over the past few months and years. My hon. Friend the Member for North West Durham highlighted how the mental health conditions of those with chronic disabilities is also a factor. My hon. Friends the Members for Gower (Tonia Antoniazzi), and for Oldham East and Saddleworth (Debbie Abrahams) have also spoken on the issue. My hon. Friend the Member for Rutherglen and Hamilton West (Ged Killen), in my neighbourhood of Lanarkshire, raised a very good question with the Government around the actual number of challenges to original assessment decisions that have been successful. My hon. Friend the Member for Hornsey and Wood Green (Catherine West) legitimately asked the Government whether claimants would be entitled to receive a copy of their PIP assessment reports.

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): I thank my hon. Friend for giving way and I congratulate him on this important and timely debate. Does he agree that the sheer number of people who are successfully challenging the outcome when they lose their PIP award shows that the system is completely broken? We should not be putting people through that stress and anxiety and dragging them into poverty; we should be getting it right the first time round.

Hugh Gaffney: I totally agree, which is why I am pleased to be having this debate tonight.

Those were just a few examples of points raised by colleagues on the Opposition Benches and I pay tribute to them for championing these issues and for supporting the people who need our help. It is not just those in this House who have a view on PIP. Here are some comments from actual PIP claimants—people who do suffer from PIP. One said:

“In an assessment, an assessor cannot see the difficulties faced on a daily basis, nor can they know how constant pain feels.”

Another said:

“The assessment was focused on physical disabilities and didn't factor in my mental health.”

Danielle Rowley (Midlothian) (Lab): I thank my hon. Friend for giving way. He is making a fantastic speech. Many of my constituents, especially those with mental health difficulties, have said that when they went for their assessment, they were assessed on how they were doing on the day. They have described it as like going

[Danielle Rowley]

for a job interview; they were trying to do their best. One constituent said that she was asked whether she could get a pen out of her handbag. She picked up her handbag, and on her form it said that she was able to pick up a handbag. Does he agree that that is ludicrous and that this way of testing people is simply not fair and not reflective of their disability?

Hugh Gaffney: Yes, and that is why I am making these comments. These are actual people who are on PIP. One said:

“I found it humiliating.”

Another claimant said that she found

“the whole experience was brutal and gruelling.”

Finally, one asked:

“How low do these assessors go? I was asked if I had thought about killing myself.”

Can Members imagine somebody going to an interview and being asked that? Let us think about that:

“I was asked if I had thought about killing myself.”

This is the country that we live in, in 2018. These are comments from people who have gone through the process and we should be listening to them and we should be supporting them, with action not words.

Neil Gray (Airdrie and Shotts) (SNP): I thank my constituency neighbour for giving way and congratulate him on securing this debate and on his speech. The examples that he has given, presumably from his constituents, are echoed by my constituents in Airdrie and Shotts. Like me, does he welcome the changes that will be made by the Scottish Government when we take control over some of these areas to ensure that there will no longer be face-to-face assessments unless they are requested and that there will be paper-based medical assessments carried out first? This is one of the most demeaning and most problematic aspects of the PIP assessment process.

Hugh Gaffney: I am glad that the hon. Gentleman mentioned Scotland. Let us take Scotland separately, with the special Government up there. In Scotland, we must not walk by on the other side. The SNP Government have the powers to abolish PIP assessments, and that is what they must do as a matter of urgency. I will give my assurance that the Labour Benches in Holyrood will support that.

In Wales, Keith Jones from Wrexham was refused PIP, having been on DLA since 1997. Keith died before his appeal was heard. He died weighing just 6 stone because his mouth cancer meant that he could not eat solid food, and he struggled to walk more than 20 metres. I could go on about more cases, but I want to encourage interventions.

Fiona Onasanya (Peterborough) (Lab): The fact that 69% of decisions that go to appeal are overturned surely shows that there is a significant flaw in the system. If decisions are being overturned 69% of the time, how can the Government say they are doing the right thing?

Hugh Gaffney: That is exactly why we are here, speaking up for those who do not have a voice.

Joe MacMillan from my neighbouring Glasgow died two weeks after he appealed against the decision of the Department for Work and Pensions to remove his PIP. He had £8 in the bank—the last of his money—but his benefits were cut. Do you know why? Because he could make a cup of tea. In 2018, that is how we judge people who are looking for support and help.

I pay tribute to some of the organisations that are thankfully supporting people in need, including the Samaritans, Mind, Get Connected, HOPELineUK, MayTree, Rape Crisis and SurvivorsUK. These organisations work hard to support people. Frankly, the Government should be doing the same.

Ruth George (High Peak) (Lab): My hon. Friend is making an excellent and powerful speech on behalf of the millions of disabled people affected by PIP, but they are also affected by the cuts for disabled people in universal credit and by the cuts to employment and support allowance. Does he agree that the combination of all these cuts is having a cumulative impact on disabled people, some of whom are up to £10,000 a year worse off as a result? Does he agree that that is a disgrace and that the situation needs to be looked at as a whole?

Hugh Gaffney: I certainly do agree.

Even today, more organisations have contacted me and sent me documents. These include the Motor Neurone Disease Association, Mencap, Headway—the brain injury association—and Scope. Surely all these people cannot be wrong.

Bambos Charalambous (Enfield, Southgate) (Lab): Is my hon. Friend aware that there was recently a challenge against the Government regarding PIP, and it showed that the Government were discriminating against people with mental health issues? This is an area on which the organisations that he mentioned provide support and campaign actively.

Hugh Gaffney: That is what I am doing—calling on this Government to think again in the interests of people right across the United Kingdom. PIP is not working. People have lost their lives. It is time to think again and to be fair, transparent and consistent. This was the Government’s flagship policy. I respect the Minister for being here to listen, but what more do she and her colleagues need to see before they halt the roll-out of PIP and think again? Can I say that it would have been nice to see the Secretary of State here for this debate as well?

This is all about politics. It is about the decisions taken in this place. I will work with anyone to get a better deal for these people, but let me be clear that these callous Tory policies will come to an end with the next UK Labour Government. That is why Labour is the party for the many, not the few.

8.19 pm

The Minister for Disabled People, Health and Work (Sarah Newton): I congratulate the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) on securing this very important debate. I would like to add my personal congratulations to his, and those of his colleagues, to the hon. Member for North West Durham

(Laura Pidcock). I am pleased to hear that she has had her baby and both are doing well. Please extend those congratulations to her. I hope to see her back in her place in due course so that we can continue our work together.

It is very clear to me that all Members who have spoken here today care deeply about their constituents and want to see the best possible outcomes for them when they are going through the process of claiming the personal independence payment. I can assure them that this Government are equally committed to supporting everyone to achieve their full potential in society and to lead as independent and full lives as possible. The successful roll-out of PIP is integral to our vision that we have a really fair and compassionate society and that people get the support that they need.

Figures have been bandied around this evening, and it is really important that we deal with the facts. We are committed to providing a strong safety net for those who need it. That is why we are spending about £54 billion this year just on the benefits that support disabled people and those with health conditions. We are focusing on those main disability benefits through employment and support allowance and other benefits in addition to PIP. Expenditure has increased by more than £5.4 billion since 2010. It is set to be at a record high this year, and it will continue to be higher in every year to 2022 than in 2010.

Debbie Abrahams *rose*—

Sarah Newton: The hon. Lady is a very experienced Member of Parliament, and she understands that in an Adjournment debate we have very little time. My door is always open to all Members here tonight if they want to raise constituency cases or broader points with me. I will not be able to address these points if I take interventions. *[Interruption.]* I ask the hon. Lady please to come and see me, and I will be more than happy to listen and respond carefully to what she wants to say.

These disability benefits are also exempt from the benefits freeze, so they will increase again this year to make sure that they are going up in line with inflation. We have about 5.25 million people of all ages on benefits, but we are supporting 1.8 million on PIP. Again, we have heard the misquoting of information about appeals. Of all the people who have applied for PIP, about 9% have gone to appeals, of which only 4% have been overturned. One person who has a poor experience of PIP—one person who does not get the treatment that these people all richly deserve—is one too many. We are utterly committed to a continuous improvement programme.

It is really important to remember why we looked again at the disability living allowance. It was a benefit for its time. It was mostly focused on physical disability. It did not take into consideration all the mental health conditions that we know people live with. It did not take into consideration learning difficulties or sensory impairments like blindness. Understanding of other conditions such as autism has changed immeasurably. DLA was too reliant on self-assessment, and people had very little opportunity to be reassessed, so they could be underpaid in their benefit.

In fact, PIP has achieved many of its objectives. We can absolutely see that when we look at the results. Over 1.88 million people are now in receipt of PIP.

Over 225,000 more working-age disabled people are now receiving DLA or PIP compared with when PIP was first introduced, and more support is now going to those that need it the most. Over 30% of claimants are receiving the highest level of support under PIP, compared with 15% under DLA.

There has been much talk, quite rightly, about people with mental health conditions. It is really important to note that 65% of PIP recipients with mental health conditions receive the enhanced rate of daily living component, compared with 22% of people on DLA. Clearly, where we were aiming to make sure that people with mental health conditions were benefiting from this new benefit, that is happening. It is a holistic benefit that looks at a whole range of conditions with regard to people's ability to lead independent lives.

I have consistently listened to colleagues in the House. I regularly meet charities and stakeholders to ensure that we make improvements to PIP. We have had independent reviews of PIP. We have had a Select Committee inquiry, which made many recommendations that we have accepted. We are absolutely committed, and a lot of changes have already happened.

I would like to take this opportunity to update the House on the extensive work we have been doing on implementing the reforms to PIP that I have set out and communicated regularly to the House. Starting with the beginning of the applicant's journey, we have done work on improving communications, including making changes to the forms, ensuring that people understand that they can bring people along to support them and providing far more access for disabled people. We have independent evaluation where we engage with our PIP claimants to ask them how we can improve the process. Some 87% of them found it a positive experience, but of course other people are not finding it a positive experience, and they are the ones we are working with. We are working with individual disabled people and organisations, and we have listened and acted.

I have been asked about particular changes we have made. Over the summer, we have done a huge amount of work to get ready for a proper pilot of recording PIP assessments. I would like to say to the hon. Member for Coatbridge, Chryston and Bellshill that using the private sector to undertake assessments is not a new thing. It was brought in by the Labour party when it brought in ESA back in 2008. It was the Labour party that introduced work capability assessments and used health professionals to undertake those assessments.

Let us remember who these health professionals are: they are the nurses, physiotherapists, doctors and occupational therapists we all depend on when we go to our local hospital or engage with our local health service. Those are the healthcare professionals undertaking the process. They are highly dedicated and motivated healthcare professionals who receive very thorough ongoing training, particularly in mental health. There is a huge amount of stakeholder engagement from voluntary sector organisations that support disabled people to ensure that the assessors undertaking these assessments are completely up to date, and this is a continuous improvement process. We have also introduced a lot more guidance, support and training for our case managers. Healthcare professionals undertake the health assessments, and that information is then passed back to the Department, where experienced case managers are the decision makers.

[*Sarah Newton*]

Over the summer, I was also able to ensure that we implemented other important changes that we said we would to PIP. For people who have severe conditions from which we know, from their medical information, they will not recover, we have built on the work we have done on ESA by working in partnership with disabled people and the voluntary sector to make changes so that once people on ESA receive the highest level of support, they have a lifetime award, with a light-touch review after 10 years. We have now introduced that to PIP.

Neil Gray: Will the Minister give way?

Sarah Newton: I have so much more that I would like to update the House on, but we are simply running out of time.

We remain absolutely determined to roll out at pace the whole suite of reforms to PIP that we have set in train. We are already seeing improvements in those processes. This is something we take extremely seriously, and we are working at pace and with great urgency. There is no doubt that Government Members want exactly what Opposition Members want, which is to ensure that all disabled people and people with health conditions in our country are treated with respect and dignity and get the support that they richly deserve. We have committed to and continue to spend more money than ever on benefits supporting people, and we will continue to do that every year in this House.

Question put and agreed to.

8.29 pm

House adjourned.

Westminster Hall

Tuesday 11 September 2018

[SIOBHAIN McDONAGH *in the Chair*]

Bahrain

9.30 am

Andy Slaughter (Hammersmith) (Lab): I beg to move,

That this House has considered human rights abuses and UK assistance to Bahrain.

It is a great pleasure to be here under your chairpersonship, Ms McDonagh—I think this is the first time I have had the privilege. I very much welcome the opportunity I have been given by the Backbench Business Committee. We do not often get the time to debate some of the smaller Gulf countries, and it is long overdue that the House look in some forensic detail at the issues in Bahrain.

Much could be said in general terms about the appalling human rights record of the al-Khalifa regime, even in the seven years since the Bahraini people played their part in the Arab spring protests of 2011. For a short time, the attack by regime forces on the protest camp at the Pearl roundabout, the invasion by the Gulf Co-operation Council—mainly Saudi—forces, the cancellation of the 2011 grand prix and the systematic crackdown, particularly on the majority Shi'a population, caught public attention, but then other, more momentous events in the region pushed Bahrain into the shadows. Indeed, Bahrain is often in the shadows of its much larger neighbour, Saudi Arabia. I am pleased that we are going to debate Yemen, and no doubt the Saudi intervention there, in the main Chamber, but that is, of course, a Gulf Co-operation Council intervention, in which Bahrain also plays its part. Bahrain also plays its part in the boycott of Qatar.

I am pleased that Bahrain is still a priority country—a euphemism, I am afraid, for what used to be “country of concern” on the Foreign and Commonwealth Office list. I am also pleased to report that, in a Foreign Affairs Committee publication that is hot off the presses today, Bahrain is cited as a country not just where there are human rights concerns but where—this is in line with the theme of the debate—the UK Government are not acquitting themselves well in the recognition of those concerns.

Nick Thomas-Symonds (Torfaen) (Lab): I am grateful for the way in which my hon. Friend is pursuing the argument. Does he share my concern that, after an apparent moratorium on the death penalty since 2010, Bahrain went ahead and executed three people last year? Is that not a matter of deep concern, along with all the other human rights concerns we have?

Andy Slaughter: My hon. Friend, who is a distinguished lawyer and is particularly keen on human rights, touches on an issue I will spend some time on. I am afraid that this will be a rather long speech because I am taking advantage of the fact that we do not often get the opportunity to debate such matters, and I will come on to horrific examples of the capital punishment that has resumed in Bahrain.

Karen Lee (Lincoln) (Lab): As chair of the all-party group on democracy and human rights in the Gulf, I really welcome this debate. The Government must be held to account for their complicity in the suppression of human rights in the region. Female political prisoners in Bahrain, including activists Najah Yusif and Medina Ali, have been subjected to torture, sexual abuse and unfair trials. I am calling on the Foreign and Commonwealth Office to acknowledge and condemn the abuse suffered by Bahraini female political prisoners and to call for their immediate release. Will my hon. Friend join me in that call?

Andy Slaughter: I absolutely agree with my hon. Friend. Her position as chair of the APPG is an onerous task, as the group covers not just Bahrain but other Gulf countries. I held that position in an early incarnation of the group—the all-party group for democracy in Bahrain. My hon. Friend does an excellent job, and I will come on to the matter she mentions.

I would like this debate to shine a light on the continuing human rights abuses in Bahrain, specifically to gainsay their whitewashing by the regime, its paid apologists—the Bahraini Government often contract dozens of public relations and other companies in the UK to spread their message—and its political supporters. I also wish specifically to question the UK Government's role, deliberate or otherwise, in sanitising the regime's behaviour.

When the Prime Minister addressed the leaders of the Gulf Co-operation Council nations in December 2016, she noted the importance of UK-Gulf trade and security co-operation and advocated a strong UK role as the Gulf's partner of choice, embedding international norms and seeing through reform. Indeed, as UK security co-operation and arms sales to countries such as Saudi Arabia and Bahrain have increased, so too have statements from the FCO and other parts of Government that they wish to see human rights reforms in Gulf monarchies, starting from what is a very low base.

That has been especially true in Bahrain, where the UK Government have strong military, defence and trade co-operation, including a recently opened naval base, a history of offering military training and substantial arms sales. In addition, the UK has spent more than £5 million since 2012 on a package of technical assistance, which it specifically claims is to improve Bahrain's poor human rights record. The FCO has funded training for various arms of the Bahraini Government, including the Ministry of Interior, police officers, prison guards and the public prosecution office. The pursuit of human rights reform in Bahrain is certainly an important goal, but the evidence suggests that the UK's reform efforts in the country, spanning six years and costing millions of pounds of taxpayers' money, have failed.

Mr Jim Cunningham (Coventry South) (Lab): This is a timely debate in a number of ways because the whole question of the Arab spring—why it happened and where it is now—touches on human rights. More importantly, I wonder whether the Government, in terms of their trade with Arab countries in particular, ask what the human rights caveat is any negotiations. Does my hon. Friend agree that there should be a caveat to ensure human rights and that equipment is not used against the population?

Andy Slaughter: I am grateful for that intervention, and I am glad to see so many Members here. I am not an absolutist in these matters—it is a balancing act. My argument is that things have gone too far in relation to Bahrain and some of the other Gulf countries. Britain has a substantial history of good relations with those countries, but that leads to turning to a blind eye to obvious abuses.

Leo Docherty (Aldershot) (Con): Surely it is the exact opposite. It is not turning a blind eye; the fact that we have a good working relationship of many years' standing allows us to have a greater influence and to guide progress in human rights.

Andy Slaughter: I am grateful for that intervention because it goes to the heart of my argument. The hon. Gentleman's point is one that we often hear, but my argument is that exactly the reverse is true and that the intervention by the UK at a time when the human rights situation has worsened in Bahrain gives cover to those abuses.

Tom Brake (Carshalton and Wallington) (LD): If the UK has a strong relationship with Bahrain, should it not use it? For instance, I hope that we will hear from the Minister today a strong condemnation of the detention of Nabeel Rajab, which is a clear abuse of human rights that many organisations, including the United Nations, have recognised.

Andy Slaughter: The right hon. Gentleman is, as always, ahead of me—he is on to the next page of my speech.

Since Britain's reform assistance programme in Bahrain began, that country's human rights record has deteriorated. Detainees held in Bahraini detention facilities have made frequent and sustained allegations of torture and forced or coerced confession, and courts have routinely convicted defendants on the basis of such confessions. Meanwhile, Bahrain refuses to allow the UN's torture experts to enter the country.

The Bahraini Government have also persecuted and imprisoned peaceful human rights defenders, not least Nabeel Rajab, the founder of the Bahrain Centre for Human Rights and a shortlisted candidate for this year's Václav Havel human rights prize, awarded by the Council of Europe, who was recently sentenced to five years in prison for tweeting. Sayed Alwadaei, the director of the London-based Bahrain Institute for Rights and Democracy—BIRD—has watched as his family members in Bahrain have been tortured and imprisoned in retaliation for his human rights advocacy in the UK. I note that Mr Alwadaei is here today. I thank him for his bravery and tenacity, and for continuing his laudable work in the face of such persecution, and I hope that the Minister does the same.

Hassan Mushaima, now 70 years old and a founding Bahraini opposition leader, was arrested alongside 12 other political leaders in 2011, and then tortured and sentenced to life imprisonment. He is being denied access to his most basic rights, including medical assistance, while in Jau prison, a detention centre that in July 2018 was criticised by the UN for its inhumane conditions. Hassan's son, Ali, escaped arrest because he was in the UK in 2011. Fourteen days ago he started a hunger strike outside the Bahrain embassy in London, asking that his

father be given access to adequate medical treatment, family visitations and books. Ali Mushaima is here today. I hope the Minister will also join his call for more humane treatment for his father and all other political prisoners in Bahrain.

Worst of all, as my hon. Friend the Member for Torfaen (Nick Thomas-Symonds) pointed out in his intervention, during the UK's current assistance to Bahrain, Bahrain broke a seven-year moratorium on capital punishment, with the execution of three torture victims by a secret firing squad in January 2017. The UN special rapporteur on summary executions swiftly declared the executions of Abbas al-Samea, Sami Mushaima and Ali al-Singace to be extrajudicial killings. After those unlawful executions, the size of Bahrain's death row tripled in less than a year, and 21 individuals now await execution. It is a particular concern that specific Bahraini institutions trained by the UK have been responsible for serious violations of international human rights law, either while receiving UK training or shortly thereafter. Those violations have been especially severe, with catastrophic consequences in the case of death row inmates.

I want to spend a little more time talking about some of the people who have directly suffered violations and about the grave abuses they have experienced at the hands of Bahraini bodies supported by the UK. Al-Samea, Mushaima and al-Singace were executed in January 2017. Mushaima and al-Singace were the nephews of prominent peaceful opposition political activists in Bahrain, which their families believe is the real reason they were falsely accused of terrorism offences. All three men were tortured by police and forced to confess. Methods of torture included beatings, electric shocks and sodomy with metal objects. Al-Samea was tortured and al-Singace was raped by prison guards at a facility at which the UK was training 400 members of staff.

Al-Samea and Mushaima filed complaints about their torture with UK-trained torture investigators: the ombudsman for the Ministry of Interior and the Special Investigation Unit, the SIU. Those institutions, which are mandated to conduct inquiries into torture complaints lodged by detainees in Bahrain, failed to properly investigate any of the complaints made by the men. Mushaima's lawyer submitted complaints about his client's torture and false confession to both bodies, neither of which ever conducted an investigation. The SIU later rejected al-Samea's torture allegations without interviewing him or commissioning an independent medical examination. The three men were never allowed to meet with lawyers and were eventually convicted and sentenced to death in trials that relied almost entirely on their torture-tainted confessions.

Mohammed Ramadan and Husain Moosa face imminent execution for alleged terrorism offences while they insist on their innocence. Both men were arrested and tortured by Bahraini police. Ramadan, a policeman and father of three, was blindfolded, stripped and beaten with iron rods and threatened with the rape of his family members. Moosa was hung from a ceiling by his wrists for three days and beaten with batons. Both men eventually signed false confessions and have since been tortured further by prison guards in a facility where the UK has trained staff. Despite receiving complaints about their torture and forced confession shortly after arrest, the ombudsman refused to investigate for two years,

during which time the men were sentenced to death on the basis of their coerced confessions. Neither man has ever been allowed to meet with a lawyer. After their trial, the ombudsman and the SIU both agreed to finally investigate their torture allegations. The investigations have now been closed, but neither institution has released its findings. Both the ombudsman and the SIU refuse to tell the men or their lawyers whether the investigations confirmed their torture allegations. The SIU eventually recommended a retrial for both men, but their forced confessions, extracted through torture, may now be reintroduced as evidence.

Maher Abbas al-Khabbaz faces imminent execution for alleged terrorism offences, despite insisting on his innocence. He was disappeared by Bahraini police for a week and tortured so severely that he had to be transferred to a military hospital. Police forced Maher to sign a false confession, which was used to secure his death sentence in a patently unfair trial. Despite official complaints from his family and lawyer, the ombudsman has never investigated his torture. The SIU has also yet to investigate his torture, despite receiving a formal complaint from the human rights advocacy group Reprieve, which is assisting him, in late July.

Those defendants were failed every step of the way by Bahraini bodies the UK sees as reform partners. They were tortured by police and prison guards until they made false confessions, and their torture and ill treatment were covered up by torture investigators. Three of them have been illegally executed; the other three could be killed at any time. It is deeply concerning that the UK's Bahraini partners are responsible for human rights violations as serious as torture and obscuring acts of torture in furtherance of unlawful death sentences. This is a poor result for a reform programme that aimed to improve Bahrain's human rights record.

Of equal concern is the British Government's reluctance to issue strong criticism of Bahrain's human rights abuses, in spite of the growing human rights crisis there. In 2017, after the executions, the Foreign Office's response was to state that Bahrain was aware of the UK's opposition to the death penalty. It raised no public concern about the torture or unfair trials. Shortly thereafter the Foreign Office stated that it would not support a joint statement on Bahrain's human rights record at the next UN Human Rights Council session because the statement would

“not recognise some of the genuine progress Bahrain has made.”

Indeed, the Government have maintained that, while Bahrain

“is by no means perfect and...has...a long way to go in delivering on its human rights commitments...it is a country that is travelling in the right direction. It is making significant reform.”—[*Official Report*, 20 January 2015; Vol. 591, c. 66.]

The British Government count the advent of the ombudsman and the SIU among the “reforms”. The Foreign Office continues to describe the ombudsman and the SIU as

“independent human rights oversight bodies”

that enjoy “increasing public confidence”, and it has not acknowledged their wrongdoing in the cases of prisoners facing imminent execution. That stands in stark contrast with UN human rights experts, including the special rapporteurs on torture and summary execution and the Committee Against Torture, which have expressed

concern that the ombudsman and the SIU are “not independent” and “not effective”, and that their activities result in “little or no outcome.”

There is real concern that the UK's defence of Bahrain on the global stage has served to deflect international scrutiny of Bahrain's human rights record at a time when such scrutiny is sorely needed. There is now a false perception among many in the international community that Bahrain's human rights record has improved thanks to British assistance. Bahrain aggressively promotes that idea. Government-affiliated newspapers there now refer to a supposed British belief that

“Bahrain's human rights record is flawless.”

Meanwhile, despite mounting violations, states have failed to agree to a single joint statement criticising Bahrain's human rights record at the UN Human Rights Council in the past three years, and Britain has been unwilling to support such statements.

UK reform assistance programmes are too often cloaked in secrecy. That is particularly true when it comes to the human rights risk assessments that the Foreign and Commonwealth Office is obliged to carry out in approving assistance of that nature. The Government's policy on overseas security and justice assistance—OSJA—is designed to prevent UK involvement in human rights abuses such as the death penalty or torture. The policy sets out a human rights risk assessment process that British officials must follow before approving UK assistance to overseas bodies that might be involved in such abuses.

When the OSJA policy was introduced, the then Foreign Secretary, William Hague, claimed that it would demonstrate the UK's commitment to

“tackling issues related to human rights in an open and transparent way”.

In practice, however, the Government have adopted a blanket policy of refusing to disclose OSJA assessments, which have been used to approve UK assistance to human rights abusers. Bahrain serves as an example of this. The Foreign Office has refused to disclose any of the OSJA assessments completed in respect of its work in Bahrain, leaving Parliament and the public unable to determine whether the risks of such close co-operation with Bahrain's security apparatus have been properly considered. It is also unclear whether the assessments, which the Foreign Office initially performed in 2011, have been repeated or reconsidered in the wake of serious and documented violations of international human rights law by the Bahraini Government since then.

The funding of such programmes also lacks transparency. Technical assistance to Bahrain was initially funded largely from the conflict, security and stability fund—the CSSF—a £1.13 billion cross-departmental fund that has received parliamentary criticism for its lack of transparency and accountability. In 2017, the Joint Committee on the National Security Strategy described it as “opaque”. This year, both the Independent Commission for Aid Impact and the International Development Committee criticised the fund. ICAI noted that, owing to serious problems with the Government's human rights risk assessments,

“we do not know if CSSF programming is causing harm”,

as working with security forces accused of human rights violations

“risks legitimising them and their actions, or even becoming complicit in violations.”

[*Andy Slaughter*]

The IDC noted that cross-departmental funds of that kind risk being slush funds, the lack of transparency and accountability of which “undermines trust” in their use and

“risks undermining faith in the UK aid brand.”

That is an alarming message, which is very much repeated in the Foreign Affairs Committee’s report, published this morning.

The Foreign Office has shifted the funding stream for those programmes away from the CSSF and to the global Britain fund and the integrated activity fund, about which even less is known. When asked, Ministers have refused to provide details of those funds, including their objectives, safeguards or assessment frameworks, so Parliament has been unable to provide scrutiny or oversight.

It should also be noted that after several years of disclosing basic information about its Bahrain reform projects, the Foreign Office now refuses to disclose such details about its current and future work in Bahrain. In response to freedom of information requests and parliamentary questions, the Foreign Office has refused to tell the public and MPs the true scope of its current and future technical assistance activities in Bahrain, including who the Bahraini recipients are, how much is spent on each programme and which programmes are funded by which funds. It is unclear why human rights reform programmes should be subject to that level of secrecy. By formally shielding the details of such assistance from public view, the Government risk creating the impression that they are unwilling to accept scrutiny or criticism of their activities in Bahrain. That hardly reflects the values of good governance and openness that the Government apparently seek to advance in that country.

The efficacy of the British Government’s reform efforts in Bahrain are in serious doubt. Bahrain, already a repressive autocracy in 2012, has grown only more so since. The country’s only two opposition political societies have been forcibly dissolved. The only independent newspaper in the country has been forcibly closed. A recent constitutional amendment paved the way for military trials of civilians. The UN has described

“a clear pattern of criminalizing dissent”

and abhorrent cases of intimidation and reprisals against human rights defenders. Freedom House ranks Bahrain as less free and more repressive of civil and political liberties today than it did in 2012. In terms of press freedom, Bahrain ranks 166th of 180 countries, and the past six years have been marked by torture in detention, unlawful death sentences resulting from unfair trials, and illegal executions. Deprivation of nationality—so-called statelessness—is also now routine. That cannot be the result for which the Foreign Office hoped.

Rather than safeguarding human rights and democracy, the UK’s reform programme has coincided with a brutal assault by the Bahraini Government on the basic rights and freedoms of their citizens. The UK has shielded Bahrain from international censure and avoided criticising arms of the Bahraini Government that have received UK training. That problem is exacerbated by insufficient transparency related to the reform programme’s risk assessments, funding streams, and other details as basic as which arms of Bahrain’s Government will receive UK assistance in future. Given the violations carried

out during the course of UK assistance to Bahrain, the British Government cannot keep UK taxpayers in the dark regarding what their money is doing in Bahrain.

The Foreign Office has urgent questions to answer. The UK’s reform efforts in Bahrain have been described as a failure on the basis of the deterioration of Bahrain’s overall human rights records, as well as human rights violations committed by the UK’s reform partners in Bahrain. Does the Minister disagree with that characterisation? If so, on what basis would the Minister describe the UK reform programme in Bahrain as a success? All the violations committed by the UK’s Bahraini reform partners in the cases I have raised have been put to the Foreign Office in writing on several occasions. Does the Minister dispute that those violations took place?

The UN special rapporteur on summary executions deemed the executions of Abbas al-Samea, Sami Mushaima and Ali al-Singace unlawful and an arbitrary deprivation of the right to life. Does the Foreign Office agree with that assessment? If not, why not? Does the Foreign Office accept that confessions extracted through torture must be excluded from criminal proceedings? If so, what steps is the Foreign Office taking to ensure that the special investigations unit and the ombudsman disclose the yet unreleased findings of their investigation into the torture of Mohammed Ramadan and Husain Moosa?

Does the Foreign Office accept the international position that no death sentence can be handed down without strict adherence to fair trial and due process rights, among other safeguards? What assurances has the Foreign Office received from the Bahraini Government that the retrial of Mohammed Ramadan and Husain Moosa will comply with such standards, in particular so that they will not risk a conviction and death sentence on the basis of confessions extracted through torture?

Maher Abbas al-Khabbaz faces imminent execution, and his torture leading to the procurement of a coerced confession has not been investigated by the ombudsman or the SIU, despite official complaints submitted on his behalf. Do the Government accept that they should be extremely concerned that Bahrain may carry out yet another round of unlawful executions without any steps being taken by the relevant authorities or bodies to investigate whether torture was used to secure a death sentence?

Sayed Alwadaei’s family continue to be the subject of reprisals by the Bahraini authorities, not only for his work as a human rights defender but for complaints against the very bodies that have failed adequately to investigate the ill treatment of his loved ones. Do the Government accept that Bahrain’s treatment of Mr Alwadaei and his family amounts to reprisals? Also, what steps are the Government taking to secure the release of Nabeel Rajab and Hassan Mushaima?

The Foreign Office has refused to release any of the OSJA assessments that it has performed in respect of its work in Bahrain. Given the obviously grave concerns about violations of human rights by the UK’s partners in Bahrain, and given the intention of openness and transparency underpinning the OSJA policy, will the Minister commit to releasing those assessments?

The Foreign Office has also refused to release any information on its continuing assistance programmes in Bahrain, or information related to the funds by which the assistance is carried out: the global Britain fund and the integrated activity fund. Will the Minister commit

to providing sufficient information about those programmes and funds to ensure proper oversight by the public and by this House?

I am grateful for the assistance I have received from Reprieve and the Bahrain Institute for Rights and Democracy in preparing my remarks, and to their representatives for attending today's debate. I gave some indication of the areas I would cover in my speech to the Minister's officials. I understand that it might not be possible to cover all of them in his response today, so I hope he can write to me with answers to any remaining questions.

I know that the Minister cares personally, as I do, about the human rights of people in the Gulf and the UK's record as a defender of human rights around the world. I fear that both of those are under threat and deserve proper scrutiny and investigation. I am grateful to many colleagues for attending today's debate. I look forward to their comments and to the responses from the Front Benches.

9.57 am

Bob Stewart (Beckenham) (Con): I straightforwardly declare an interest: I am vice-chair of the UK-Bahrain all-party parliamentary group. I am very fond of the place, because my connection with it goes back almost 50 years.

Formally, the British relationship with Bahrain dates to 1816, when we signed a treaty of friendship, which has fundamentally lasted since then. In fact, Bahrain remained under British protection until it was granted its independence in 1971, becoming a constitutional monarchy led by the same royal family that had signed the original 1816 agreement. In July 1969, I was posted as an officer of the first battalion, the Cheshire regiment, to Bahrain. Fifty years ago it was a very different place.

The country still maintains close security co-operation with the United Kingdom—a relationship cemented last year with the inauguration of the Royal Navy base at Mina Salman port. HMS Juffair, which is what it is called, is a vital part of our Gulf defence network, and it was largely paid for by Bahrain too. However, internal security in Bahrain is becoming more and more of a problem. Two years ago, when visiting the country, I was shown a large amount of arms and ammunition found by the Bahrain security services. The arms came from Iran, which is definitely stoking up as much trouble on the streets in Bahrain as possible—trouble that is often deadly. Bahrain is now a major target for Iranian subversion. That threat is ongoing and very real. We should not forget that.

Yet, in a region where human rights are often hugely ignored, I feel that Bahrain is, with British advice and assistance, trying its best to be as good as anywhere, even though some may argue that it is not doing so very well. It is true that Bahrain is a majority Shi'a Muslim country governed by a Sunni-led constitutional monarchy, but listening to my contacts in many different sectors of Bahrain society, I feel that the Government do their best to represent everyone who lives there, no matter what their religion or origin.

It is true that Bahrain has banned some opposition parties from standing in the election, but I think those parties advocated or supported violence. I can understand that. I do not think that we in the UK would take kindly to any political party that advocated violence standing in our general elections either.

I would highlight that women in Bahrain can vote, dress, worship and drive as and when they like. I have met quite a few Bahraini female MPs. Everyone—Christian, Muslim, Hindu, Buddhist, Jew or whatever—has freedom to worship the way they wish. That is pretty good when looking around the region, particularly at close neighbours such as Saudi Arabia and Iran. Some 8,000 police and security personnel have now received British-sponsored human rights training, as have 100 members of the judicial and public prosecution services. As we have heard, there is now an independent special investigations unit and an ombudsman.

Christine Jardine (Edinburgh West) (LD): Would the hon. Gentleman accept that human rights groups have noted that torture investigations carried out by UK-trained investigators in Bahrain rely on forensic medical examinations performed by Bahraini Government doctors and that independent UK experts have assessed those examinations and have declared that they should be totally disregarded because they fail to comply with the UN's basic minimum for standards for medical examinations?

Bob Stewart: I do not know the full detail of that, so I will not comment on the hon. Lady's point.

The UK's inspectorate of prisons is helping, working with the judiciary. Since 2011, the International Committee of the Red Cross has had access to the country's prisons, which is very important. Video and audio recordings now routinely occur when prisoners are interviewed. Inspections of prison conditions are now normal and the recommendations of such reports are implemented to the best of their ability—I believe that is the case. I consider such changes a major step forward. I do not personally agree with capital punishment, but I do not live in Bahrain. Over the last 50 years, there have been only five cases where it has been imposed, for what the state considers to be heinous crimes, such as the murder of a policeman. I remind colleagues that the United States, our closest ally, also still has the death penalty.

Bahrain is actively seeking expert advice on human rights from the likes of the British Government. I think it is determined to show the world that such things matter to Bahrainis as much as they do anywhere else. The country is truly a friend and ally. It is continually threatened by Iran, which is just across the Gulf and has scant regard for human rights. Bahrain is right in the front line of subversion and terrorism. I accept that human rights are not yet perfect in Bahrain, but they are a good deal better than many other places and there can be no doubt that the Bahrain Government cares about the issue and is taking active steps to be as good as possible.

I end by saying that many in Bahrain will be watching this debate. They are truly staunch friends of the UK, and will be pretty jarred off if we condemn them on human rights matters when they are so much better on such things than so many other countries.

10.4 am

Jim Shannon (Strangford) (DUP): It is a pleasure, as always, to make a contribution to the debate in Westminster Hall today. I thank the hon. Member for Hammersmith (Andy Slaughter) for bringing the issue to the House. As the chairperson for the all-party parliamentary group on freedom of religious belief, the matter of Bahrain

[*Jim Shannon*]

has been on my radar for a long time before this debate was called. I am thankful to the hon. Gentleman and to the Backbench Business Committee for giving the issue the attention it deserves.

As we come nearer and nearer to the March 2019 Brexit deadline, I am increasingly aware of how important global trade is and will be, and I am thankful for the good relations between the UK and Bahrain that saw bilateral trade worth £884 million in 2012. I am thankful for the good relations that allow us to have an embassy there and to have a naval base that gives greater coverage of the Gulf region. Bahrain is very much our partner in that. There is certainly a relationship between the UK and Bahrain, which is a good thing, and we encourage that. The give-and-take friendship should be maintained and enhanced if possible, but we all know that with friendship comes a responsibility and I wonder whether we are fulfilling our responsibility and duty to freedom and democracy as much as we could be.

My mother—wise woman that she is—has often told me, “You tell an acquaintance what they want to hear; you tell a friend what they need to hear.” As a friend of Bahrain, are we telling it what it needs to hear? We welcome the friendship—the hon. Member for Beckenham (Bob Stewart) told us very clearly how important it is and we all know that—but sometimes with friendship we have to remind people of the things they are not doing correctly.

David Simpson (Upper Bann) (DUP): I apologise for being a few minutes late to the debate. Does my hon. Friend agree that, while some progress is being made, it is not enough and not fast enough, and that is the big concern for the people and for the wider global community?

Jim Shannon: I wholeheartedly agree with that. We want to encourage Bahrain to move towards a more open human rights approach, to ensure all opportunities for everyone, as we have here in the United Kingdom.

Sir Peter Bottomley (Worthing West) (Con): People in Bahrain, especially the rulers, are aware that when human rights improved between 1999 and 2007 that was noticed and was commented on by human rights organisations. Can we ask them to get back to the same situation again?

Jim Shannon: The hon. Gentleman’s words are very wise. We look to the Minister for a response on that, which is what this debate is all about. Can we encourage Bahrain to get back to where it was? If we can do that, I think we will be moving in the right direction. I am sure the Minister will refer to that point in his response.

I believe in the friendship that we have with Bahrain. British rule was relinquished in 1971 and yet we are in a situation where Bahrain is comfortable housing our military base. We have a large number of British expats working and living in Bahrain and many Bahraini students attend universities in the United Kingdom of Great Britain and Northern Ireland. We are friends, but I wonder whether we have told our friends what they need to know—that their human rights record is not acceptable. While we are thankful for recent changes in legislation that give more rights to women and children,

there must be bigger steps and more practical changes. That is what we are asking for. We are not saying that they have not moved—they are, in a way, a beacon for other countries in the region—but we need to highlight issues where human rights abuses have taken place.

Bob Stewart: I remind the House that it has taken us 800 years to get our human rights in order. Bahrain started in 1971. We want the process to be as fast as possible, but let us have evolution rather than revolution, because revolution is very dangerous.

Jim Shannon: We are not waiting 700 years for change in Bahrain. I have the utmost respect for the hon. and gallant Gentleman, but this issue has to move faster than that. We, our children, our grandchildren and our great-grandchildren will all have passed before it happens if we have to wait for so many years. We cannot wait that long. That is why this debate is important.

The Minister will hopefully respond to our requests. I ask him—I have the highest regard for him—whether he feels that we have used our friendship in an adequate fashion to bring about change. Although it is certainly true that we are not our brother’s keeper and can never be held accountable for the actions of Bahrain, can we morally claim to have done all we can to highlight and push for human rights in that nation? In May 2017, the UN Committee Against Torture stated that Bahrain’s oversight bodies such as the ombudsman and the National Institute for Human Rights—both recipients of UK training—are ineffective and not independent, even after the training we have given them to help them move in that direction. We must ask why they are ineffective and not independent.

In June 2018, the European Parliament condemned the NIHR for having

“repeatedly justified the human rights violations undertaken by the Bahraini Government”.

In July 2018, the UN Human Rights Committee reiterated that the NIHR

“lacks sufficient independence to perform its functions”.

I ask the Minister whether the Foreign and Commonwealth Office agrees with the assessment by the UN and the EU of UK-funded oversight bodies. That is the question they ask. We need to ask the Minister that question today.

The fact is that the Government have never acknowledged any wrongdoings by these bodies, despite significant evidence, including a report published by the Bahrain Institute for Rights and Democracy and Reprieve. My concern is that that appears to show an acceptance of torture, which I truly hope is not the case. I hope the Minister will respond to that.

I press the Minister for an answer to that question, and I ask about the Department’s assessment of the aforementioned report. What steps are being taken to address the appearance of what some have labelled in conversations with me as complicity with the methods used? There are very serious allegations about indiscretions and human rights abuses, and we have a duty in this House to take them up on behalf of those people through the Minister.

I understand that we no longer rule Bahrain—that ended almost 50 years ago—but we do have influence and some sway, and I remain unconvinced that we can morally hold our hands up and say we are doing all in

our power. We have spent £5 million since 2012 on a package of technical assistance to Bahrain, largely to improve the Gulf monarchy's poor human rights record. That is to be applauded, but it could and should be argued—indeed, it has been presented to me—that in six years, millions of pounds-worth of UK technical assistance to Bahrain has failed to reform that country's human rights as much as would be hoped or could be expected.

I look forward to hearing the Minister's response. I also look forward to the shadow Minister's speech, because he always makes very balanced and helpful contributions.

Mr Gregory Campbell (East Londonderry) (DUP): On the issue of technical assistance that we have offered Bahrainis over the past few years, does my hon. Friend agree that it is important that not only our own taxpayers but the international community see that some benefit is derived, that progress is being made, that there is no regression, and that people in Bahrain can see and feel a noticeable difference from that technical assistance?

Jim Shannon: My hon. Friend's words are very helpful to this debate. The people of Bahrain need to see effective change, and whether that technical help has enabled that to happen is debatable. None the less, I believe we have a responsibility to try to do something through the Minister and the Government. I look forward to the Minister's response, and I would appreciate a written response on the matter if he is unable to fully answer my questions today. I have asked many questions, and there are many others, but I mainly want to highlight the fact that I believe we can and must do more to influence Bahrain. I ask that we actively do that now and in the future.

We have an obligation to speak out for those with no voices. I often say in this Chamber that we are a voice for the voiceless, and we continue to be so. I believe we can and must be more eloquent in words and deeds as we speak through the Minister to their Government on their behalf.

10.14 am

Rehman Chishti (Gillingham and Rainham) (Con): I congratulate the hon. Member for Hammersmith (Andy Slaughter) on securing this debate. It is important in our democracy that colleagues are able to hear all sides and views in any debate. All colleagues have their own experiences of different countries and of different issues they have campaigned on. I led a parliamentary delegation to Bahrain last November—that is in the Register of Members' Financial Interests. Prior to that visit, we had a very good meeting with the Minister to look at a number of different issues, including religious freedom, trade and security.

Bahrain came to my attention because, just before I was elected to Parliament, Rev. Chris Butt, the vicar at St. Matthew's church in my constituency, became the vicar at the cathedral in Bahrain. When you have constituents who have gone to another country, and you have said all along that you will campaign for religious freedom, it is important to take an interest in the work they do around the world. I had never been to Bahrain before, and I did not know much about it, but I became interested in it when the vicar in my constituency went there.

The hon. Member for Strangford (Jim Shannon) knows about my commitment to religious freedom—we campaigned together to reform the blasphemy laws in Pakistan. Those pushing for reforms in such countries sometimes put their neck on the line, but pushing for change and standing up for religious freedom and human rights are the right thing to do. That is how I became interested in Bahrain.

When our delegation went to Bahrain in November last year, we went to the cathedral and met Rev. Chris Butt. We went to the synagogue with Bahrain's former ambassador to the United States, Houda Nonoo. We went to the Hindu mandir. We met members of the minority religious communities to hear what they had to say. It is one thing to sit in Westminster and say that this is what is being written in the papers or said elsewhere, but this is about engaging and listening to people. I make this contribution having gone out there and engaged and listened to those people. I think that is very important.

Bob Stewart: There is something else that is very important about this: the Shi'as and Sunnis can get on, and the oldest Jewish synagogue in the Gulf remains untouched. That is very important.

Rehman Chishti: My hon. Friend is spot on; he knows the area very well. There is a Shi'a majority in Bahrain, and religious freedom is absolutely core. They must be able to practise their faith as they want. There are 751 registered Shi'ite places of worship, 432 registered Sunni places of worship and another 618 places for the Shi'a community.

I have said this before in Parliament: there must be no compromise on religious freedom. In politics, there is always give and take, but that is not the case on religious freedom. I say that when I travel abroad. I have an interest in religious freedom, and I have served on the Joint Committee on Human Rights in this place.

Members of Parliament from across the political spectrum engage with diplomats at all levels. On 17 August, I visited and engaged with the ambassador for Bahrain—I am my party's vice-chairman for communities, and I engage with diplomats across the board. When I came out of that meeting, I was followed by individuals outside, chased down the road and shouted at. Pictures were taken. I did not know who those people were; I had never met them. They had never asked to see me and speak to me. I was threatened. I tried to flag down a cab, but one did not stop, and those people ran after me. I went further down the road and tried to flag down another cab as the voices got closer. I jumped into the cab and said to the driver, "Lock the door. Drive now." I then reported the incident to the House of Commons security services.

Is that how Members of Parliament should be treated? Those people have their views, but they should engage constructively. We have a difference of opinion. The House of Commons brief says that Bahrain is a priority country for human rights. I accept that there are concerns, but Members of Parliament should not be treated in that way; we should be engaged with. If people want to come to the United Kingdom and claim asylum, they should claim it according to the criteria, but they should respect individuals and how democracy works, and not treat parliamentarians in that way—I make that very clear.

[Rehman Chishti]

The other point I wish to make is this. I listened with care to the hon. Member for Hammersmith, and he did not mention anywhere where he thinks progress has been made on reform. To be as fair as I can, I refer to page 2 of the House of Commons Library document prepared for this debate, which refers to the commitment for Bahrain, which is a signatory to the United Nations convention on civil and political rights. That note says that some progress has been made—it does not say that no progress has been made—but outlines a number of areas where more needs to be done. So the point I would start with is that progress has been made—my hon. Friend the Member for Beckenham (Bob Stewart) took my line earlier.

Over the summer, I read “Agincourt” by Ranulph Fiennes. Many hundreds of years ago, our country went through a lot of changes, and we did a lot of things to one another that were not right, some on the pretext of religion. It has taken us hundreds of years to get where we are now. Countries that became independent only in 1971 cannot evolve to that point so quickly, but it is important that we support them to get there as quickly as possible. The support that we have given on this specific issue—I will be brief because I want to hear the Minister—relates to the ombudsman service. The hon. Member for East Londonderry (Mr Campbell) wondered about our international partners: what are they saying? They, too, want to see change.

I refer hon. Members to a written answer from Lord Ahmad, a Minister in the other place, with regard to the ombudsman, which is supported through UK funding:

“In 2014 the Ministry of Interior Ombudsman’s Office won the EU’s Chaillot Prize for the promotion of human rights in the Gulf Cooperation Council region.”

Linked to that important point are two of the cases mentioned by the hon. Member for Hammersmith. Husain Moosa and Mohammed Ramadan have been convicted and sentenced to death, but the ombudsman’s report found that those decisions should be overturned. They were overturned because of the ombudsman’s report, and there is a retrial process, so the system works. More needs to be done, but there is a document that says that some of the reforms that have taken place have helped to save two individuals from going to the gallows. It is not just anyone saying it, but a House of Commons document saying that reform is taking place and making constructive change.

We all talk about human trafficking, but Bahrain has recently been given tier 1 status in that regard. It has improved how individuals who go to work there are treated. Thanks to Bahrain’s work on human trafficking, it is now rated on a par with Germany, the United Kingdom and other developed countries by the United States State Department.

Reform is taking place; change is taking place. More needs to be done, and I welcome the Minister’s work on the biannual UK-Bahrain joint working group, where human rights, the environment, education and security are all discussed. I look forward to hearing what he has to say about what was and will be discussed.

In essence, change has taken place. Yes, more needs to be done, but it is no good simply to criticise. Credit must be given where it is due. By working with our partners around the world, we can push for more change.

I do not believe in the death penalty, and I never have done. I made that point to the Americans, and I always will. We have to work for change, and as United Kingdom parliamentarians we will do so through engagement with our counterpart parliamentarians in that kingdom.

10.23 am

Leo Docherty (Aldershot) (Con): I am grateful to serve under your chairmanship, Ms McDonagh. I draw hon. Members’ attention to my declaration in the Register of Members’ Financial Interests, which shows that I have a long-standing relationship with the Kingdom of Bahrain.

Bob Stewart: Not as long as mine.

Leo Docherty: Not as long as that of my hon. Friend, that is true. It is an association of which I am extremely proud, because the relationship between our country and the kingdom is hugely important and historic.

I will make three brief points, the first to set some context about the domestic situation in Bahrain. When we travel to Bahrain, we see a young country that has achieved remarkable development in a very short time. Many points have been made by other hon. Members, but those developments include the steps towards democracy that the kingdom has taken, the remarkable level of religious freedom and of freedom of worship for all religions, and the moves towards a family law that provides greater autonomy and freedom for women in the family. They are all remarkable steps for a young country in the region to have taken. Where else can one meet a female Jewish Member of Parliament in the middle east? The Kingdom of Bahrain has made remarkable progress in recent years. I have travelled throughout the kingdom, including in Shi’a villages, and spoken to all sides, and the modern development of this remarkable young country is something of which they are very proud. That is the domestic context, and we must not forget it.

The regional context is also important. Although I am grateful to the hon. Member for Hammersmith (Andy Slaughter) for securing the debate, his contribution was notably lacking in—utterly devoid of, in fact—regional context in terms of Bahrain’s situation. That context is one of Iranian interference in the domestic affairs of the Kingdom of Bahrain. It is a tragedy that, since 2011 in particular, political groups and those seeking to engage in politics have been militarised by the Islamic revolutionary guard corps from Iran, and sectarian divides that were not there before have been created and exploited.

That is a modern-day tragedy, which the kingdom is seeking to overcome. Of course, it did not start in 2011; it started in 1979 with the Islamic revolution in Iran. Since then, Iran has sought to export Islamic revolution throughout the region, and has sought to claim leadership over Shi’ite groups throughout the region. Indeed, a seat is reserved for the Kingdom of Bahrain in the Iranian Majlis—so Iran utterly rejects the notion that the kingdom should be a sovereign state.

That is the important point to remember—what started in 1979. We must ensure that an understanding of the regional context and of the threat that Bahrain faces daily guides our thinking, because the threat is real. Like my hon. Friend the Member for Beckenham (Bob Stewart), I have seen Iranian-supplied munitions, explosives and improvised explosive device materials brought into the kingdom by boat by IRGC operatives and, fortunately, seized by members of the security forces.

Bob Stewart: The problem is that some of those weapons get through. Explosives are being used against decent people of all religions in Bahrain, and those attacks are Iranian-inspired. The regime has got to do something about it.

Leo Docherty: My hon. Friend is exactly right. Bahrain is at the frontline of Iranian subversion, which is a pitched military battle in which many Bahraini security personnel have become casualties.

We have had manifold relations with the Kingdom of Bahrain over two centuries; we co-operate on a range of issues. It is not only about our remarkable and hugely important new naval base, HMS Juffair, and nor is it only about the huge range of technical assistance and co-operation or other matters, such as education and culture; it is about the mutual interest and trust that we have with the leadership in Bahrain, which allow us to contribute and guide them towards better human rights outcomes. I look forward to the Minister's confirmation and elucidation of the importance of that close relationship to the benefit of all involved.

We must almost remember—I will conclude with this—that, broadly, we face a very stark choice in our relations with Bahrain. The question is whether we want to support this modernising monarchy, which is delivering good governance and trying its best for its population. Some of us know that the foremost exponents of political reform in the Kingdom of Bahrain include His Royal Highness the Crown Prince. There is a huge impulse in the ruling family to deliver reform and improvements.

The choice we face is whether to assist the reform to bring it to fruition or to say, “No, we don't want anything to do with it. Bahrain can become an Islamic republic under the influence of Iran.” Just think of the profound regional and strategy consequences if the Khalifa family and the Government of Bahrain were overthrown by violent Islamic revolution. That would be strategically catastrophic to everyone's interests in the region.

Bob Stewart: The fact of the matter is that we need Bahrain more than Bahrain needs us. Bahrain is very successful without us.

Siobhain McDonagh (in the Chair): Order. Before the hon. Gentleman continues his speech, I should tell him that we are hoping, very shortly, to get to the summing-up speeches.

Leo Docherty: Thank you, Ms McDonagh. I will conclude by saying that I agree with my hon. and gallant Friend—this is of mutual interest. It is not for us to preach; we must listen and learn. I look forward to the Minister's confirmation that this close relationship will continue.

10.30 am

Chris Law (Dundee West) (SNP): It is a pleasure to serve with you in the Chair, Ms McDonagh. I thank the hon. Member for Hammersmith (Andy Slaughter) for bringing forward this important debate and for the particularly insightful examples of human rights abuses he gave.

We have heard that there have been positive and rapid developments since 1971 in family law and religious freedom. We have also heard that over the past two years the situation in Bahrain has rapidly deteriorated into a full-blow human rights crisis, irrespective of external state actors. This dangerous direction of unending repression and persecution was documented last year in Amnesty International's human rights report on Bahrain. The report revealed that the Bahraini authorities have embarked on a systematic campaign to dismantle free speech in the country. The campaign was marked by travel bans; the arrest, interrogation and arbitrary detention of many human rights defenders; the dissolution of the opposition group Waad and the closure of the newspaper al-Wasat; and the continued imprisonment of opposition leaders. We heard from the hon. Member for Hammersmith about the ranking for press freedom—Bahrain ranks somewhere near the bottom.

To give an example of the human rights abuses, the 70-year-old Bahraini political opposition leader, Hassan Mushaima, is being denied his most basic human rights while serving life imprisonment. His son Ali went on hunger strike outside the Bahraini embassy in London more than a month ago, which continues to this day. In January last year the Bahraini Government resumed executions after a hiatus of nearly seven years. Mass protests in Bahrain have been met with excessive force, resulting in the deaths of five men and one child and the injury of hundreds. According to Human Rights Watch, last year the Bahraini Government stripped 156 Bahrainis of their nationality, rendering them stateless persons.

Despite the atrocities against human rights activists, the UK Government—arguably one of the most influential actors in Bahrain—have remained largely silent. The UK's recent human rights country assessment on Bahrain downplays the severity of the situation, referring only to a “mixed picture”. I hope that will be a whole lot clearer after today's debate. When it comes to Bahrain, Saudi Arabia and other serial violators of human rights, the UK Government have long allowed arms sales and lucrative money deals that benefit them to trump commitments to the principles of justice and democracy. It has been estimated that the UK Government have licensed more than £80 million of arms to Bahrain since the uprising. Earlier this year, the UK opened a naval base in Bahrain. The UK Government want to promote principles of justice and democracy, but that is not the way to do it.

Over the past six years, the Foreign Office has spent more than £5 million of taxpayers' money on security and criminal justice bodies in Bahrain. Alarming investigations by Reprieve and the Bahrain Institute for Rights and Democracy show that the FCO's assistance has gone directly to bodies involved in serious human rights abuses. They have listed UK funds that have contributed to torture and forced confessions. That is completely unacceptable and has all the hallmarks of a lack of coherent UK Government policy, as was the case when UK Government funds were used for educational courses for the Burmese military, while the Rohingya people were subject to textbook ethnic cleansing and acts of genocide.

The FCO's work in Bahrain has been funded from the conflict, security and stability fund, a cross-departmental fund of more than £1 billion that has been criticised for its lack of transparency and accountability. In June this

[Chris Law]

year, the International Development Committee, of which I am a member, found that cross-departmental funds of this kind completely undermine value and trust in UK aid. Despite mounting evidence of abuses, the FCO has refused to release any of its human rights assessments for its work in Bahrain or evidence to assure MPs that these programmes represent value for money.

Amnesty International's report on Bahrain makes this important conclusion:

"The failure of the UK, USA and other countries that have leverage over Bahrain to speak out in the face of the disastrous decline in human rights...has effectively emboldened the government to intensify its endeavour to silence the few remaining voices of dissent".

Members have spoken about progress being made, but this is not progress—this is going into reverse. In short, the UK Government have directly contributed to the worsening human rights situation in Bahrain. I want to hear the Minister say, without equivocation, that that will be immediately reversed.

The UK Government must exercise every means available to end these human rights violations. Will the Minister outline the steps that the UK Government will take to improve the transparency of their programmes in Bahrain, to ensure that they represent value for money and to stop abuses rather than enabling them? Will he put pressure on the FCO to release its human rights assessments for the UK's work in Bahrain? Everyone has the right to have access to that. I urge the Minister to send a strong message to Bahrain that if it wants to do business with the UK, it must uphold basic human rights principles and treat its people decently and fairly. It is vital that the UK Government consistently condemn these crimes and call for sanctions against those who carry them out.

The UK should proudly promote human rights and the rule of law, not undermine them. Using an array of tools of repression, including harassment, arbitrary detention and torture, the Government of Bahrain have led the disastrous decline in the human rights situation in the country. The UK Government have an opportunity to act now, by strengthening their response to the deteriorating situation and leading the international community to publicly condemn these human rights violations. I hope that the Minister will condemn them shortly. To do anything less would be to be complicit.

10.37 am

Fabian Hamilton (Leeds North East) (Lab): It is a pleasure to serve with you in the Chair, Ms McDonagh. I congratulate my hon. Friend the Member for Hammersmith (Andy Slaughter) not only on achieving this debate but on detailing forensically, as he always does, the many concerns he has—that we should all have—about human rights violations in Bahrain. He has always been a champion of the oppressed, wherever they may be in the world. He pointed out the systematic clampdown on the majority Shi'a population since the Arab spring. He mentioned that the United Kingdom's policy towards Bahrain is of great concern to many organisations that champion human rights around the world.

We heard an intervention from my hon. Friend the Member for Lincoln (Karen Lee), the chair of the all-party parliamentary group dealing with Bahrain,

who is concerned about the sexual abuse of female prisoners. I hope that the Minister will say something about that.

My hon. Friend the Member for Hammersmith highlighted the arrest, torture and abuse of human rights protesters and listed numerous individuals, including the well-known human rights activist Nabeel Rajab. He mentioned that the executions resumed in January 2017, following the end of the suspension of the death penalty. All Members in the Chamber have equally condemned the reintroduction of the death penalty. He gave a comprehensive list of the UK's involvement in Bahrain, in spite of the well-documented violations of human rights. One of his conclusions was a quote from Freedom House, which said that Bahrain is more oppressive and less free than it was just six years ago.

We heard from the hon. and gallant Member for Beckenham (Bob Stewart), who has considerable experience of Bahrain going back 50 years. He gave a very different view of that country. He talked about its independence in 1971 as a constitutional monarchy, and that he was posted there in 1969. He said that it was a very different place then, but he mentioned, as many hon. Members have, that Iran is stoking up subversion. We should not forget that the majority population is Shi'a and that Iran feels that it has a right to interfere in Bahrain's internal matters. He said Bahrain was trying hard to act well with regard to human rights, that it tries hard to represent all minorities and that the people banned in Bahrain are those who advocated violence. He asked how we in the United Kingdom would feel about accepting parties that advocated violence. I am not sure that the evidence I have seen backs that up, but I accept what he said. He also mentioned that women have greater freedom to choose in Bahrain than in most of its close neighbours. All those are positive things. Like other hon. Members, he mentioned freedom of worship being far greater in Bahrain than in any other country in the region. Human rights are a good deal better in Bahrain than in the rest of the region.

The hon. Member for Strangford (Jim Shannon), who chairs the all-party parliamentary group on international freedom of religion or belief, champions freedom of religion worldwide. Wherever there is a threat to anyone's freedom to worship, he stands up and speaks about it. He said that with friendship comes responsibility, and that we should be a critical friend of Bahrain. He said that if we see human rights abuses, we should say, as a friend of Bahrain, "You need to stop this; you need to ensure that everybody's rights to political freedom are equal."

The hon. Member for Gillingham and Rainham (Rehman Chishti), who visited Bahrain last year, talked about his experience of engaging with and listening to religious minorities in synagogues and churches as well as mosques. It is to the huge credit of Bahrain that people have real religious freedom in that country. He mentioned that reform is taking place. Clearly, for many of us, it is not happening fast enough.

The hon. Member for Aldershot (Leo Docherty), who is also an expert in the region, told us that Bahrain is a young country that has achieved remarkable development in a very short time, and that there is much greater freedom for women in Bahrain than in any other country in the region. He mentioned the regional context—that Iran's interference in Bahrain's domestic affairs is a real threat to the country. We also heard a

good summing-up speech from the Scottish National party's spokesperson, the hon. Member for Dundee West (Chris Law), who always speaks well in our debates.

Let us go back to what is actually happening. As we know, Bahrain is a slight anomaly among its peers in the region because it lacks the abundant oil and natural gas reserves of many of the other Gulf states. For Bahrain's Sunni royal family, unrest among the country's Shi'a population is obviously an existential threat. That is why freedom of religion and closeness between Shi'a and Sunni forms of Islam is so important. Bahrain hosts the US navy's fifth fleet, and we heard much about the new UK military base there. Some 70% of Bahrain's population is from the Shi'a branch of Islam.

Bahrain has been ruled by the al-Khalifa family since the 18th century, which gives that family an enormous history and tradition in the country. However, the recent increase in repression must be a cause for concern. Since June 2016, the Bahraini authorities have dramatically stepped up their crackdown on dissent. There has been an indefinite ban on peaceful demonstrations in Manama since August 2013. Amnesty International found that at least 169 critics or their relatives were arrested, summoned, interrogated, prosecuted, imprisoned, banned from travel or threatened between June 2016 and June 2017.

This year, the United Nations stated that it

“is concerned at reports of excessive and disproportionate use of lethal force and at reports of enforced disappearances, torture, arbitrary detention and threats against civilians involved in peaceful demonstrations for political and democratic change in 2011.”

However, the Assistant Foreign Minister of Bahrain, Abdulla al-Doseri, stated that Bahrain was a model in the region for its religious tolerance, social protection programmes, the empowerment of women and the development of human rights.

The UK has opened a new naval base at Mina Salman, which cost more than £40 million and is staffed by approximately 500 military personnel. It is the first UK base in the region since the 1970s. The British Government stated that the base will

“enhance the Royal Navy's ability to operate effectively in the Gulf and further demonstrate the Government's enduring commitment to regional security.”

The UK has licensed more than £80 million of arms to the Bahraini military since the Arab spring uprising in 2011. It has also licensed exports of military equipment to Bahrain; in 2017 the Government issued licences for the export of military and dual-use components to Bahrain to the value of £36,862,990. According to the Stockholm International Peace Research Institute, the UK transferred £28 million of arms exports to Bahrain in 2016 and 2017.

The British Government ensured that training for more than 400 prison guards was paid for by the British taxpayer from the £1.52 million that was paid in overseas aid to Bahrain in 2016-17 as part of the conflict, stability and security fund. Some of those prison guards have been accused of torture. Reprieve has stated that, despite the UK Government giving Bahraini authorities training for seven years, the number of inmates on death row tripled. The UK Government continued to fund that training even after the executions of January 2017.

Let me conclude by asking the Minister four questions. What pressure will he apply to our close ally, Bahrain, to ensure that its human rights violations are brought to

an end? Is it acceptable to overlook recorded human rights violations in the name of military co-operation and security? Does he feel that the introduction of an ombudsman, which the UK helped to provide, train and support, has genuinely improved the human rights situation in Bahrain? Finally, has enough progress been made on human rights in Bahrain in recent years?

10.46 am

The Minister for the Middle East (Alistair Burt): It is a pleasure to serve under your chairmanship, Ms McDonagh. I am grateful to the hon. Member for Hammersmith (Andy Slaughter) for securing the debate. I know that he and other colleagues across the House take a keen interest in developments in Bahrain, and I recognise the strength of feeling that was expressed about human rights.

I will try to respond to many of the points that were raised, although, as the hon. Gentleman kindly recognised, I will not be able to address them all. In so doing, I will highlight areas where Bahrain has made real progress and set out plainly where I believe the Government of Bahrain have further work to do. I thank all the Back-Bench speakers, as well as the other Front-Bench speakers, the hon. Member for Dundee West (Chris Law) and the hon. Member for Leeds North East (Fabian Hamilton), who again did an excellent job of summing up all the speeches. That means I can get to the substance of the concerns, which I hope is the best way for me to spend the next 13 minutes.

Let me start by making it clear that Bahrain is a key partner for the UK in the middle east, as was expressed. The UK Government make no apology for that. Our two kingdoms share a close and lasting bond that dates back more than 200 years to the treaty of friendship of 1816, as my hon. and gallant Friend the Member for Beckenham (Bob Stewart) made clear. We have a strong partnership based on mutual interests, shared threats and a desire to promote greater security and peace in the Gulf. For example, as colleagues mentioned, our new United Kingdom naval support facility, which opened this year, is the first UK naval presence east of Suez since 1971. However, I reassure the hon. Member for Leeds North East that none of that allows the UK to overlook the things that need to be brought out in a relationship between friends. As the hon. Member for Strangford (Jim Shannon) said, we sometimes need to make representations to our friends.

As my hon. Friend the Member for Aldershot (Leo Docherty) made clear, we work with Bahrain and other regional partners to confront states and non-state actors whose influence fuels instability in the region. We remain committed to working together to address Iran's malign regional behaviour and ballistic missile activity. I confirm his view that we will continue to be engaged in such a way in the region.

It is not unfair or partial, however, to observe that there is a much-contested political dispute about Bahrain—national and international. There is a significant gap between the claims on the two sides, which this debate is unlikely to dispel. We heard contrasting speeches, which illustrated the differences of opinion about Bahrain. As with most things in the House, there are elements of truth on both sides of the debate. The United Kingdom recognises that. A number of colleagues have expressed concern about the human rights situation in Bahrain, the subject of today's debate, and questioned the UK's close partnership with that country. Although the difference

[*Alistair Burt*]

between the speeches has been stark, the United Kingdom recognises that Bahrain has more work to do in this area. Bahrain continues to be a human rights priority country for the Foreign and Commonwealth Office, and as the hon. Member for Strangford has recognised, that is no small admonition by the UK Government.

The Government remain committed to protecting and promoting human rights around the world. However, we believe that the best approach—as other speakers have indicated—is to engage with Governments and work with international partners and civil society organisations to promote and defend those universal freedoms, and to bring about positive change. We apply this approach consistently, including with Bahrain, and it follows work that—as many of us know—began in Bahrain before 2011. The reform programme led by the crown prince and others had been ongoing, but 2011 catalysed it. The response of the Bahraini Government—the establishment of the commission of inquiry—was unprecedented in the region. The public presentation of its findings in front of the king was unprecedented, and the response of the Bahraini Government was also very different to anything in the region.

The depth and breadth of our relationship with Bahrain means we can, and do, express our concerns about human rights in a frank and open way at senior levels. We do so publicly, but more often do so in private discussions, as the House has obviously noted. The FCO's latest annual human rights report outlined action taken by the UK—relating, for example, to the prison sentence given to Nabeel Rajab—as well as our concerns about the deprivation of nationality, where that renders an individual stateless. We will continue to support Bahrain to address those and other human rights concerns, both through our bilateral engagement and through international institutions. At the same time, we should acknowledge and welcome the steps that Bahrain is taking to address a range of rights issues. I will highlight some of those before returning in more detail to some of the cases mentioned by the hon. Member for Hammersmith.

The UK has provided assistance and support to Bahrain in many areas. First, freedom of religion is guaranteed by the Bahraini constitution. There is a vibrant multi-religious community, and in addition to numerous mosques, Bahrain is home to churches, a synagogue, and the region's oldest Hindu temple. As my hon. Friend the Member for Gillingham and Rainham (Rehman Chishti) has so clearly stated, members of all religions and communities co-exist peacefully and play an important part in Bahraini society, whether in the Shura Council, in the elected chamber of Parliament, or as senior Government Ministers and officials. My hon. Friend made a brave speech, and I hope that no-one would seek to defend those who pursued him outside the Bahraini embassy in the manner he described. The United Kingdom acknowledges peaceful protest, but there is activity that is unacceptable, and my hon. Friend was right to raise his concerns.

Bob Stewart: The Bahraini embassy requires protection when that sort of thing happens. Will the Foreign and Commonwealth Office consider whether policemen should be placed outside it, like they are outside the Iranian embassy?

Alistair Burt: Matters affecting the Bahraini embassy and its protection are at the front of our mind, and a conversation is ongoing with many of those who were involved. We hope that protest can be de-scaled, and normal service can return.

Secondly, Bahrain is taking a leading role in the region in protecting and safeguarding women's rights. It is a party to the convention on the elimination of all forms of discrimination against women, and last year, the Bahraini Parliament adopted new legislation designed to benefit women and children from all the country's communities. I also welcome Bahrain as a signatory to the UK-led WePROTECT global alliance, demonstrating its commitment to combating the abuse of children online.

Thirdly, as has been mentioned during the debate, Bahrain is a regional leader in improving the rights and combating the exploitation of migrant workers. The Bahraini Government have increased the transparency of working conditions, introduced a victim-centred approach to their response to trafficking and exploitation, and signed the UK-led call to action on modern slavery. Such efforts have been recognised internationally. The US's annual trafficking in persons report recently rated Bahrain a tier 1 country, the same as the UK, indicating that Bahrain fully meets the minimum standards for the elimination of trafficking. Finally, Bahrain is taking steps to improve prison conditions, particularly for young offenders and vulnerable children.

Our objective in providing technical assistance is to help to bring about positive change by sharing the UK's expertise and experience. One thing should be said straight up: the UK's technical expertise in improving a human rights situation is usually employed in countries where that is needed. That is why we engage with countries where support is needed, as opposed to countries where everything is perfect, and that is what we have tried to do here. All training is provided in line with international standards and fully complies with our domestic and international human rights obligations. A number of colleagues have mentioned oversight bodies; the UK has been working with Bahrain's independent human rights oversight bodies since their creation, following recommendations from the commission of inquiry in 2012. Our work has supported the building of effective institutions that hold the Bahraini Government to account. While those bodies still have more to do, they have already demonstrated their abilities, including through the prosecution of police officers accused of human rights abuses.

We also work to strengthen Parliament and youth engagement. Bahrain remains one of only two countries in the Gulf with an elected Parliament, and we look forward to elections this year. UK support has strengthened the institutional capacity of the Bahraini Parliament secretariat, enhancing staff skills to support MPs in their oversight of the Government, and the composition of that Parliament is wider than some outside critics recognise.

Chris Law: I hear the points that the Minister is highlighting about progress, but I wanted to ask one specific question, which I raised earlier. Is it the Minister's decision that the human rights assessments that the FCO is currently withholding will now be released, so we can have our own insight into what those assessments are?

Alistair Burt: We publish what we can, and what it is appropriate to publish. We try to be as transparent as possible in official publications, and we will continue to do that. Not everything is publishable, but we will publish as much as we can to give a clear impression of what is happening. We will, as always, continue to look at whether there are ways to strengthen such publication.

Earlier, I mentioned Bahrain's new legislation related to alternative sentencing. The Bahraini system has already started to implement provisions under this new legal framework, and it would be unfair for me not to deal with some of the individual cases that have been mentioned.

The Foreign and Commonwealth Office and the British embassy in Bahrain have closely followed the case of Mr Hassan Mushaima, and have raised it with the Government of Bahrain. We continue to encourage anyone with concerns about treatment in detention to report them to the appropriate oversight body, and we also encourage the oversight bodies to carry out swift and thorough investigations into such claims. The Government of Bahrain have released a detailed public statement regarding the access to healthcare that Mr Mushaima has received since he has been in detention, and we have received categorical assurances that, in his case and others, there is and has been access to appropriate medical care while in detention.

I expressed my concerns about the sentence given to Mr Nabeel Rajab on 21 February, and reiterated the UK's call to protect freedom of expression for all its citizens. We have closely monitored the trials of Mr Rajab. Officials from the embassy regularly attend Mr Rajab's court hearings, including the handing down of the latest appeal verdict. There is now an opportunity for Mr Rajab's legal team to apply for an appeal through the judicial system, and our officials will continue to monitor the case closely.

The British embassy and the FCO continue to monitor the cases of the family members of Mr Sayed Alwadaei. We have raised those cases with the Government of Bahrain, and should we have further concerns, we will do so again as part of our continuing dialogue. We welcome the investigation and recommendations of the Special Investigations Unit in relation to Mohammed Ramadan and Husain Moosa, and the subsequent decision of the Minister of Justice to refer those cases back to the Court of Cassation for retrial.

In conclusion, Ms, ah, McDonagh—sorry, it is age—

Siobhain McDonagh (in the Chair): Yours, not mine.

Alistair Burt: Indeed.

We take seriously both sides of today's discussion. Bahrain remains an important partner, but we do not ignore the other voices that we hear. As a long-standing friend of Bahrain, we both offer support and speak frankly about our concerns. We will continue to do so.

When I was first in Bahrain, so many people expressed their desire to be Bahrainis, not to divide themselves into their respective groups. I am keen that we should look forward to that future in Bahrain, so that people see themselves as Bahrainis first and foremost, and nothing else. The United Kingdom will continue both to support Bahrain, and support progress where it is needed to deal with the sorts of concerns that have been raised today.

Question put and agreed to.

Resolved,

That this House has considered human rights abuses and UK assistance to Bahrain.

Universal Credit (Liverpool)

11 am

Dan Carden (Liverpool, Walton) (Lab): I beg to move,

That this House has considered roll-out of universal credit in Liverpool.

It is a pleasure to serve under your chairmanship, Ms McDonagh, although in this debate it will not be possible for me to do justice to the magnitude of concerns that have been raised with me about the imminent full roll-out of universal credit across Liverpool. Disability charities, trade unions, civil servants, housing associations, private landlords, advice agencies, food banks, local councillors and the local authority have all provided me with briefings, statistics and case studies, for which I am grateful. Together, they paint a bleak picture of what lies ahead this autumn.

Starting this month, and continuing into November and December, jobcentre by jobcentre, full service universal credit will be rolled out across my constituency. I am here because of the people I have met in my surgeries and food bank visits, and because of the harrowing stories I have been told. I am here because of the people I have seen—people who are broken and who feel worthless and trapped in a cycle of poverty that they cannot escape. The roll-out of universal credit is only the latest onslaught from a benefits system that is stuck in Victorian times; it is just the latest instalment of austerity for our city—a city that has borne the brunt of eight years of cuts that have hit the most deprived areas the hardest. Our local authority budget has been slashed by 64%—£444 million since 2010—and 40% of children in my constituency are growing up in poverty.

According to the Joseph Rowntree Foundation, Liverpool has the second highest level of destitution of any city in the UK, and there is a lack of basic essentials, including food, shelter and toiletries. That is the climate in which the Government are imposing their flagship welfare policy—a policy that had cross-party support when it was launched in 2011, but is now a byword for institutional incompetence. It is six years behind schedule, universally unpopular and, according to the National Audit Office, likely to cost more than the system it replaces.

Maria Eagle (Garston and Halewood) (Lab): I have a case of a mum who has started a new relationship, and consequently she has been put on to universal credit because her partner, who is from another area, is already on it. Her tax credits were stopped at the end of May, but by 31 August her application still had not started to be administered. If it were not for the mayoral hardship fund, Liverpool's citizen support scheme and Can Cook, which have fed the family for two months, that family would be absolutely destitute. Has my hon. Friend heard of similar experiences in his constituency?

Dan Carden: I will come on to some of the case studies and personal stories that I have been told. Well-documented design flaws and unresolved administrative issues have seen tens of thousands of claimants plunged into debt arrears and reliance on food banks. My casework is already loaded with people who are struggling to make ends meet, and piling universal credit—a policy that Citizens Advice has called a “disaster waiting to happen”—on to an economic situation that is already bordering on crisis will lead to levels of hardship not

seen in the city since the 1980s. This is the last chance to apply the brakes, stop the roll-out of universal credit, and fix the flaws in its design and delivery.

Universal credit lists its stated aims as: to improve work incentives, reduce poverty and simplify the benefit system, making it easier for people to understand, and easier and cheaper for staff to administer. Who could disagree with that? However, the National Audit Office found in June that:

“Universal Credit is failing to achieve its aims, and there is currently no evidence that it ever will.”

Worse still, the evidence on the ground in areas where full service universal credit has been rolled out is clear: not only is universal credit failing to meet its aims, but it is having the opposite effect. It is punishing those in work, exacerbating poverty, and creating an unwieldy, arduous and inefficient system that increases pressures on claimants and staff alike.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I congratulate my hon. Friend on securing the debate. One flaw in the system concerns the rigidity of the assessment period. I am in correspondence with the Minister of State for Employment on behalf of one of my constituents who is affected by the rule that means that if two sets of earnings are covered by one assessment period, the claimant will get nothing or a reduced amount for the next period. My constituent is already worrying about how she will afford Christmas. Surely that cannot be acceptable in this day and age.

Dan Carden: It is absolutely unacceptable, and Ministers know that the system has major structural problems. Payment of universal credit is 35 days in arrears, which results in the common requirement for an advance payment. One local member of Department for Work and Pensions staff called the five-week wait a “scandal in itself”, and in practice it can take up to 12 weeks before claimants are paid the correct amount. That staff member also told me that the so-called advance payments put claimants even further in debt, because future payments are reduced by up to 40% to claw the money back. That corresponds with data released by Citizens Advice, which shows that more than half its clients who receive universal credit were forced to borrow money while waiting for their first payment. Other problems include payment as a single lump sum, including housing costs, which causes households to choose between rent or food, especially at the outset of the claim.

There is also the online system. We know that 17% of people who earn less than £20,000 never use the internet—I have met people in that situation. One in five disabled people, and two in five of those with learning disabilities, do not have access to the internet, and the DWP's own analysis shows that just under half of all claimants are unable to register their claim online. How have the Government prepared for the online roll-out in Liverpool? By closing four jobcentres—including two in my constituency—and eight across Merseyside, in the very areas where claimant rates are highest. It beggars belief to take away the very facilities that were established to support those seeking work.

Despite cuts, our local authority has set aside £50 million to protect the most vulnerable people. We have, I believe, one of the best benefit support services in the country,

so that when people are in crisis, they can at least access emergency financial support such as discretionary housing payments, the mayoral hardship fund and crisis payments. Liverpool's benefit maximisation scheme costs £3 million a year, and its specialist advisers last year helped to secure an extra £10.5 million for Liverpool's families. No ring-fenced money has been provided by the Government for that—the money comes from general funds and reserves. In the last two years, £1 million has been spent topping up discretionary housing payments, and stopping countless people losing their homes before the roll-out of universal credit has even taken place.

Austerity has decimated our local council services, yet for years the local authority has acted as a sticking plaster for the worst effects of austerity. This autumn's roll-out of universal credit is expected to rip that away, and I am told that it will simply no longer be able to cope. One problem is that the DWP does not currently share data with local authorities, which means that it is impossible to identify and support people with differing needs for support. It shifts the burden of responsibility on to vulnerable people to seek out support services themselves, and the tragic reality is that we simply will not find those people until it is too late—until they have lost their home, until they are on the streets, until we find them in A&E, or until they simply become one more suicide statistic.

We know that nearly three quarters of housing association tenants on universal credit are in debt, compared with less than a third of all other tenants. Riverside Housing Association told me:

“The time of planned rollout is particularly worrying as it comes ahead of Christmas, a time when historically our tenants often struggle financially due to the additional heating costs and the festive season—with debt and arrears increasing.”

The Trussell Trust reports that in the past year food bank referrals rose by 52% in areas where the full service of universal credit was introduced in the previous 12 months, compared with a 13% rise across the UK as a whole. North Liverpool Foodbank says that changes to benefits are the most common crisis suffered by families, and that is before the full service has been rolled out.

In the local private rented sector the situation is even more critical. I spoke to a letting agent based in my constituency who told me that 100% of the agency's tenants who are on universal credit are now in rent arrears—every one of them. Letting agents complain of ongoing issues in securing direct payment of housing costs under universal credit, even when the tenant has given explicit consent. I was told that one tenant on live service universal credit was £700 in arrears and was moved on to direct payment; then, as soon as full service was rolled out in Bootle, a neighbouring constituency, the direct payments stopped again. The tenant is now £2,500 in arrears. The letting agency told me, as others have, that it is at the point of refusing universal credit claimants altogether.

I do not need a crystal ball to tell the Minister that if the roll-out continues and the Government press ahead, there will be even more people living on the streets. More than 90% of local authorities surveyed by Crisis said they expected the roll-out of universal credit to increase homelessness. Rough sleeping in England has already more than doubled under the present Government. Let us remember that the first claimants to move on to

universal credit were single unemployed jobseekers—the so-called easy cases. This autumn people with much more complex circumstances will transfer on to the system. It is a sobering thought that the worst is yet to come. It is a scandal for Ministers to proceed when basic failures in the system have not been fixed.

Mike Wood (Dudley South) (Con): I understand the hon. Gentleman's quite legitimate concerns, but perhaps I can offer a little reassurance following the roll-out that has already happened in Dudley. Many claimants and the jobcentre—particularly in Stourbridge—are seeing that universal credit gives extra flexibility to help cases that simply would not have received the help and appropriate support they needed under the old system. More people—precisely the kind of difficult cases that he refers to—are getting into work and staying in work.

Dan Carden: I can tell the hon. Gentleman categorically that that is not the experience of people moving on to universal credit. The evidence I am giving in my speech does not back it up.

Analysis by Citizens Advice shows that a self-employed worker earning £9,750 a year would be £630 worse off under universal credit than an employee with an identical annual income but paid a regular monthly salary. It is astounding that the Government have overseen an increasingly insecure jobs market, based on bogus self-employment and agency and zero-hours jobs, while putting in place a welfare system that leaves the workers who do those very jobs hundreds of pounds worse off each year.

There are also changes to the work allowance. Mary is a hard-working single parent of three children in Liverpool and under the old system her income was topped up with £48 child benefit each week and a universal credit payment of £885 a month. After the changes, Mary's salary and child benefit remained the same but her universal credit was cut by £219 a month. It is just another family pushed into hardship.

Yesterday I visited a constituent called Ann, who went on to universal credit when she lost her job as a cleaning supervisor in New Brighton in July 2015. She phoned the Department for Work and Pensions the next day to register a claim and was asked to attend a local jobcentre in Everton. She attended and was advised that she would need to go online to register, but she explained she had never had access to a computer or training in the use of one. She was asked whether she had a relative she could get assistance from. She was never once offered assistance in completing the application, even after she admitted lacking the skills to do so.

Ann attended a universal credit appointment on 18 August and received her first payment on 21 September. She went 10 weeks without receiving any payments and when she was in distress was told to attend the local food bank. She sought the support of local councillors in their surgery, because of the humiliation she felt at her situation and her lack of food. After her claim was live, she had three consecutive months of sanctions because of bewilderment at the system, and lack of understanding of the digital diary. She was then informed that she had to travel to look for jobs, but without any offer of travel expenses up front—all expenses had to be claimed back through receipts.

[Dan Carden]

Ann summed up the experience as humiliating, degrading and utterly confusing—and she was one of the easy claimants selected for live roll-out. She was one of thousands in the city who will have followed a similar path from factory work decades ago to low-skilled work more recently, and who are now on the jobs market with no computer skills to enable them to navigate the system. I am sick of living in a society where we punish people because a broken economy does not provide them with decent jobs. What looks good to Ministers on paper is in reality asking a 60-year-old woman who has worked all her life to spend hours each day walking around a city handing in CVs in shops, begging for jobs. I do not think it is humane or worthwhile for society to be in that position.

I am here today to ask the Minister to apply the brakes—to stop the roll-out of universal credit in Liverpool and fix the flaws in its design and delivery. Outside Whitehall there is total acceptance that the current system will cause untold misery and push communities to breaking point across Liverpool. The Government have thrown away cross-party support for a new benefits model that would simplify the welfare state, and instead have caused chaos. Universal credit could be accepted, but only if it worked as originally intended. Ministers must remove the mandatory waiting period of 35 days; provide additional ring-fenced funding for local authorities based on local need; reverse the cuts to the work allowance and family premium; make sure that families making a claim for universal credit are at least as well off as they were under the previous system; remove the freeze on the benefit allowance and make sure welfare support reflects the needs of families; withdraw the disastrous two-child policy; and carry out a full cumulative impact assessment on the impact of welfare reforms at a local level. Finally, they must ensure that universal credit really does “make work pay”, while also carrying out the statutory duty of care to citizens.

The director general for the universal credit programme is Neil Couling. According to the ministerial code, he has responsibility for its implementation and has the power to pause it. I call on him urgently to use that power. He and Ministers have been warned about the impending crisis if they push ahead. I ask the Minister to step back and evaluate: what is the policy trying to achieve? I understand the predicament that the Department is in. It would cause a headache in Whitehall to pause the roll-out. Changes are deeply embedded, and it would be complex and expensive to stop, but that cannot mean, “Shut your eyes and hope for the best.”

Seven years ago there was cross-party agreement on the principle of simplifying the benefits system and helping people into work. However, the policy has unravelled because it was built on deeply flawed assumptions about what causes unemployment, designed in Whitehall by people who have never experienced poverty. It has become part of an agenda to undermine welfare provision and force the vulnerable and disabled to pay for an economic crisis caused by an elite. It is a joke that the Government talk about making work pay at a time when real wages are lower than they were 10 years ago. The Government have already been forced into a series of changes on universal credit. They backtracked on charging for the claimant helpline, they rolled back the

six-week minimum wait—albeit only to five weeks—and they backtracked on 18 to 21-year-olds being excluded from the housing allowance. The Government know that the system is not working.

We urgently need to change the culture of the social security system from one that demonises people who are not in work to one that supports people and communities, that lifts people up rather than kicking them while they are down, and that seeks to improve the pay and conditions of those in work rather than punishing those who are not. Decent wages, lifelong learning and a patient strategy of long-term investment are how we will achieve a prosperous society. I shall continue to make those arguments in this House, but right now I have only one ask for the Minister: pause the roll-out of universal credit in Liverpool; fix it and save my constituents from the inevitable suffering it will unleash.

11.19 am

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): I congratulate the hon. Member for Liverpool, Walton (Dan Carden) on securing today’s debate. I apologise to the House that the Minister for Employment is not able to be here, so I am deputising on his behalf.

We are introducing universal credit at a time when record numbers of people are in work and unemployment is at its lowest rate in more than 40 years. Since 2010, 1,000 jobs a day have been created, and in the north-west region more than 3.4 million people are employed, up 268,000 since the 2010 general election. The north-west employment rate is 74.3%, up from 68.7% in 2010. Nationally, according to the labour market statistics released today, the unemployment rate is now 4%—it has not been lower since 1975—and the employment rate is 75.5%, which is again a near-record high.

It is a pleasure to serve under your chairmanship, Ms McDonagh, and it is also an opportunity for me to make the point that, nationally, the number of children living in workless families is down 608,000 since 2010. As of March 2018, the employment rate of people aged 16 to 64 in Liverpool itself was 67.6%, up from 60.3% in March 2010, and in Merseyside, as of March 2018, the employment rate had increased from 64.2% before the 2010 election to 70.2%.

Turning to the points raised by the hon. Gentleman, I will try to address the issues relating to universal credit. As I am not the Minister, I may not be able to answer the specific questions raised, but, as the hon. Member for Garston and Halewood (Maria Eagle) has been artfully demonstrating to me across the Chamber, I will write to hon. Members, or the Department will write to them, on the specific questions they raised.

The Government believe that universal credit remains a vital reform. It replaces an outdated and complex benefit system; the six benefits are replaced with one simple monthly universal credit payment, designed to support people whether they are in or out of work. There is no doubt that the old system did not incentivise people to come off benefits and get into work.

Maria Eagle: Does the Minister accept that the administration of universal credit is chaotic? I had a constituent who ended up being sanctioned for a year after his father died and he was unable to cope with

going to meetings. After my office intervened, his benefit was reinstated and the sanction was removed. He had eight letters telling him that, but when he received his first payment, which was supposed to be a back payment, it consisted of £5.

Guy Opperman: I cannot comment on the individual case, but it is unquestionably the case that the old system had inherent flaws and, as the hon. Member for Liverpool, Walton very fairly said in his speech, it was right for it to be reformed at that particular time. We may have a debate and a discussion about the quality of the system thereafter, but the reform of the old system was unquestionably the right thing.

Under UC, claimants are better off when they move into work and better off when they progress in work; the payment is gradually reduced as earnings increase, so claimants will not lose all their benefits at once if they are on a low income. There is no 16-hour ceiling, no 16-hour floor and no risk to people's benefit as they move into work. It also means that the more people work, the more money they get in their pocket. We believe that universal credit lies at the heart of our reforms to transform the welfare system, because it supports those who can work and cares for those who cannot.

The UC full service is available in approximately 63% of jobcentres in Liverpool, with those remaining to be rolled out by December, as the hon. Gentleman outlined. I would urge all hon. Members to visit their local jobcentres and to speak to the staff in charge of the system, the work coaches and the claimants who are attending. I myself have visited a number of jobcentres and sat in on randomly selected interviews with dedicated work coaches. I held a jobs fair last Friday in Hexham with my Jobcentre Plus, and I am going to another jobcentre this week.

Mike Wood: I thank the Minister for visiting my constituency and meeting with local advocacy organisations, representative groups and local charities, who deal with people claiming universal credit on a daily basis. What lessons and messages did he receive from those organisations in Dudley, where the roll-out was completed over a year ago, about how the system has changed and improved with the tweaks that have been made?

Guy Opperman: The reality of the situation is that, as the roll-out takes place across the country, there are good examples, as was seen when I visited Brierley Hill in my hon. Friend's constituency, of excellent integration—

Siobhain McDonagh (in the Chair): Order. I have been generous in my interpretation of what can be said during this debate, but it is about the introduction of universal credit in Liverpool, and I would like us to concentrate on Liverpool.

Guy Opperman: I totally accept that, but with respect, Ms McDonagh, the integration of services is a nationwide matter, and the roll-out is happening across 430 jobcentres.

Maria Eagle: Would the Minister like to have a go at answering my question about administration of the benefit in Liverpool?

Guy Opperman: With respect, that is what I am attempting to do and intending to come to. The hon. Member for Liverpool, Walton raised the issue of local authority funding. The Department for Work and Pensions

provides local authorities with UC support funding and new burden funding to take account of additional costs. The local authority should provide the data, and he should be aware that £14 million has been paid out in this tax year alone.

On the managed migration, there was a "Universal Credit programme full Business Case summary" early this year, which showed that when UC is rolled out it will deliver £8 billion worth of benefits to the UK economy every year. The hon. Gentleman mentioned Citizens Advice in his speech; he will be aware that only recently, when the changes were made to universal credit, it was quoted as saying:

"These changes should make a significant difference to the millions of people who will be claiming Universal Credit by the time it's fully implemented."

Similarly supportive comments were set out at the time by the Trussell Trust and others.

I will ensure that the Department writes to the hon. Member for Liverpool, West Derby (Stephen Twigg) on the specific point he raised. In relation to the lady from Everton, if he provides the detail to the Department I will ensure that a specific point is raised, and I will also ensure that the point about the constituent case mentioned by the hon. Member for Garston and Halewood is addressed.

It is important to mention that there have been significant changes and a "test and learn" approach to universal credit as it is being rolled out. Changes were made in November last year following the Budget, and the Secretary of State herself made changes in June this year. We have made a commitment that anyone we move onto universal credit without a change of circumstance will have their existing benefit entitlement safeguarded until their circumstances change. That is to accommodate the changes needed; managed migration will be completed in 2023. We have also announced that people on legacy benefits receiving severe disability premium will stay on legacy benefits until we move them, even if they have a change of circumstances, and we will look at protection for people previously in receipt of severe disability premium who have already moved onto universal credit.

Dan Carden: Will the Minister give way?

Guy Opperman: Very briefly; I have barely a minute.

Dan Carden: I just want the Minister to answer the points about housing associations and private rented landlords, who are saying they will no longer take universal credit claimants in the private rented sector. What is the Department going to do to talk to housing associations and landlords, and to stop a homelessness crisis hitting our city?

Guy Opperman: I will ensure that the Department gets in contact with the hon. Gentleman to find out the details of which he complains. He will understand that I cannot specifically answer that particular point now, but contact will be made if he provides the explanation of the specific examples that he is concerned about. It is definitely the case, though, that the individual jobcentres are working with the local authorities and with the various charities on an ongoing basis.

To finish, we are in the middle of a fundamental structural reform that is already changing lives. We will continue to work with claimants, partners and hon.

[*Guy Opperman*]

Members to resolve the issues and improve universal credit as it is rolled out across the country. I congratulate the hon. Gentleman, who is a worthy successor to his predecessor, on securing today's debate; it is definitely the case that we call on all hon. Members to get behind this particular revolutionary reform, but I am grateful for the opportunity to set out the position today.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.

Funeral Poverty

[*MR GARY STREETER in the Chair*]

2.30 pm

Mrs Emma Lewell-Buck (South Shields) (Lab): I beg to move,

That this House has considered funeral poverty.

It is a pleasure to see you in the Chair, Mr Streeter. While few things are certain in this world, we can be sure that almost all of us will have to go through the unbearable, gut-wrenching pain of losing a loved one. Since death does not work to a strict timetable and can often come without warning, even at the end of a long illness that final passing can still take us by surprise. The support and help that people need at this time must surpass all normal standards. Sadly, it does not, which is why I secured this debate.

I am deeply frustrated that the debate is one in a long line I have contributed to on this subject. Over the past four years, I have faced a multitude of Ministers and met numerous organisations and groups in an attempt to press the Government to make much-needed reforms to how funeral services and, crucially, social fund funeral payments, administered by the Department for Work and Pensions, operate. The measures I have pressed for, and which I proposed in a Funeral Services Bill some years ago, would ease the burden of those who want to give their loved ones a fitting tribute. That I am here again to ask the Minister the same questions is evidence enough that, despite warm words from the Prime Minister as recently as last week, when she said that

“it is important to families and individuals to be able to give their loved one a proper funeral”—[*Official Report*, 5 September 2018; Vol. 646, c. 160.]

the reality is that, on her Government's watch, more and more people are simply unable to do just that.

One key ask in my Bill, and from many other people at the time, was for the Government to carry out an overarching review of funeral affordability. Back in 2014, more than 100,000 people were estimated to be suffering from funeral poverty. A Co-op survey earlier this year revealed the number now to be 4 million. That is 4 million people who have experienced financial hardship as a result of a loved one's death.

The gulf between incomes and living costs continues to rise as the Government's agenda, coupled with punitive welfare and benefit reforms and inaction on low-paid, insecure work, has led to a record 8 million working adults living in poverty.

Siobhain McDonagh (Mitcham and Morden) (Lab): I congratulate my hon. Friend on her tenacity and determination in taking on this terrible scourge. Is she aware of the exploitation that people face when trying to bury a loved one, with local authorities doubling, tripling or quadrupling burial fees for someone who did not live in the borough at the time of death, even if they own the grave and lived in the borough almost their entire life?

Mrs Lewell-Buck: One measure in my Bill was to look across the board at what local authorities and the market were doing in relation to funerals, because people are being exploited at such a sensitive time.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my hon. Friend on securing this timely debate. Is she aware that the average cost of a burial nationally is £4,561, yet the average social fund funeral payment is £1,427—about 35% of the cost? Given the rising cost of living in other respects, that is quite a burden on a lot of families, and a lot sometimes have to sell goods to pay for funerals. Does she think that there should be an investigation into funeral charges, and also into the scope of the social fund itself?

Mrs Lewell-Buck: It should come as no surprise to my hon. Friend that I will address all the points he raises.

As I was saying, a record 8 million working adults live in poverty in the UK, with 14 million people overall living in poverty. It is little wonder that, for someone living day by day and hand to mouth, the final act of giving a deserving tribute to their loved ones is heartbreakingly out of reach. An estimated 81% of people have been unable to save for a funeral. Funeral poverty in the UK has now reached a record high of more than £160 million in 2017—a 50% increase in the last three years alone. There has also been an increase in people having to wait more than a year to bury family members.

The cost of a basic funeral is now £4,078, yet this can rise in some London areas to as high as a staggering £12,000. Around a quarter of families that cannot afford funerals borrow from friends or relatives, a quarter put costs on a credit card, and the rest take out loans or work out an instalment plan with funeral directors. Some even sell their belongings. It has been revealed recently that people are increasingly turning to crowd-funding websites to raise money for funerals, with JustGiving showing a 400% increase in people asking for money from friends, families and strangers to fund funerals for their loved ones. I cannot imagine having to seek support from strangers on a faceless website to pay for a loved one's funeral.

My Bill and the “Support for the bereaved” report by the Work and Pensions Committee both called on the Government to negotiate a simple funeral service and to establish with the sector a reasonable cost for items required for a simple funeral. The Government claim that doing so would interfere with people's choice but that they are working with stakeholders to agree what might be included in a standard package funeral. I hope the Minister can advise us what stage he is at after two years of discussions.

For those struggling to afford a funeral, there is state support in the form of the social fund funeral payment. It is accessible to those on certain benefits, but it is in absolutely dire need of reform. In 2017, out of the 41,800 applications for the fund, 16,900 were declined. Considering that the fund can be accessed only once funeral costs have been committed to—once a debt exists—that leaves almost 17,000 people struggling to pay. The DWP's target to deal with claims is 16 days, yet the average between a death and a funeral is 13 days, and much less for some religions and cultures.

Those payments also categorise certain aspects of a funeral. The provisions refer to “other expenses” as being funeral directors' fees, ministers' fees and a coffin. These apparently optional extras have been capped for 15 years at £700. If the cap had kept up with inflation, it would be £300 higher today. However, funeral costs have far exceeded the rate of inflation, more than doubling since 2003.

I acknowledge the Government's changes in recent years, such as allowing recipients to receive contributions from other sources without deductions, extending the claim period from three to six months after the funeral, and introducing both a shorter application form for children's funerals and the electronic submission of forms. However, the stark reality is that, without exploring the regulation of the market and funding demand and establishing eligibility for the social fund before people commit to costs, the number of those in funeral debt will continue to swell. In 2016, the then Minister rejected calls for an eligibility checker, saying that that would cause more “confusion”. I find it absolutely impossible to see how someone knowing whether they are eligible to afford a funeral for their loved one before committing to one can cause more confusion than not knowing and being saddled with debt.

Chris Stephens (Glasgow South West) (SNP): The hon. Lady is making very important points about the social fund funeral payment system. Does she agree that it not only is confusing but adds considerable emotional stress for those going through the system if they wait so long for a decision as to whether they will get money, bearing in mind that the grant itself does not even meet some of the basic costs of a cremation, for example?

Mrs Lewell-Buck: I thank the hon. Gentleman for that intervention. The process is indeed distressing and complex for many people. I think the forms that need to be filled in number 24 or 26 in total. When someone is grieving and trying to find the money to pay for a funeral for a loved one, filling in 20-odd forms and trying to have a clear head while doing so is nigh on impossible.

Today the Minister may well refer to budgeting loans as an option for helping families to pay for funerals, but I am sure he knows as well as I do that the figures for how many people apply for those loans for funerals are not recorded or kept centrally and that the average amount of a loan in the past year was only £420.

The Government should note that putting their head in the sand does not make this problem go away; it simply moves it around. A freedom of information request via ITV revealed that a 70% increase in public health funerals over the past three years has cost local councils up to £4 million. Historically referred to as paupers' funerals, they are the last option when there is no one available to pay. It was also revealed that some local authorities were not allowing families even to attend those services. In short, taxpayers are paying for funerals one way or the other. Surely, making the fund fit for purpose is preferable to the scenarios I have outlined.

I am pleased to say that, where the Government are failing, others have stepped up. The Fair Funerals campaign—Fair Funerals is no longer in operation, but I thank it for its co-operation over the past few years—successfully managed to persuade one third of the industry's members to display transparent, honest prices on their websites. The Co-op announced that it would invest a further £6 million in lowering funeral costs by introducing a best-price guarantee, reducing the cost of its cheapest funeral to £1,895, and the Competition and Markets Authority announced a review of the £2 billion funerals market earlier this year.

[Mrs Lewell-Buck]

At Prime Minister's questions last week, the Prime Minister was asked to meet a Conservative Member to discuss funeral poverty. The Prime Minister declined a meeting and went on to assert that

"the funeral expenses payments do continue to cover the necessary costs involved with funerals and cremations".—[*Official Report*, 5 September 2018; Vol. 646, c. 160.]

That is completely wrong and contradicts the DWP webpage, which clearly states that the payment

"will not usually cover all of the costs of the funeral."

It is also at odds with what funeral directors themselves are saying, with 95% reporting that Government funeral payments no longer cover even the very basic costs.

I appreciate that, in the past, Ministers have been unable to comply with all my asks on funeral poverty, so today I have only two main asks: a commitment to raising the social fund funeral payments and a commitment to introducing an eligibility check. Those two simple asks would make a world of difference.

It would be remiss of me not to acknowledge the work of my hon. Friend the Member for Swansea East (Carolyn Harris), who is not here with us today, and of the hon. Member for Southend West (Sir David Amess). Both are doughty campaigners on this issue.

Funerals are not a choice. Death shakes us and changes us forever. No one ever wants their loved one to pass away, and the debts associated with the funeral—or the memory of not being able to give them a decent send-off—loom over people for years. In austerity Britain, people are not just struggling to afford to live; they are also unable to afford to die. The Minister has an opportunity today to make some very small departmental differences that would ease this enormous burden on people in their darkest days. I just hope that, this time, he will.

2.45 pm

Sir David Amess (Southend West) (Con): I congratulate the hon. Member for South Shields (Mrs Lewell-Buck) on introducing the debate and on the contents of her speech. I entirely agree with her on the two issues that she drew to the House's attention at the end of her speech, and I hope that my hon. Friend the Minister will be able to address them. I also join her in congratulating the hon. Member for Swansea East (Carolyn Harris). She is a formidable lady and led a brilliant campaign—it was an all-party effort. I am delighted that the issue of funerals for those under the age of 18 was addressed.

Some people do not like talking about death, but it is the one thing that none of us can avoid. All of us here will have been to many funerals. We are asked to give eulogies. On a number of occasions, I have been asked, even though I am not a vicar, to take the funeral. And we all deal differently with the moment of saying goodbye to someone. My wife wants no fuss whatever; she wants a cremation and she wants her ashes scattered off the end of Southend pier. Her husband wants to be buried—that will give people the pleasure of lining up just to screw the lid down on the coffin. We all want to say goodbye in different ways, but the hon. Member for South Shields is absolutely right; with all the stress that people have at the time of someone dying, the last thing they want is the added stress of wondering how they will pay for the funeral.

A number of my points have already been made, but there is no harm in repetition. New research from Royal London puts the average cost of a funeral at £3,757, which represents a 6% increase over the past five years. Some people might say that that is not a big increase, but it is really, and it has had a knock-on effect, with people taking on an average debt of £1,744. The impact of funeral poverty can be financial, in the form of a legacy of debt, because of all the insurance policies that people are signing up to. Many of us, in our constituency surgeries, are coming across any number of elderly people who have taken out those policies, and they just pay peanuts. Although families struggling with funeral costs could be entitled to help from the Government to pay for necessary costs, research has found that that support goes only so far.

This is what I really want to address to the Minister. The average social fund funeral payment award—the hon. Member for Coventry South (Mr Cunningham) brought this issue to our attention—was £1,429, about 35% of the average cost of a funeral. As a result, even people awarded a grant are left with a substantial shortfall, which often leads them into unmanageable debt, because they are stressed and very vulnerable. Even if any award such as that average provided some relief to claimants, there are other important factors to be noted. The social fund funeral payment is all well and good, but up to £700 can be paid for other expenses and the cap for that payment has remained at £700 since 2003. It is absolutely ridiculous that for 15 years it has remained at £700. I would like the Minister's response to that.

The Department for Work and Pensions will pay out a grant only once the funeral has taken place. That in itself is an issue, and I know that one or two of the Scottish National party Members will want to say something about that. Again, the situation is not very satisfactory. Funeral directors normally require a deposit of more than £1,200 before a cremation can go ahead. That is a lot of money, and it rises to more than £3,000 for a burial, which is what I want.

People find themselves having to raise that money fairly quickly, before they know whether they will receive anything from the DWP. Unfortunately, family members of the deceased are often expected to have sufficient savings to afford a funeral, but that is rarely the case, as death often occurs unexpectedly, or after a period when savings have been depleted as a result of healthcare costs or long-term illness, leaving a stressful financial situation.

This is not just about the Government providing more funding to help families afford funerals; a number of steps could also be taken to improve the accessibility of low-cost funerals to family members. After a house, a car and a wedding, a funeral is the most expensive purchase that anyone will make—although, I am beginning to find that one's children's weddings should be at the top of that list. In spite of that—I say this as a member of the all-party parliamentary group for funerals and bereavement—there is little consumer scrutiny of the funeral industry. That can largely be explained by the fact that bereaved people are vulnerable consumers who are understandably reluctant to shop around. If someone has died, the bereaved are expected to make three or four phone calls and go to the lowest bidder, but life is not like that. Most consumers do not realise that there

is a huge difference in funeral charges. Additionally, the funeral industry is not subject to mandatory state regulation and there are no rules governing what funeral directors can charge for their goods and services, which is surprising.

The United Kingdom's funeral industry is worth an estimated £2 billion—that is big money. Although there are 1,600 funeral directing companies across the country, the market is dominated by three big companies: Dignity, the Co-operative Funeralcare and Funeral Service Partners. My family tends to use two wonderful family firms—it sounds as if we are dying all the time, but this is over a number of years—because east-enders have what we like to call funerals in style, with horses and a carriage, which is expensive. Those firms, Cribbs and Stibbards, which can do the funerals in a wooded area or just a simple funeral, are absolutely magnificent. Combined, however, the funeral industry is making quite a big profit, with annual growth of around 3% between 2011 and 2016.

Despite the various issues with the funeral industry and the Government's efforts, I am delighted that the Government responded positively to what the hon. Member for Swansea East said and that the call for action on funeral poverty has gained political momentum over the past few years. Quaker Social Action's Fair Funerals programme, which ran until earlier this year, set out a number of recommendations, which will provide much needed relief to family members while they are grieving. The first recommendation is to raise the social fund funeral payment to cover basic costs. Within the funeral fund, the amount of money available for funeral costs should increase in line with funeral cost inflation from £700 to £1,377.

Secondly, I am asking the Government to create a plan to tackle funeral poverty. It would be highly effective for different Government Departments to work together—I know that is not always easy—to set out how best to deal with the situation. Little is known within Government about how different state bodies cover and interact with bereaved people on low incomes. A Government inquiry should take place, so that recommendations can be made for improving the situation for people on low incomes arranging a funeral. I do not want an inquiry that will go on and on, but a short inquiry followed by some action.

Finally, a third-party advocate scheme should also be created to provide a solution to several of the factors that result in funeral poverty. The scheme could quickly determine for people their eligibility for SFFP, and other state and charitable grants, and it could help them find a funeral that meets their needs at a reasonable price. Such a scheme would likely save the DWP time and money, as state funds would be channelled towards funeral directors charging a reasonable price, rather than those with inflated costs. That could have the overall effect of bringing prices down across the industry.

I do not want to live in a country where someone who is short of money, in this day and age, has to resort to crowdfunding a funeral—that is ridiculous. As a Conservative, I embrace the spirit of enterprise, but this issue affects everyone. The people who are left behind, who do not always know the circumstances of the person who has died, have to deal with the situation. I hope that the Minister will say yes to the hon. Member for South Shields, yes to the hon. Member for Southend West, and yes to anyone else who will make a point.

2.55 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank the hon. Member for South Shields (Mrs Lewell-Buck) for the constructive and informed way she opened the debate. Funeral poverty remains a pressing issue, which affects far too many of our constituents. I have spoken in debates on this matter on every occasion it has arisen since I was first elected in 2015. I have spoken to far too many constituents who have been deeply distressed by the costs of burying their loved ones. As the hon. Member for Southend West (Sir David Amess) pointed out, there is a rare consensus on this issue, because we all recognise that it cuts across party boundaries.

The matter I keep returning to in these debates is that when a family loses a loved one, a bereaved person's human instinct, through the shock, fog and bewilderment of grief, is to give the person they have lost the best and most dignified send-off they can. There is nothing else they can do. Often, understandably, thoughts about the cost of the funeral do not factor into their considerations at that time of grief, and only later—albeit when the grief is still raw—does the reality of the debt and the cost of that send-off become apparent. Too often, for too many people, the anxiety over this debt works against and interferes with the entire grieving process.

We can agree that, for those on benefits and low incomes, help with funeral costs has not kept pace with the cost of funerals. That must be a cause of great concern to all of us. In our constituencies, we have all witnessed the anxiety of those struggling to meet funeral costs for their loved ones, as they battle through their grief.

As we have heard from the hon. Member for Southend West, it is important to remember that, as well as the huge variations in the cost of funerals, funeral plans are not realistic for those struggling week on week to put food on the table. The over-50 plans we hear about can also mean that those on low incomes pay thousands upon thousands of pounds over many years, with the full amount paid never recovered by families, despite the deceased having paid in more money than the funeral actually costs.

Now that responsibility for funeral payments has been devolved to the Scottish Parliament, I look forward to a much more well-rounded and compassionate approach to support for bereaved families struggling with these costs. The Scottish National party Scottish Government plan that the funeral expense assistance benefit will replace the current DWP funeral payment by summer 2019, with an additional £3 million to support another 2,000 people each year who would have received no support at all from the DWP under the old scheme. They are also looking at uprating the flat-rate part of that payment to take inflation into account, unlike in the rest of the UK, where, as we heard from the hon. Member for South Shields, the payment has been frozen since 2003 at £700, which is a help, but is woefully unequal to the task of helping families with these costs. The SNP Government will also ensure that guidance is provided on funeral costs, funeral planning and strengthening consumer protection with regards to funeral plans. They will make a real effort to tackle funeral poverty by working with credit unions and delivering a social innovation fund.

Funeral poverty is a cruel and bitter obstacle to grief. Coping with the loss of a loved one is bad enough, but 12%—one in eight—of people report that they got into

[Patricia Gibson]

debt trying to pay for a loved one's funeral. It is simply not acceptable that, in the increasingly unequal society in which we live, people often cannot afford to live and now, it seems, cannot afford to die, as I have pointed out in every single debate on the subject since 2015.

I am heartened by the Scottish Government's measures. I urge the Minister to at least carefully study their proposals and try his best to match the commitment to supporting bereaved families at their most vulnerable time.

3 pm

Mr John Hayes (South Holland and The Deepings) (Con): The inevitability of death and the recognition that life is temporary grow with the passing years. Death begins as a distant destination, but as the years go by, it becomes a nearby place that one does not want to go to, and ultimately, a near neighbour that one does not like. That realisation is less and less prevalent in our society, however, as we have become more frightened of death. I suppose that is to do with the decline in belief in an afterlife, which has made death so petrifying for people. The lack of preparedness might reflect that—people just do not anticipate or prepare for death in the way they once did.

My ancestors took out insurance policies of a farthing, a ha'penny or tuppence a week—we are going back to years gone by, of course—to raise enough money to pay for a simple funeral. These days, however, it is a simple fact that people do that less, and funeral costs have risen, as we have heard repeatedly. People's expectations of funerals have changed too. They want the send-off to be a more significant affair, and that is not unreasonable. Why would they not want that, when they have lost someone whom they love?

As several hon. Members have said already, that time of grief is horrible, frightening and bewildering, and while feeling bamboozled by all that has occurred, people are faced with the business of organising that last goodbye—the final passing. As has been said by the hon. Member for South Shields (Mrs Lewell-Buck), whom I congratulate on bringing the matter to the attention of the Chamber, in those circumstances, it is unsurprising that sometimes people do not know where to turn. They are vulnerable.

I had an Adjournment debate in the main Chamber on the subject and raised it with the Prime Minister last week. The number of public health funerals has grown immensely, by about 200% since 1997, as has been said already—I do not want to repeat what other hon. Members have said, except to amplify points that need to be made. I have a simple request: the Government need to issue guidance to all local authorities that those funerals should be conducted with decency and dignity.

It is appalling that some local authorities forbid next of kin—the nearest and dearest—from attending those funerals. I was with representatives of the funeral industry yesterday, in anticipation of this debate, and they told me that several local authorities do the right thing, including my own in South Holland. You would expect that from a well-run Conservative local council, would you not, Mr Streeter? It is not actually a matter of party, and I do not mean to make light of it, but there are local authorities that refuse to return the remains of

the departed to the family; refuse to notify the family of the time of the funeral, which is so extraordinary and shocking that it is almost beyond belief, yet it is true; and refuse to allow them to attend. That is intolerable and it should stop straightaway.

I do not expect the Minister to do anything about it today—let us give him reasonable notice, because I have been a Minister, as he knows—but he should do something about it by the end of October. By then, every local authority should have learned from Government that that practice cannot be allowed to continue. The local authority highlighted by the funeral director I met yesterday was Derby City Council—that is a start. I was told that that practice happens there. I would like that to be checked, and if it is true, for action to be taken immediately. Other councils have already been highlighted in the national press.

To be clear, I am not suggesting that people should be able to have any funeral they want with numerous cars and bells and whistles at an unlimited cost. That would not be responsible and I do not think people would expect it. I am told by the funeral industry that they can conduct a perfectly dignified funeral of the kind that we have all been to, and which we might expect for ourselves, at a reasonably limited cost, where people can be invited and there can be a minister or some other person to conduct the service in a decent and dignified way. Some councils will not allow them to do that, however, and will not even allow them to have a minister there. As I say, it is bizarre. Let us get it sorted by the end of October.

The funeral expenses payment scheme, which was frozen in 2003, represents a smaller and smaller proportion of the total cost of a funeral, as has been said, and has become less meaningful than it once was. I have suggested that fewer people prepare for funerals. Of course, some people are not given that luxury, because death might be unexpected. If someone dies suddenly or at an early age, how can they be expected to have prepared for that eventuality? Given that, it is right that we raise the payment to a reasonable amount. The Prime Minister generously invited me to write to the Chancellor to suggest that he did just that in the Budget, and he can expect a letter from me that makes exactly that case without delay—indeed, I am meeting a Treasury Minister later today to discuss it.

The challenge is actually a bit more complicated than that, however. It is not just about the size of the grant, but the business of applying for it. About 30% of people who apply get no money at all, because the system is complicated and there is a big problem with who can apply. Complicated family rules mean that only a nearest member of the family can apply, so there are all kinds of complications with stepchildren, second wives, first husbands and other things of that kind that need to be clarified. The process needs to be smoother and simpler, because people are bewildered, in grief and confused. That must be understood and the matter must be dealt with sensitively.

I accept that not all of what I request is within the Minister's purview, so I hope he will forgive me. One of the problems is that this matter crosses several Departments, which is always a difficult business in Government. We need to act on the recommendations of the 2016 Work and Pensions Committee report, which called for a simpler and more streamlined process, for the reasons

that I have suggested. Let us do what the Select Committee asked to make it a straightforward affair and make the grant meaningful.

I want others to be able to contribute, so I will finish now by saying this. It is sometimes said that there are no noble causes left—nothing worth fighting for; no wrongs to be put right—but there is no more noble, virtuous battle than this one, and I will fight for those cruelly dubbed “paupers”, as they have been described as in the press. “Paupers’ funerals” is a cruel description. People who are poor and are looking to bury those they have lost and loved deserve to be treated with dignity, decency and discretion. The Minister can make sure that happens. In his response today, he can see to that. If he does not, and if the Government fail to act, I will make sure they do.

3.10 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for South Shields (Mrs Lewell-Buck) on securing the debate. She has spoken on this matter before. Indeed, I think that everyone who has spoken today has spoken on this before. It continues to be a bugbear for us all, which is why we are here to make our contributions. I thank all those who have spoken in the debate, including the hon. Lady who introduced it, for their valuable comments.

This is a sensitive issue. I can remember dealing with such issues when I was a local councillor, so I have some knowledge of how the system back home seeks to address it. I want to tell a story that clearly illustrates the issues. In my home, a pauper’s funeral happens more than I like to think, unfortunately. The very name “pauper’s funeral,” as the right hon. Member for South Holland and The Deepings (Mr Hayes) indicated, encapsulates what happens.

A lady that my staff and I had sought to help had no family—we were not aware of any relatives, to be truthful. As an elected representative, I and my staff had a relationship with her through our office. We heard that she had passed away and the girls in the office rang the council to find out the funeral arrangements, because they wanted to pay their respects. They wanted to make sure she was not buried alone, because they were aware that she had no immediate family. They were not aware of all the circumstances until she died. They were sensitively told by the council that as no one had claimed the body, the funeral would take a number of weeks to arrange. In Northern Ireland we have a tradition of people being buried three days after they die. A week is an awfully long time to wait. I know that here on the mainland it can sometimes take even longer, never mind a few weeks.

The girls were taken aback when they were told that there would be no funeral service. They could not understand why that should be the case. The remains would be taken from the undertakers in the cheapest coffin and laid to rest in the council-allocated paupers’ grave section, where there would be no funeral service as such. That was probably our first introduction to what it really meant to have a pauper’s funeral, although in my capacity as a councillor I was aware of it happening once or twice before.

Whenever someone passes away, a catalogue is drawn up of all the items in their house, if they have a house, or the car or whatever it may be. Unfortunately, in the

cases that I have been aware of, there has been nothing of value in the house. Everything was taken out and disposed of.

Mr Gregory Campbell (East Londonderry) (DUP): To go back to what my hon. Friend said about Northern Ireland compared with the rest of the UK, with the much shorter time between the demise of the deceased and the burial, is that not all the more reason for clarity at a very early stage, particularly given that in most cases some members of the extended family will be in other parts of the country, or possibly overseas? It is a very short period in which we need clarity and certainty about the extent to which family members, if there are any, will have to contribute to the funeral costs.

Jim Shannon: I thank my hon. Friend for his intervention. Clarity is what we hope to achieve through this debate. There are occasions when someone has passed away and their families have not had the financial capacity to pay for the funeral, which is why we have paupers’ funerals, where no one is there to help. During my time as an elected representative—as a councillor, as a Member of the Assembly and now as a Member of Parliament—I have had occasion to be involved with families who have had no financial assets at all. The system has changed now, but it used to be the case that if no one in the family was working, or if someone was old or disabled or on benefits, at least some of the fees for the funeral could be provided. I know that the system has changed in Northern Ireland, and probably elsewhere.

To go back to the lady who passed away, when my parliamentary aide asked for details of a time so that she could attend and read a psalm, she was told that she would have to ring back closer to the time, but they could not guarantee that the lady would not already be buried. My hon. Friend referred to clarity. My goodness me! We did not even have the detail of when the funeral would be held. The lovely council official—I want to be clear that they were trying to work within the system—reassured the girls that often the undertaker used by the council would pray before the burial. Although that eased some of the angst, the girls were upset that that was the way things had to be done. I wish to thank the undertakers who, in their own time and as a mark of respect, ensure that there is a brief prayer or reading. They are not paid to do that, but they still do it, and we thank them for that. There are a great many people of good will and intentions who wish to help.

We understand that local authorities simply cannot afford to foot the bill for a full funeral, but a pauper’s funeral is a terrible way to be laid to rest. I am a firm believer, as are others in the Chamber, of “absent from the body and present with the Lord”. There is something to be said for a respectful interment. I am in no way saying that the bodies are treated with disrespect, but could changes not be made to ensure that people can at least attend the interment of the body? It is important to have a send-off.

Some cases have been fairly prominent in TV programmes. We have had occasions when people die alone, and perhaps there is some money to bury them, but they do not have anyone to go to their funerals, and it is important to have someone to pay respects and to be respectful at a funeral. Could a change not be made to ensure that people can at least attend the interment

[*Jim Shannon*]

of the body, so that those who could not be expected to pay directly for the funeral, such as social workers and church families, can at least pay their last respects?

I should have said at the beginning—it was remiss of me not to do so—that I welcome the Minister to his post and wish him well. I said that to him in the Chamber last week and I have now said it again publicly. He contributed greatly in his previous ministerial post at the Department for Work and Pensions. I wish him well.

Funeral poverty reached a record £160 million across the UK last year, and one in six people say they struggle with funeral costs. That goes back to how the financial pressures associated with funerals can make an already difficult time overwhelming for bereaved families and loved ones, causing additional stress on top of existing grief and leaving a lasting negative impact on their health and wellbeing. Those who are on benefits can apply for help with the funeral costs of a loved one, but “help” is the operative word. They can receive some money towards burial fees and the rights to burial in a particular plot, and money towards cremation fees, including the cost of the doctor’s certificate, and up to £700 for funeral expenses, such as the funeral director’s fees, flowers, a coffin and travel to the funeral. The estate will be liquidated and any money will go towards the funeral. However, bearing in mind that the average funeral in Northern Ireland costs just under £3,000, there is a large discrepancy and a large debt for a grieving family to pay off over time.

I read in the press this week that the Co-op is offering a cheap funeral—in no way does that take away from its commitment—for about £1,900. It would be fairly basic, but none the less it helps some families. In her introduction, the hon. Member for South Shields referred to the hon. Member for Swansea East (Carolyn Harris), who has been involved in the issue of funeral costs for some time and had an Adjournment debate in the main Chamber on this very issue. She is not here today, but her story is incredible. For those who have not heard it, I gently suggest that if they get the opportunity they listen to or read her story. That lady had nothing when it came to paying for a funeral, and the community came together to help and support her at a time of need.

Many funeral directors have started a system that enables families to contribute to payment schemes—I have them in my constituency and I very much welcome them. They take away the need to make a financial commitment all at once and have helped some people. Everyone in this Chamber knows that we are sure of only two things in this world: death and taxes. The costs of a funeral have certainly risen over the past 15 years, so I join the hon. Member for South Shields and other hon. Members in asking for an increase in the social fund funeral payment, to ensure that people are not having to go to food banks in order to pay for a loved one’s service. Many organisations, such as Christians Against Poverty, can sometimes assist. The churches also help, and some funeral directors cut their costs to the bone to make a funeral happen.

There has to be a better way of doing things. I am asking the Department to consider upping the funeral grant in line with inflation and allowing people connected

to those who have the indignity of a pauper’s funeral at least to get friends or connections to say a few words as the remains are interred. That is important. We have to have more compassion for people who are in dire circumstances, and believe in the fact that no person would allow a loved one to be buried in an unmarked grave if they could possibly help it. We can do something small, such as providing for a set time of interment if requested, to allow some dignity and marking of the occasion. We all understand why councils cannot and should not put on fancy funerals, but allowing people the opportunity to pay respects cannot cost that much, can it?

3.20 pm

Neil Gray (Airdrie and Shotts) (SNP): It is a pleasure to take part in the debate with you in the Chair, Mr Streeter. I congratulate the hon. Member for South Shields (Mrs Lewell-Buck) on securing this important debate, and on the way she presented her argument. I pay tribute to her for the work that she has been doing on the issue for a number of years. She mentioned a review of funeral affordability, and what she said is right. I will touch on the Scottish Government’s action with reference to that. She also said that, alarmingly, 81% of people are unable to save for a funeral. That is why I hope we shall soon get to a place where funeral plans become more attractive to consumers. She criticised UK Ministers in relation to social fund funeral payments, and other Members made similar calls to the Minister. Perhaps that will form part of his Budget submission in the negotiations that will no doubt take place between the Department for Work and Pensions and the Treasury in the coming months.

The hon. Member for Mitcham and Morden (Siobhain McDonagh) intervened to raise the issue of council-based costs for funerals—burial and cremation fees—and she was right to do so. Without doubt some local authorities, including the one covering my constituency, North Lanarkshire Council, have used burial and cremation fees as a cash cow, to mask cuts in other areas. It is extremely worrying. The hon. Lady was right to pay tribute to the Fair Funerals campaign for exposing some of that behaviour and campaigning for greater transparency from funeral directors. I am sorry that that campaign no longer exists.

Mr Hayes: Part of the problem, which I did not highlight in my speech as I did not want to go on for too long, is that currently there is a separation between what is known in the industry as the disbursements—the cost of the cremation, burial and so on—and other costs. The current statute refers to necessary funeral costs, and that needs to be revisited. A minor amendment, through secondary legislation, would enable us to make it much clearer what the funeral grant pays for. Simplification is required.

Neil Gray: I appreciate that intervention. Clarification is also required in the context of the funeral plan market. The criticism and the furore about consumer rights issues in relation to funeral plans has in part been about that very issue—what people should expect the plan to pay for. Many people have redeemed a product but found that they were still liable for burial and cremation fees that were substantially more than anyone would expect to budget for.

The hon. Member for Southend West (Sir David Amess) made a very good speech. I have had the pleasure of working with him on the issue and, as ever, he was constructive and helpful. He was right to draw attention to the fact that the £700 additional expenses have been frozen for so long. I hope that his intervention, and that of the right hon. Member for South Holland and The Deepings (Mr Hayes), will influence the Minister to strengthen negotiations with the Treasury about the upcoming Budget. I do not think that dealing with that would cost an awful lot of money, but it could make a major difference to people's lives. On that issue, and the regulation of funeral directors, which the hon. Member for Southend West also touched on, we are doing something different in Scotland. I know he is aware of that, and I hope that the Minister's attention can be drawn to it.

My hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) made a good speech, having also campaigned on the issue since her election to Parliament in 2015. She is known for being consensual, so it was to be expected that she would draw attention to the rare consensus in the Chamber today—and she was right, as there has been a great degree of consensus. My hon. Friends and Labour colleagues were nodding along sagely to the speeches of the right hon. Member for South Holland and The Deepings and the hon. Member for Southend West. I hope that Ministers will take that consensus into account. My hon. Friend also raised the matter of people's overwhelming, understandable and natural desire to give their loved ones the best possible send-off, and the reality of the debt that sadly results from that natural desire. She spoke of several areas in which a greater amount of action could be taken—and is being taken, north of the border—to alleviate some of the pressures felt at the sad time of a death in a family.

The right hon. Member for South Holland and The Deepings spoke about some people's lack of preparedness for death and the understandable reasons for that, which were well documented in his speech. He touched on something I have already spoken about, which could solve that problem: funeral planning. I think that we have the answer there, if we can get the regulation right. I reiterate the call that the right hon. Gentleman and the hon. Member for Strangford (Jim Shannon) made for more dignity in what have been termed "paupers' funerals"—social or council-run funerals—and that is right. There have been examples of what they mentioned in Scotland, too. Having a dignified funeral for a loved one should not be the preserve only of people who can find thousands of pounds at the drop of a hat. We should all expect that for our loved ones, and for ourselves. We never know what circumstances we shall find ourselves in. It was right to draw attention to that matter, and to the fact that we should honour our loved ones with dignity.

It would not be a Westminster Hall debate if I were not, in summing up, reflecting on a speech by the hon. Member for Strangford. As always, he made a constructive and considered speech. It was disturbing to hear the personal example he gave of a pauper's funeral in his constituency. There are no two ways about it; we need to do much better for people in that regard.

Having heard the speeches made across the Chamber today, we can be in no doubt that there is a considerable problem. According to a 2018 report on national funeral costs, one in eight people who had to pay for any type of

funeral expense had to take on debt to do so. I suspect that in many areas, including Airdrie and Shotts, that figure will be far higher. As has been touched on, many funeral directors go above and beyond to do what they can to help people who are clearly struggling, but we need to do more on a structural basis.

The hon. Member for South Shields called for changes, and she could look north of the border for a Government who are making strides in some of the areas she described. The Scottish Government have set out a 10-point action plan to help tackle funeral poverty. Their funeral costs plan, published in 2017, included launching a new funeral expense assistance benefit by next year, publishing guidance on funeral costs by the end of this year, strengthening consumer protection in relation to funeral plans, delivering a social innovation fund to help tackle disadvantage such as funeral poverty, and giving more options for saving for a funeral, including a funeral bond pilot. That is not the entirety of the Scottish Government's action on the matter, but it is something that I hope Ministers will reflect on.

Another area is planning. In December 2016 I introduced a ten-minute rule Bill that considered the regulation of funeral plans, and Ministers have now—very helpfully—issued a call for evidence. I welcome that and look forward to hearing the outcome. We can also debate whether it would be best to strengthen the Funeral Planning Authority, or merely to move regulation to the Financial Conduct Authority. There is no doubt that since my Bill the FPA has made welcome changes to many of its practices, and it has done a lot to bring about greater confidence in the industry and strengthened its regulation. I welcome that and congratulate the FPA. My only caution about moving to FCA regulation would be whether we have too big an umbrella trying to cover the problem, and whether the problems with funeral plans would get lost among the myriad issues that the FCA has to consider. That is my only caution—we must ensure that the regulatory model that comes forward is right. We obviously cannot move from a model that has not been working well or encouraged consumer confidence to one that is no better.

In conclusion, this is my first opportunity to congratulate the Minister on his return to office. I have always enjoyed debates with him—some have been constructive and some not so much, but he is always helpful in his response. I hope that today he has heard the agreement among all parties about the need for change and for greater action by his Department and others, and I hope that he will take that message away in the spirit of consensus mentioned by my hon. Friend the Member for North Ayrshire and Arran. The Minister has allies in the SNP to help drive that change, and not just for funeral payment assistance but for the regulation of funeral plans. Let us get it right and allow people to give dignity to their loved ones at times of bereavement.

3.31 pm

Mike Amesbury (Weaver Vale) (Lab): It is a great pleasure to serve under your chairmanship, Mr Streeter, and I welcome the Minister to his place. I thank my hon. Friend the Member for South Shields (Mrs Lewell-Buck) for securing this important debate, and for all her work over a considerable period. There is consensus on both sides of the Chamber on securing change.

[Mike Amesbury]

As we have heard, funeral poverty affects many thousands of people, and all families and friends should be able to mark the death of someone they love through a funeral. A funeral is a chance to remember those who have passed away and an important part of grieving after someone has died. Being unable to provide a funeral for a loved one can cause real distress and make grieving much harder. Support must be available for bereaved families to provide dignified funerals, regardless of income. In the media, across the House and across all parties, we talk a lot about the cost of living, but we probably talk a little less about the cost of dying.

The Government must recognise that the problem has grown under their watch as a result of the rising cost of funerals and their failure to increase the level of support to keep pace. In the words of the then Minister, so-called “difficult choices” about welfare spending meant that the Government refused to increase the £700 maximum for funeral-related expenses provided by the social fund—that point was raised by the hon. Member for Southend West (Sir David Amess). That figure has not gone up since 2003, although funeral costs have. According to SunLife Insurance, funeral costs have risen by 70% in the past decade alone, and the average cost of a funeral in Britain now stands at almost £4,000.

The Minister’s difficult choice is nothing when compared with the difficult choices faced by those forced to find money elsewhere—for example, by crowdfunding. There are even reports of mortuaries keeping bodies for several months until a family could afford the cost of a funeral, and it is almost impossible to imagine the distress that that must cause.

Public health funerals, sometimes called paupers’ funerals, have risen by 70% in the past three years. If the phrase “paupers’ funeral” sounds Dickensian and outdated, that is surely because it is. What could be more Dickensian than having no option but to rely on charities or to beg and borrow simply to afford the most basic of dignified funerals? Dickensian as that is, we must not fall into the trap of assuming that funeral poverty is the only problem for those forced to access the last resort of public health funerals.

As my hon. Friend the Member for South Shields stated, a recent YouGov survey found that 4 million people in the UK had suffered hardship following the death of somebody close. Research has shown that people are taking on an average of £1,744 of debt to pay for a funeral—an all-time high. That is the reality of funeral poverty today in our country and in the 21st century. That is the reality we heard about earlier from my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) and the hon. Member for Glasgow South West (Chris Stephens), who spoke about the distress caused by having to fill in a 23-page application form. Things must change.

I ask the Minister to listen to those stories and take action so that local authorities are no longer underfunded and struggling to meet the costs of providing even the most basic funeral. As has been said, if we are to allow local authorities to get things right and offer a dignified funeral, we need to take action so that the founding principle of our welfare state—the offer of security from cradle to grave—lives up to its name. As hon. Members have said, we should follow the recommendations in

the 2016 Work and Pensions Committee report “Support for the bereaved”, which called for support through the social fund to properly reflect the cost of a funeral.

Will the Minister take action to shorten and simplify the application form—I think all Members have raised that issue—to prevent people from falling further into debt through a lack of understanding about eligibility and process? Will the DWP introduce a clear eligibility checker—that point was raised by my hon. Friend the Member for South Shields?

The Government must take action to reduce regional inequalities in the cost of funerals. According to recent research by Royal London, the average cost of a burial funeral in some parts of London is almost £12,000, compared with a general average across the UK of £3,757—it is rare to hear a northern MP pleading for more equity between the north and south, but this is in reverse gear, and that wrong must be righted.

Bereaved families should not have to rely on a Supreme Court judgment to get fairness for children, as the inspirational Siobhan McLaughlin recently had to do in relation to the widowed parent’s allowance. I make these asks of the Government not to score party political points—this issue goes across the parties and deserves better than that. These points are not only being made by politicians in this Chamber, but have been raised for some time by charities, voluntary organisations and the Work and Pensions Committee.

Labour Members ask these things because when it comes to tackling the hugely sensitive issue of Government support for the bereaved, we can do better by working together. Indeed, at times we have done better. Earlier this year, my hon. Friend the Member for Swansea East (Carolyn Harris) fought an incredible campaign to get funeral fees for children waived by local authorities. To the Prime Minister’s credit, the Government listened and set up the children’s funeral fund. Other partners can also play their part. Halton Borough Council in my constituency has just begun to offer a fixed-cost funeral package for under £2,000—that local authority is putting its principles where its mouth is. Also, as a Co-operative party Member, I am pleased to see that the Co-op has just reduced the price of its low-cost funeral by £100.

However, as welcome as those steps are, affording a funeral should not be dependent on the postcode lottery of being fortunate enough to live, and die, in a local authority area that is able to offer a fairly priced funeral service, and we should not be reliant on the market or a so-called price war between providers to have access to an affordable funeral on the open market.

People on both sides of this Chamber have stated that it is time for the Government to act—to review the broken market, to make sure everybody gets a dignified funeral when the time comes, to ensure bereaved families and friends can focus on the memories of their loved ones and not the cost of their passing, and to make sure that our welfare state truly offers support from cradle to grave. The Minister today has the power and the opportunity to do those things. I urge him to act for justice and dignity now.

3.40 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): It is a pleasure to serve under your chairmanship, Mr Streeter, in today’s very important and very timely debate.

First of all, I pay tribute to the hon. Member for South Shields (Mrs Lewell-Buck), who has been a long-standing campaigner on, and is highly respected in, this incredibly important area. Honestly, I am new as a Minister and I must stress that despite the plea of my hon. Friend the Member for South Holland and The Deepings (Mr Hayes) that I should be allowed a power grab, this is an area of responsibility that is split across the Department for Work and Pensions, where I am a Minister; the Ministry of Housing, Communities and Local Government; the Ministry of Justice; and the Department of Health and Social Care. So I am afraid that I personally cannot commit to all of the asks today.

Nevertheless, I will set out and make very clear—I do not have a pre-written speech; I have been listening very carefully to what has been said—some of the things that are being done, some of the things that are in train, where I think we can go further, and what we need to do as we work together on this incredibly important issue.

In her very measured speech, the hon. Member for South Shields made a number of key points, which were also made by many others, particularly on the lack of clarity in discussions around eligibility, the whole stress of the process and the actual value of support that is available.

My hon. Friend the Member for Southend West (Sir David Amess), who has been another tireless campaigner in this area, also highlighted the stress involved in the process, particularly around the eligibility criteria, and then the potential gap between the support that is available and the costs for things that many people feel are required. He also expressed some concerns about the pre-plans and the scrutiny of the industry. Again, I will cover those issues later.

As for the hon. Members for Airdrie and Shotts (Neil Gray), for Glasgow South West (Chris Stephens), and for North Ayrshire and Arran (Patricia Gibson), I am genuinely very interested in the changes that the Scottish Government will potentially make. I will look very carefully to see whether lessons can be learned there and again they made valuable points about funeral plans and scrutiny, which I will cover when I am further along in my speech. Also, the Scottish National party's spokesman—the hon. Member for Airdrie and Shotts—highlighted the fact that we have worked together and we are in mutual agreement in many areas, and I hope that this issue will be one that we can continue to work on.

I thank my hon. Friend the Member for South Holland and The Deepings for the question he put at Prime Minister's questions last week; that was advance lobbying, even before we begin our lobbying in particular areas. He was right to highlight that expectations have changed; I spent much of the summer making visits, including to funeral directors, and that message very much came through. Actually, as part of some of our long-term solutions, that also presents an opportunity, because there has been a change in expectations and there is now much wider scope for people to pay their respects as they wish to. He was also absolutely right to highlight concerns to do with funerals and public health; again, I will come on to that point later.

I thank the hon. Member for Strangford (Jim Shannon) for his very kind words. As ever, he contributed by giving a measured and sensible summary of the situation, which shows what a proactive campaigner he is here in

Parliament in reflecting the views of his constituents. However, he made a mistake by saying that two things are certain in life—death and taxes. In fact, three things are certain: death; taxes; and his contributing to a debate. [*Laughter.*]

Mr Hayes: By the way, Mr Streeter, I am delighted to serve under your chairmanship as I contribute to this debate, and I should have said so earlier.

I will forgive my hon. Friend the Minister for not calling me “right hon.” if he will agree to meet me to discuss this issue further. Would that be a fair deal?

Justin Tomlinson: I thank my right hon. Friend for that request, in response to which I say, “Fear not. Hang on”; I will be covering it as part of the things that I will address going forward.

We have discussed the three elements of support that are available. First, and predominantly, there are the funeral expense payments for the necessary costs, which can be accessed by those who qualify for benefits such as income support, state pension credit, income-based jobseeker's allowance, the disability or severe disability element of housing benefit, income-related employment support allowance, the element of working tax credit, universal credit and support for mortgage interest. As I had to read out that list, I absolutely accept the point about what is often the confusion over eligibility; again, I will come on to that.

Secondly, there are the funds available for the additional expenses. However, it has been highlighted that the figure involved has not changed since 2003, so a number of Governments have had to wrestle with that decision. Nevertheless, I understand that that is an issue that has been raised by all those who contributed today. Thirdly, there are the social budget loans. Support is also available to working-age people through the bereaved payment support, a new benefit whereby we increase the initial payment with the potential for that money to be used for funerals, if claimants needed or wished to use it in that way.

As I have said, this issue is cross-departmental, but work is already going on. In June, the Competition and Markets Authority announced its investigation of this industry. I think we all welcome that. The CMA will look at the whole process, including its transparency—or lack of it—and fairness. Actually, I learned through my visits this summer that there is no regulation at all in this area—any one of us could set up as a funeral director tomorrow. I am not sure that that is a great thing.

Neil Gray: On that point, the Minister will recognise that in Scotland there are moves afoot to change that situation, and the regulation of funeral directors will ensure that it can no longer be the case; that is my understanding.

Justin Tomlinson: I thank the hon. Gentleman for that intervention, and that is on the list of things that I will look at.

We must also focus on the quality and the standards of funerals. I accept the point that my right hon. Friend the Member for South Holland and The Deepings made, when he said that people do not necessarily shop around for funerals. Again, on my visits this summer, I was told that it is often the case that people go to the

[Justin Tomlinson]

same funeral director that everyone else in their family has ever used, so that the relationship is built up. In this area, it is not necessarily an empowered consumer shopping around and using their buying power—I 100% get that.

Nevertheless, the CMA investigation is important as it will shape our work going forward. We expect the interim report in November and the final report next May. This investigation will be integral to our work in the future, because it is a comprehensive review of what is happening out there in the market.

Also, the market is responding, which is a good thing. Both Dignity and the Co-operative, two of the biggest players in the market, have started to offer more affordable basic funeral packages; that is a great step. Following the CMA investigation, the onus will be on us as to how we can make such basic packages more of a given and build on them; that is a really important area for us to look at. The Royal London national funeral cost index has also been doing lots of investigations, and I will meet Royal London later in the year.

We have already made some vital improvements.

Mrs Lewell-Buck: I thank the Minister for giving way and I am sorry that I did not welcome him to his new position; it is hard to keep up with things here these days, with reshuffle after reshuffle. Before he moves on to say what is coming in the future, can he update me in relation to a point I made in my speech? I asked what had happened to the discussions that I was promised two years ago about working with the sector to develop a simple funeral.

Justin Tomlinson: I thank the hon. Lady for that intervention. That is ongoing work, but we felt that we needed additional evidence. I understand the importance of getting these things done, although I am relatively new to this role. However, we needed the information from the CMA to give us the ability to make informed asks, in respect of what we expect of the industry and what more we can do to empower the industry to deliver more affordable options. Perhaps then we can see areas where the Government can consider the public health aspect of funerals, as was raised in the debate, and also what local government can do. I understand the frustration, I absolutely do, and my commitment, as I am trying to demonstrate, is that we will do a lot more.

We have extended the claim period from three to six months. That is a welcome measure. We have exempted contributions from relations, friends and charities, which is also welcome. On the key bit about people not understanding, we have already made a start by introducing a helpline, about which we have had fantastic feedback. It is really important to try to give people more information and there is a lot more to be done in that area. People do not receive the ultimate decision until they have either signed a contract saying, “This is what I want to do”—but it is people’s nature to often change what they want—or until the funeral has taken place, so I understand the important point that more needs to be done on that issue. I will continue to meet and work with the industry, utilising its expertise and that of any colleagues here who wish to be engaged following both the interim and final CMA reports. I would welcome such contributions.

Mr Hayes: I can tell from the Minister’s tone that he really appreciates the issue and is determined to do something about it, and I thank him for that. I probably complicated my question earlier. Will he meet a small delegation of colleagues—he clearly knows the people concerned—perhaps following the interim report, to look at how we take this further?

Justin Tomlinson: I am absolutely committed to doing that and am happy to do so. The Treasury is investigating pre-planned funerals. The matter is not in my area, but we welcome the work and will carefully consider the outcomes. We absolutely need to continue to make the forms simpler—we have done a lot on that but there is more to do—and the whole process quicker.

Neil Gray: The benefit is to be devolved to Scotland and rolled out next year. We are looking at eligibility for funeral payments but it is still to be firmed up. Is the Minister considering the eligibility criteria concerning those relatives who have the capacity to pay but with whom the next of kin, who gets the funeral bill, might not have any relationship? That is certainly something that has prevented someone in my constituency from being able to access funeral assistance. It is a complicated matter, but Ministers need to look at it.

Justin Tomlinson: Part of the main reason why the issue is so complicated is because it is to do with qualifying relatives’ next of kin, and we are constantly looking at that. I very much hope that the hon. Gentleman will be part of the roundtables as we further consider the matter.

On the children’s funerals front, I join the tributes paid to the hon. Member for Swansea East (Carolyn Harris). I have enjoyed working with her on this and a number of other campaigns. She is a real credit to Parliament, on this and other matters, and I think we all welcome the improvements that have been made. It has been demonstrated that where the Government have been able to look at the matter practically and constructively we have responded, and rightly so. In addition to the ongoing work with the forms and the helpline, and with providing information, we are also supporting the private Member’s Bill on parental bereavement leave and pay for parents.

I understand the concerns raised about public health funerals. I too have heard stories about people not being able to pay their final respects, and about the length of time taken and the confusion during what is an incredibly distressing period. Although that is not a matter for the DWP, it is all part of the same thing, and I am keen, as we get all that information back from the Treasury and the CMA, that we drive forward really important changes.

I thank all the speakers in what has been a really helpful debate. It is also very timely, with the report due soon, and I look forward to working with many Members here on this important subject in the future.

3.53 pm

Mrs Lewell-Buck: I thank all right hon. and hon. Members for taking part and for their thoughtful contributions. It is unusual to have members of four different parties all asking for the same thing.

I thank the Minister, and I welcome his tone and his openness towards moving forward, but I am a little disappointed because it would not have been difficult to guess what I would be asking for today and it would have been nice if he could have given at least some assurances or had promised that we would see some change soon. Ultimately, the only thing we will leave here knowing as an absolute certainty is that more and more people will join the thousands who struggle to provide their loved ones with this final act, and that is not good enough. The matter is an urgent one, and I press the Minister to get cracking.

Question put and agreed to.

Resolved,

That this House has considered funeral poverty.

Trans-Pennine Rail Travel and Delays

[MR PHILIP HOLLOBONE *in the Chair*]

4 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I beg to move,

That this House has considered Trans-Pennine rail travel and delays.

It is a pleasure to serve under your chairmanship, Mr Hollobone. Like those of many of my colleagues, my postbag has made for pretty grim reading this summer, with letter after letter from frustrated passengers. We have seen totally unacceptable delays and cancellations of trains, leading to a decline in punctuality from 91.5% in April 2017 to 85% in April 2018, and to as low as 62.1% this May.

First, it was the delayed completion of engineering works in the north-west by Network Rail and the lack of notice for operators of the new timetables that had a knock-on effect right across the north.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I am sure the hon. Gentleman agrees that it is about not just the delays to the service but the timetable itself. The timetable that has been designed for Hull already leads to slower train times, without the added complication of additional delays.

Kevin Hollinrake: The hon. Lady makes some good points. There are longer term benefits to some of the work. It has been poorly executed, but I can speak only for my constituency, where, in the longer term, we will see a doubling of rail journeys between York and Scarborough. That is good news, but in the short term the delays are totally unacceptable.

Other issues have combined to make the situation even worse, such as the incomplete signalling works at Leeds station and significant congestion on Manchester services. As things were seemingly getting better—we had a meeting with TransPennine Express, which improved the rosters of its drivers—further disruptions were suddenly caused by a new policy to cut the number of late-running trains on the east coast main line. That policy prioritised trains and passengers travelling north to south over those travelling east to west.

Mr Robert Goodwill (Scarborough and Whitby) (Con): My hon. Friend is absolutely right to talk about the problem with rosters. When a train is delayed arriving at York and bound through his constituency via Malton to Scarborough, often the driver does not have enough hours left to get back to York without having to get off the train at Seamer or somewhere else. I hope that a little leeway can be introduced into the rosters, so that drivers can cope with a slight delay.

Kevin Hollinrake: My right hon. Friend is absolutely right: operators can take a number of measures to reduce the impact of some of the problems.

To give some examples of passengers I have spoken to or corresponded with, one told me that, since the end of May, because of the new timetables, his train “had been cancelled or delayed nearly every single day”.

Another complained:

“Whether I get to work now is a painful lottery.”

[Kevin Hollinrake]

Another frustrated rail user described how, on one day, two trains were cancelled, with 100 people, including the elderly and infirm, left without warning on the platforms at Malton station. At Malton, there are no toilet facilities, and the café opens for only limited hours each day.

Emma Hardy: I am sure the hon. Gentleman shares my frustration with the facilities at Hull station, which is managed very badly by TransPennine Express. We had to run a campaign to get a toilet attendant at the station, and my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) recently wrote to the managing director of TransPennine Express to express her disgust that the station does not have a manager. TransPennine Express is failing us with not only the railways but the stations.

Kevin Hollinrake: The hon. Lady makes some good points on behalf of her constituents. Although some issues, which I will come to later, are beyond the control of TransPennine Express, the operator clearly could deal with some issues that would alleviate many of the problems, and it is absolutely right that she draws attention to them.

Another traveller contacted me this week on Twitter to say:

“two days in a row no driver for the 15.17 from Manchester Piccadilly.”

The late departure of her train from Huddersfield meant that she would not make the 16.01 connection to Malton and would have over an hour to wait.

There are many others. Another gentleman said:

“TransPennine seem to cancel trains regularly to Malton and Scarborough which should not be happening. The frustration of passengers is starting to boil over and I know that some TPE staff are fearing for their safety. One of the staff told me on Sunday that nurses and doctors from Malton working at Scarborough Hospital were not getting to work on time on a regular basis. People are losing their jobs over the delays and cancellations.”

Liz McInnes (Heywood and Middleton) (Lab): Just to add to that catalogue of woes, one problem in Manchester is that, owing to train cancellations, trains frequently have to stop in the centre of Manchester and do not carry on to Manchester airport. That causes a great deal of disruption. The whole point of TransPennine Express is that it should work for the whole of the north, not just part of it.

Kevin Hollinrake: The hon. Lady makes a good point. We have had similar issues from York travelling east, and from east travelling west, which I will come on to in a second.

There is also the problem of overcrowding due to cancellations and the short-forming of trains, which is when they travel with fewer carriages than specified. My constituent explained:

“the late-running train from Malton was so overcrowded on arrival some passengers had to wait for the next train, hopefully an hour later...Typically on the return journey from Leeds or York you can wait for 90 minutes for a York/Scarborough train.”

The theme is the same: people are completely fed up with the delays, the cancellations and the lack of information and clear communication. Many people are leaving York only to be dumped at Malton, which is a great place,

but not if they do not want to be there at that time. If people were notified that that was going to happen, they would probably stay at York where there are facilities. Again, it is about communication. These things have a knock-on effect on work and other appointments. They also put huge stress on holidaymakers trying to make it to Manchester airport. The result is general, costly inconvenience.

In this day and age, people are entitled to expect a reliable service. It is not unreasonable to think that, if someone plans to take a scheduled train on a specific date at a specific time, it will be there and they will not be hanging around for hours on end waiting—a huge inconvenience for not just the person themselves but everyone involved in their day. Recently there have been more delays, more cancellations and more people stranded. In one instance, spectators trying to get to the cricket at Scarborough were turned back at Malton. For the county’s cricketing faithful, missing Scarborough festival is as close to sacrilege as it can get in Yorkshire.

To put the situation in context, over a three-month period in the summer of 2017 in my constituency, six trains were cancelled at Malton. This year, over the same period, 56 trains were cancelled. During that period in 2017, 110 trains between Leeds and Scarborough were more than nine minutes late. This year, there were more than four times as many—a total of 479 delayed trains.

We need much more joined-up thinking and a far more collaborative approach between Network Rail and the operators. They need to work together to put the needs of passengers first—or perhaps train operators should have more control over the tracks. I know that the Minister and the Transport Secretary are looking at that possibility very closely and are keen to explore it further.

Whichever solution we come to, people are entitled to a reliable service. They should be able to expect to get to work, to appointments to school and to their holiday on time or, at the very least, to get up-to-date information about what is happening. Otherwise, people will inevitably stop using our rail service and return to their cars. That will, of course, put further pressure on already congested roads.

Although punctuality has improved to 80%, that still means unacceptable delays. To improve matters in the short term, TransPennine has proposed timetable and other changes to Network Rail, to take effect in December. I very much hope the Minister, who I know is keen to resolve the issues, will do all he can to support the changes and bring them into effect. Given that it takes eight weeks to implement changes, as he will know, time is critical, and we need to get Network Rail to accept the proposed changes if those will bring about an improvement in performance.

In the medium term, the Minister is undertaking a review of rail disruption. It is absolutely right that we look at the issues and identify what has gone wrong, rather than jumping to conclusions, before we start trying to apportion blame. The Minister is examining the issue with Councillor Judith Blake, leader of Leeds City Council, which I welcome. We look forward to that review with keen interest. It is right that when we determine who is responsible, they are held to account and we put measures in place to make sure that these things do not happen again.

Looking at the wider perspective, if there was ever an example of why we need more powers devolved to the north to resolve these kinds of problems and to prevent them in the future, this is one. In terms of the strategic, longer term approach, Transport for the North is keen to be given more powers over infrastructure and operators in the north of England so that the region can take responsibility for the delivery of a much better, more efficient and more tailored service. That call is supported by many, including the train operators themselves. I know that there are issues about the giving up of powers by one authority to another. I know that the Minister is looking at that closely and that it is not as straightforward as it may seem, but if it would improve performance and allow decision-making powers to be returned to a more effective local organisation that could look at these things holistically, it has got to be seriously considered.

The summer's disruption has shown that we really do need the tools in the north. By that, I mean the powers, but also the investment. Part of the problem has come from the fact that we are investing in the lines. The changes have not been implemented as they should have been, but the fact that we are investing, which will ultimately lead to an improved service, is to be welcomed, as is the Government's planned £3 billion upgrade of the TransPennine route and their commitment to Northern Powerhouse Rail. Those measures and proposals are to be welcomed and celebrated.

Transport for the North has made a plea. I am one of the chairs of the all-party parliamentary group for the northern powerhouse, and we are asking the Minister and the Chancellor to look at bringing forward Northern Powerhouse Rail to coincide with the completion of High Speed 2. At the moment, Northern Powerhouse Rail is scheduled to be completed in 2040. We are asking for the delivery of that new, transformational service, which will halve journey times between Leeds and Manchester, to be brought forward to 2032. I hope the Minister will comment on that. With investment and the powers to make decisions, the region can transform our transport system to provide a service passengers deserve and, at the same time, bring massive and long overdue economic benefits to our region, through increased productivity and the creation of more jobs.

4.14 pm

The Minister of State, Department for Transport (Joseph Johnson): It is a pleasure to serve under your chairmanship, Mr Hollobone. I start by thanking Members who have already contributed and I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing the debate, which covers an important and timely topic. As he said, it has filled his postbag over the summer and I am sure it has contributed to the work of other hon. Members on behalf of their constituents over recent weeks.

I share the frustration of those constituents with the unacceptable levels of disruption that they have faced over the summer since the introduction of the May timetable, especially those who have struggled to meet caring commitments, to get to workplaces and even to get to the Scarborough festival. While performance has not yet reached pre-timetable levels, measures introduced recently have led—as I am glad my hon. Friend acknowledged—to a steady improvement in performance, in particular in reducing the number of cancellations.

Emma Hardy: Will the Minister acknowledge that even without the delays, the May timetable changes offer Hull a worse service than it had before? I am not just talking about the delays—the actual timetable changes give Hull a worse service. Surely that is wrong.

Joseph Johnson: The timetable changes were intended to enable us to take advantage of the substantial investment that the Government and the country have been making in our rail network. That important investment is enabling more frequent services and the replacement of rolling stock across the north of England. Those are benefits that will be felt by the hon. Lady's constituents in time, when they are fully delivered. I acknowledge that the timetable introduction did not go well, to say the least, and that the hon. Lady's constituents have had a difficult experience. Northern and TransPennine are in the process of fully rolling out the May timetable change. Once it is fully rolled out, I am sure her constituents will feel the benefits it is intended to deliver.

Mr Goodwill: On the subject of jam tomorrow, will the Minister welcome the fact that Northern will be providing an additional service on the half hour into Scarborough, which will double the service and will mean that people who have maybe bought cars because of the congestion in the summer will go back to using the train?

Joseph Johnson: I am delighted that that is in prospect for my right hon. Friend's constituents. More regular and more reliable services are the objective of everything that we are doing at the moment to stabilise and improve performance. Ultimately, we want to see that contribute to more people getting off the roads and using public transport, including the railways.

Emma Hardy: I thank the Minister for giving way again. I am sure he remembers the lobby to address this issue, when we came to see him with Hull chamber of commerce. He has not acknowledged my point. The timetable changes offer Hull a worse service than it had before. That is not because of the delays or because the timetable introduction has been chaotic. It is because the timetable we now have in Hull is worse than we had before. Surely that is unacceptable.

Joseph Johnson: As I said when I met the delegation that the hon. Lady refers to, I am keen to look at Hull's services and see how we can improve them for the future. Hull is a critical city and we want to ensure that the hon. Lady's constituents are getting the kind of services that they need so that Hull and its economy can thrive. I am happy to see any further representations that she wants to make about where she sees the timetable falling short and the kinds of changes she wants to see in the future. It remains the Department's overriding priority to make sure that the industry restores reliability for passengers as soon as possible.

With respect to Manchester, York and Scarborough, with services affected by congestion in the central Manchester area and the rules applied by Network Rail when considering which services are given priority at key pinch points, many of the York/Scarborough services have been subjected to an agreed performance recovery plan. That requires them to terminate services short of destination in certain circumstances in order to limit the potential for a reactionary knock-on for other services.

[Joseph Johnson]

In the light of that plan, TransPennine Express has been implementing a number of measures to improve performance on the line. For example, it has pledged to change the schedules of its drivers to reduce the circumstances where trains need to be terminated prior to arriving in Scarborough. It has also promised to advise passengers, wherever possible, prior to their departure from York if a train does need to be terminated at Malton, so that they can wait for the next train from York if they so wish.

My hon. Friend the Member for Thirsk and Malton mentioned communication shortfalls. TPE is also working with London North Eastern Railway on the east coast to ensure that communications at York during disruptions are improved for passengers, with clear guidance, advice and information, and arrangements to allow eligible season ticket holders to claim compensation, in addition to the ongoing and regular delay repay process.

Kevin Hollinrake: The Minister mentions rosters and communication, but TransPennine promised those measures to me in a meeting four or five weeks ago. Does he know whether it has implemented them? It would be interesting to see whether it has actually implemented them or whether it is still promising them.

Joseph Johnson: My hon. Friend is rightly anxious to see progress on behalf of his constituents. The Department will hold TPE to account for the delivery of its promises. It is vital that we see rostering at a sufficient scale to enable the services to proceed as scheduled. It is also vital that communications are of the quality that his constituents expect.

It is right that passengers are compensated after severe disruptions. Like Northern, TPE has opened compensation for season ticket holders. TPE season ticket holders on routes that were disrupted are eligible for up to a week's compensation. Both train operators—Northern and TPE—will be opening an additional compensation scheme to ensure people who travel regularly on the disrupted routes without a season ticket are also eligible for compensation. That was announced at the end of July by Transport for the North, which is leading on the design of the scheme. Further details will be announced shortly.

More broadly, the Secretary of State has commissioned an independent inquiry by the Office of Rail and Road, the independent regulator, to examine why we were in that situation and to reduce the chances of it ever happening again. An interim report is expected to be published this month ahead of a final report towards the end of the year. Following recommendations from a joint industry group including TPE and Northern, the operator will implement a number of further performance improvement measures from December 2018 focused

on the north trans-Pennine route, where performance has been poorest. A number of other improvements are also due across the region in the next year or so. In 2019, TPE will be introducing its three brand new Nova train fleets, which will provide additional capacity across the network. Customers will benefit from more seats, faster journey times and improved comfort with greater leg room.

Investment across the north will deliver more services by 2020. We plan to deliver additional services and capacity in the next two years over a series of timetable changes. However, they are to a degree predicated on infrastructure works being delivered in time by Network Rail.

Kevin Hollinrake: I am grateful to the Minister for his comments. Is he able to shed any light on the issue of short-forming? Is it appropriate policy, and what can we do about it? It is clearly causing significant overcrowding on some routes, and some people are being prevented from travelling on certain trains and have to catch later trains.

Joseph Johnson: The Department monitors short-forming very closely as part of its supervision, jointly with Transport for the North, of the Northern and TPE franchises, which are jointly managed with Transport for the North. The operators are required to provide specified levels of capacity, and if they short-form trains or provide fewer carriages than they are meant to, the Department takes that very seriously and holds the operator to account for it.

Emma Hardy: I thank the Minister for giving way for the third time. To reiterate what was said at the meeting we had previously, he was invited to come to Hull to discuss this issue in detail—in fact, to come on one of the TransPennine Express services. I suggest he gives himself plenty of time for his journey. I repeat the invitation, and I look forward to having a date set in the diary very soon.

Joseph Johnson: I thank the hon. Lady for repeating the invitation, which I have already accepted. We are in the process of trying to find an appropriate date that suits her and the hon. Member for Kingston upon Hull North (Diana Johnson). I look forward to travelling there.

I hope that hon. Members will be assured that the Department is continuing to do everything possible to ensure passengers get the safe and reliable services that they expect across the trans-Pennine route and the northern franchise as a whole.

Question put and agreed to.

4.25 pm

Sitting suspended.

Economic Justice Commission

4.30 pm

Liam Byrne (Birmingham, Hodge Hill) (Lab): I beg to move,

That this House has considered the final report of the Economic Justice Commission.

It is a pleasure to serve under your chairmanship, Mr Hollobone. I hope that you will forgive me if I start with a short hymn of praise to the Archbishop of Canterbury. It was actually at his behest that, two or three years ago, I and others founded the all-party group on inclusive growth, which I chair and in which I declare my interest. His Grace helped to inspire and mobilise the Institute for Public Policy Research's Commission on Economic Justice.

I congratulate the commission on producing a seminal report. Michael Jacobs, Tom Kibasi and the entire team of commissioners deserve our gratitude for sharing with us in detail a blueprint for reconnecting wealth creation and social justice. The mission is ultimately a moral mission and a righteous ambition. His Grace reminded us in his first major speech to the all-party group that Jesus was a wealth creator:

“Jesus worked for his living and created wealth for ninety percent of his life”,

so he would be unlikely to be much impressed by a country that grows both the number of billionaires and the lines at our food banks. The Archbishop continued:

“the foundations of a Good Economy are given in the nature of human beings: creativity, gratuity, solidarity and subsidiarity”.

We do not have enough of that today.

Branko Milanović, the New York economist, recently published an extraordinary book in which he set out what exactly has happened to the fruits of growth over the past 30 years. The extraordinary statistic that he revealed was that an incredible 44% of the absolute gain in total wealth has gone to the world's richest 5%. What that means for us here in Britain, as Oxfam and others tell us, is that the richest 1% of the UK population now owns more than 20 times the wealth of the poorest 20% combined. On the streets of my constituency, therefore, among the homeless, the hungry, the young people in despair and the disabled struggling for their social security, I see, feel and share pain—pain that should not exist in the fifth richest country in the world.

The point of the Economic Justice Commission's report, however, is not to kick off a slanging match; it is to kindle a peace match, an adult conversation that might grow in strength and one day foster something akin to the cross-party consensus that we had on economic policy after the second world war. In that spirit, therefore, I want to begin my remarks with some self-criticism about the past to steer us in the future.

Labour achieved many fine things between 1997 and 2010 but, with a lead that was greater than Attlee's, we left a legacy that was considerably less. In power, we failed to tame and reform capitalism, and to bend it to the people's purposes. That is what we must seek to do in the future. There was of course the tragic scar of errors in Iraq, but elsewhere we rolled forward public finance instead of reinvigorating a new public ethos, and our party was too top-down when we should have

renewed bottom-up. That, in part, explained why we acquiesced in too much financial engineering and not enough real engineering.

In the face of the China shock, therefore, which unfolded after China joined the World Trade Organisation, and of the doubling of the size of Europe after the Berlin wall came down, we let too many communities deindustrialise. Yes, we created jobs, but we did not create enough good jobs. Former manufacturing powerhouses such as Burnley or Barnsley fared very differently from Berlin or Beijing, which took a different way forward. We allowed too much globalisation without compensation. In the spirit of that self-reflection, I hope that Ministers will accept that we cannot go on with today's economic muddle when what we need is to agree a new economic model, one that will take us to a different kind of country in which we are better at creating wealth and an awful lot better at sharing wealth.

Today we face a triple curse: growth is too slow, with rates that are far slower than the trend rate of growth achieved in the new Labour years; productivity is too weak, with rates of productivity growth lower now than they were at the end of the 1970s, when it was known as the “British disease”; and, despite today's news, wages remain much too unfair, as we continue to face the largest squeeze on wages since the days of Charles Dickens.

Ministers need to confront what the capitalism around us has become. In our workplaces, our workers now face a smaller and smaller group of companies, the great technopolies created by the \$20-trillion merger wave of the past 30 years. Those companies now power world trade and dominate world technology. They use that power of technology, trade, automation and outsourcing to hold down wages. Ultimately, that is why we need a different economic model in this country. Hitherto, we have failed to create what the IPPR commission calls “a new economic constitution”, and that is what Britain needs.

The linchpin of this very fine report is what the commission called a “mission-oriented industrial strategy”. This debate is the Minister's first outing—we welcome her to her post—but I suspect that she will say that Her Majesty's Government do indeed have such an industrial plan. However, we must be honest with ourselves in this Chamber: the industrial strategy that we have is nothing compared with the \$300-billion “Made in China” programme, Narendra Modi's “Make in India” campaign, or the new \$100-billion Vision Fund of Japan's SoftBank. We need an industrial strategy financed on a wholly new scale.

We must therefore have new fiscal rules to guide our budgeting, so that we drive up public investment in things such as infrastructure by an extra £15 billion a year. We need to leverage that with a £200-billion national investment bank with strong regional investment banks on the ground, much like the KfW model that was such a success in post-war Germany. We need new economic governance systems—such as the four new economic executives proposed for England—tasked with ending the regional imbalances that have cursed our country for decades. Crucially, we need to leverage that with change to the Bank of England mandate, as I have argued for a number of years now, so that it seeks not simply price control but unemployment and underemployment as low as possible.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The right hon. Gentleman mentioned subsidiarity and the question of regionalism. One of the things that struck me on reading the full report, which he has on his desk, is that in terms of gross value added over the past decade Scotland has far outperformed all the regions of the United Kingdom except for London and the south-east. Scotland, of course, has control over economic development—it has economic powers—so will he join me in asking the Minister what assessment her Department has made of Wales's potential to increase GVA if Wales had the economic means to do so, as is advocated in the report?

Liam Byrne: One of the great achievements of Labour's time in office was the devolution that allowed different economic models to begin to emerge across the United Kingdom. Although there has been interesting and impressive growth in parts of the country, it is nothing compared with what we need for the years ahead. Let us be honest; it will be impossible to match what is happening in the east, in Asia, unless we put behind a strategy the real power of fiscal, banking and monetary policy.

To rewrite the rules of our labour market, the commission proposes a real minimum wage of £10.20, set 20% higher for anyone on a zero-hours contract—an important, interesting and innovative idea that should command our attention—and it proposes New Zealand-style rights of access for trade unions, crystal-clear rights to join a union and trials of auto-enrolment in unions for workers in the gig economy. Why are these things so important? They are important because of the power that is now exercised by giant firms in our economy. Over the summer, *The Economist* reported that the \$5 trillion merger wave in the United Kingdom is, adjusted for scale, 50% greater than in the United States.

According to the International Monetary Fund—of all people—that rise in market power is much more pronounced in the UK than it is elsewhere. It looks at price mark-ups as a proxy to judge market power. The mark-ups it found in the United Kingdom are about 60% since 1980. That is way ahead of the average for the advanced economy. We are more dominated by technopolies than many other countries, and the price for that is paid not by shareholders or chief executives but by workers. That is why we need to rewrite the rules of the marketplace, to rebalance power in the marketplace.

In the boardroom, we should finally privilege those with a genuinely long-term perspective—also known as workers—by putting them on boards. The IPPR proposes at least two on every company board with more than 250 staff. Why is that important? The chief economist of the Bank of England recently reflected that once upon a time the average length of a shareholding in a British company on the stock exchange was something like six years. Now it is only six months. Shareholders are no longer the long-term stewards or guardians of a company's interest. It is the workers, and very often suppliers, who have the longer term interest. We need workers on remuneration committees, to stop the ludicrous expansion of chief executive pay. Crucially, we need to change section 172 of the Companies Act 2006, which we wrote, in order to ensure that directors have a fiduciary duty to have regard to the long-term interests of a company and the welfare of all stakeholders, not simply the stakeholders known as shareholders.

In the capital markets we need new fiduciary duties for asset managers and priority rights for long-term investors, like the rights that are enjoyed by shareholders in France, America and Italy. We need new tests for takeovers, plus crucial reform of competition law to introduce a new public interest test to check today's uncontrolled technopolies that are carving up the digital marketplace. Finally, to ensure that wealth is genuinely shared, we need a new £186 billion citizens' wealth fund, in order to help redistribute wealth to our young people who are struggling under the burden of high debt, sky-high student loans and the challenge of saving to put down a deposit on a home.

To help rebalance the fiscal system and ensure that money is available, the IPPR proposes a total overhaul of our tax system, with German-style formula-based calculations of income tax. Crucially, we need the equalisation of income and capital gains tax—much as we had when capital gains tax was introduced in the 1960s—and new wealth taxes. It is extraordinary that the stock market is up by about 40% and the property market by about 25% since the financial crisis. The wealth of assets in this country has multiplied exponentially, yet wealth taxes are still only 5% or 6% of GDP—the level they have been since the early 1970s.

Let me conclude with a reminder of how much is at stake in this debate. Globally, Oxfam estimates that about half of global wealth is in the hands of the richest few. That means that, globally, 85 families own as much as the poorest 3 billion of our fellow citizens on the planet. We can have an argument about how we share the wealth that is on the table, or we can think afresh about the wealth that is to come. If the richest 1% carry on accumulating wealth at the rate they have enjoyed since the financial crash, they will not own half the world worth by 2030; they will own two thirds—two thirds of global wealth will be in the hands of the top 1%. It will be impossible for us to restore any meaningful measure of equality in this century if we allow that situation to unfold. What will affect inequality in the years to come is not simply the exponential rise in the wealth and assets of the richest—a rise that is forecast as up to £217 trillion in the hands of the luckiest few—but what will happen to the poorest and the working poorest in our country.

We need to zero in on what is happening in the automation of the world of work. At the World Bank and IMF meetings earlier this year, the chief executive of the World Bank was very clear that automation will hit people in different ways. Some people will be hit harder than others—young people will be hit hard, and the working class harder still. My research, undertaken with the House of Commons Library, shows that among the poorest 25% of the labour market—someone who is on less than £9 an hour—2.1 million jobs are at risk of automation. Why? Because automation will hit retail, transportation and routine manufacturing, where most of Britain's working class happen to work. If we lose those jobs, the impact will be five times bigger than the shutdown of the coal and steel industries put together. Think about how those communities are still scarred today by the seminal changes during the 1980s. We can see these changes unfold in our economy. Those workers will be left behind in tomorrow's economy unless we change strategy.

We have to answer the question: are we prepared to stand by and watch this happen? We cannot and we will not. We need to have new ideas and turn them into action. We have a blueprint for those ideas today. I want the Minister to tell us just what she disagrees with in this seminal report.

Several hon. Members *rose*—

Mr Philip Hollobone (in the Chair): Order. The debate can last until 5.30 pm. I am obliged to call the first of the Front-Bench spokespersons no later than seven minutes past 5. The guideline limits are five minutes for the Scottish National party, five minutes for Her Majesty's Opposition and 10 minutes for the Minister. If the Minister would be kind enough to leave three minutes at the end, Mr Byrne may sum up the debate. Two Members are seeking to contribute and we have 20 minutes, so they may each speak for up to 10 minutes.

4.46 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): Thank you, Mr Hollobone; it is a pleasure to serve under your chairmanship. I reassure you that I will not talk for 10 minutes. I congratulate my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) on securing this particularly important debate and on his mind-blowing speech.

I welcome the final report of the Economic Justice Commission and, in particular, its recommendations on the reversal of this Government's damaging decomposition of workers' rights. This decade is forecast to be the weakest decade for average real earnings in 200 years. One in 10 workers is said to be in insecure work. Many of my constituents tell me of employers who impose restrictions, withdraw hours and refuse their workers rights, without their having the status of an employee in return. Meanwhile, there are almost 1 million people on zero-hours contracts, with the toxic combination of falling real wages, frozen benefits and insecure work resulting in 8 million people in working households living in 21st century poverty. Given this reality, it is heartening to read the report's notable strong stance for workers' rights, hard-wiring justice into our economic system as opposed to treating it as an afterthought.

Over recent weeks, I have seen at first hand the urgent need for many of the report's workplace recommendations. I place on record my ownership of a single Sainsbury's share—a golden ticket to attend its annual general meeting. This is an organisation that goes against recommendation after recommendation in the report. All Sainsbury's shop floor staff are currently in the final stages of a consultation over new "sign or resign" contracts that will slash the salaries of 9,000 of its most longstanding and loyal members of staff. They will lose their paid breaks, their Sunday premium will be removed, the night shift will be shortened and their bonus scheme will go.

Some Members may argue that that is an unavoidable cost-cutting exercise for a key player in the struggling retail sector. Sainsbury's argues that it is an exercise in fairness, to ensure that all colleagues doing the same role are paid the same. But I argue that the organisation simply shows no regard for its lowest paid staff. Although he scrapped the bonus scheme for shop floor staff, chief executive officer Mike Coupe has just taken home a £427,000 bonus as part of his £3.4 million pay packet—and we wonder why he sings about how he is "in the money".

Many of those staff have shown decades of dedication to the organisation. While their salaries crumble, their bills, mortgages and rent at the end of each month remain the same. Take Paul, a 53-year-old staff member of 29 years who this week resigned from his role upon facing a £1,300-a-year pay cut. He describes himself as angry and upset that his loyalty has been sacrificed for the company's profits. We met the Minister last week to discuss Sainsbury's and the wider issues with such "sign or be sacked" contracts.

I have no qualms about those at the top being well paid, but I call for consistency, fairness and parity, and for the importance of the contribution of those at the top to be recognised in tandem with that of those at the bottom. As the IPPR report states, remuneration committees should contain elected worker representatives who decide the pay, incentives and conditions of all company staff in one whole-company pay policy. It would be really hard for people to agree to a £500,000 bonus for the chief executive officer if they knew that would mean cutting the take-home pay of the people at the bottom.

The need for such a policy becomes all the clearer when we consider exploitative "pay between assignment" contracts. In theory, such contracts are a sensible proposal, under which agency workers are guaranteed a basic level of pay between assignments and while they are out of work. However, in reality, workers are often kept on those lower paid contracts even when they are in the same job for years on end with no such gap between assignments. Such exploitative contracts can and must be prohibited, and I would be grateful if the Minister addressed the recent consultation on ending them. I congratulate BT and the Communication Workers Union on working together to end them in the near future, which will lead to an increase in the take-home pay of 1,200 call centre staff. I would also be grateful if the Minister told us what the Government's response is likely to be to the recommendations of the Taylor report on work and the gig economy.

The Economic Justice Commission proposes putting fairness at the heart of the economy, because that would make it perform better and improve the lives of millions of people. Who would have thought it?

4.53 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) on securing the debate and on his excellent synopsis of the report, which I hope most Members have read. Mr Hollobone, you will be pleased to hear that I will not take my full 10 minutes. I prepared for having rather less time, as I expected there to be an awful lot of interest in the debate, such is the importance of the report. It is sad that so few Members took the opportunity to attend, but I hope this is the start of a dialogue about how we change some of the fundamental injustices in our country.

Like my right hon. Friend, I congratulate the members of the Economic Justice Commission on their hard work in the past two years on a compelling report that deserves the attention of all Members. People in my constituency have experienced not just a stagnation but a marked deterioration in their living standards. Average

[Justin Madders]

earnings have fallen in real terms while the price of housing has continued to soar, leaving many in my constituency to see home ownership as an unachievable dream, despite the fact that many pay more in rent every month than they would in mortgage repayments.

Many people who live in insecure and expensive accommodation have equally insecure jobs. As we heard, there has been a significant increase in agency and zero-hours jobs, in under-employment and in bogus self-employment, which is a stain on our society that creates many problems down the line for individuals and, ultimately, the state. Even those in permanent employment do not feel secure, due to the erosion of employment rights. For example, workers can now be sacked without any reason during their first two years in a job.

The UK ranks eighth of 140 countries for labour market flexibility. The report states:

“It is now possible for an employer to take on a worker with almost no attached responsibilities on the employer’s part, or rights for the worker, at all...It is this flexibility that largely explains the simultaneous occurrence of high employment levels and largely stagnant wages.”

It also explains the shocking fact that more people in poverty now live in working households than in non-working households, after housing costs are taken into account. Does the Minister think that state of affairs is something to be proud of, or does she agree that it is unjust and unsustainable?

The workers we have discussed also face the brunt of the coming force of automation. My right hon. Friend mentioned a number of statistics that show how those who earn the least will be hit hardest by automation. I have another for him: workers in jobs paying less than £30,000 are five times more susceptible to having their posts automated than those earning more than £100,000.

The report also sets out clearly the geographic inequalities we face. London is the richest region in northern Europe, but the UK as a whole contains six of the 10 poorest regions in Europe. That shocking imbalance comes as no surprise to those of us who represent parts of the north. We have grown accustomed to infrastructure investment being used to entrench rather than tackle that divide.

Even in a time of economic growth, unemployment has not fallen universally. Since the Prime Minister promised two years ago to tackle the burning injustices in our economy, unemployment in my constituency has increased by almost 50%. If that happened during a time of economic growth, when the hard times come—and they will—we will be even further behind. Of course, that is before we consider the impact Brexit may have on large employers, such as Vauxhall in my constituency. We heard today about the potential impact on the car industry if the Government do not get the right Brexit deal.

It is clear that we cannot go on as we are and that the report’s proposals cannot be ignored, but I wonder whether the Government have the political will to respond positively. It is clear from the report that there is a direct correlation between the decline in collective bargaining and the deterioration in working conditions. The only way to reverse that decline is to strengthen trade unions.

Liam Byrne: I did not expect to intervene, but my hon. Friend makes an incredibly important point. The case he makes has been rehearsed by the Opposition for some time, but it has now been endorsed by the International Monetary Fund, which reported over the summer that the dismantling of labour protections accounts for a huge slice of the fall in labour’s share of national income. That is not just our view—it is now the IMF’s view.

Justin Madders: I did not think I would quote the IMF today, but my right hon. Friend is absolutely right about the share of income that goes to labour. I found that statistic in the report staggering. It is clear that the direction of travel will only continue downwards. We must find a way of reversing that decline. We like to say in this place that economic growth is the answer to all society’s problems, but that growth has to be shared by everyone, and it clear that that is not happening. If we do not solve that puzzle, we will have failed our constituents.

We must also tackle the myth propagated from time to time that an empowered workforce are a barrier to growth when, in fact, as my right hon. Friend said, all the evidence shows that they are an enabler. Many of the countries that outperform us in productivity have better paid workers and stronger workplace rights. The report states clearly:

“If both productivity and pay are to be increased, power will need to be rebalanced in significant ways from employers to workers. This will require stronger labour market regulation and strengthened trade unions.”

Sadly, the Government seem to spend a disproportionate amount of time looking to stifle and inhibit trade union activity.

There has been a lot of soul searching in the past few years about why people voted as they did in the referendum. I think many of the answers are in this report. I always maintained that the arguments advanced during the campaign about the threats to our economic security from Brexit would never work with people who already did not feel economically secure. As the report makes clear, the issues that have created the rampant inequality that fuels division and discontent in this country can be solved only by a Government who are prepared to tackle the root causes of what is a very lopsided economy. The lessons of the past tell us that things will change only if there is a political will to make that change. We will fail this country if we do not take the lessons in the report seriously.

5.1 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Mr Hollobone. Like others, I commend the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) on bringing forward the debate, and on the work he does as the chair of the all-party parliamentary group on inclusive growth. In his opening comments he mentioned a moral mission, and I certainly agree with that. Frankly, more politicians need to get behind this subject. I share the sentiment of the hon. Member for Ellesmere Port and Neston (Justin Madders), who thought that more Members would be present. This important subject needs more than a one-hour Westminster Hall debate.

I agree with the right hon. Gentleman on the issues he raised, including deindustrialisation, growth and the squeeze on wages, and the fact that the rich are getting

richer meaning that we need a new economic model. I commend his reflection on Labour's 13 years in power in which it did not address that. Labour has certainly moved on from the days of Peter Mandelson talking about having no problems with people getting filthy rich; that is progress. I also commend the work of the commission and its report, with its intention of stimulating debate about necessary changes to the UK economy. I also welcome how it considered Scotland in the round, not as an afterthought.

Who can argue against the principle that prosperity and justice should go hand in hand? As I said, I agree with the comments of the right hon. Gentleman, and I look forward to hearing the Minister's response to his challenge to her to outline which principles in the report she disagrees with.

We are aware that the gap between the wealthiest and the poorest is increasing all the time, and I am concerned that the UK Government do not seem realise that or care about it. As the report sets out, the UK economy is not working and the nations and regions are diverging even further. Fundamental reform is required, and the ultimate aspiration must be a fair economy that has economic justice hard-wired into it. That in turn will make for a stronger economy.

The report also highlights issues that my colleagues and I have been going on about for a while. The UK economy is overly reliant on household consumption, excessive household debt and further increasing property prices—it is as if we never learnt the lessons of the financial crash 10 years ago. Sure as fate, another crash will come. The report also outlines that the UK has a serious investment problem, sitting at about 4% below the OECD average. Just today I was at a civil engineering briefing where it was noted that the UK is ranked 24th on infrastructure investment. We obviously need greater investment in infrastructure, and true regional and national investment in infrastructure would help to rebalance the economy. That must be looked at seriously.

Scotland has been playing catch-up, because before the creation of the Scottish Parliament we were always overlooked on infrastructure. I welcome the report's call for greater borrowing powers for the Scottish Parliament to allow for greater investment in infrastructure. I am interested to hear what the Minister will say about that.

The report also outlines that there should be further devolution, as the UK is

“one of the most centralised states in the developed world”

and, as was touched on, the “most geographically unbalanced economy” in Europe. These matters are connected, and they are particularly pertinent to me as just today I have received written answers from the Scotland Office saying that the Secretary of State for Scotland has no interest in devolving further powers to Holyrood. He does not even want the Scottish Parliament to have the same powers as the Northern Ireland Assembly when it sits. That is a sad indictment of the Secretary of State's ambition for Scotland. Again, I look forward to what the Minister will say about further devolution of powers.

On the workforce and the balance between the working and non-working population, the report highlights the risks associated with an ageing population, which is a bigger issue in Scotland than in the rest of the UK.

I agree with the recommendation that immigration policy should be devolved to Scotland. It is predicted that we will need an additional 860,000 contributing workers by 2041, so we need control over immigration.

The report shares the Scottish Government's ambition to tackle the gender pay gap. Complementary policies on that and gender balance deserve further consideration. The report says that

“all firms above 250 employees should be required to publish their pay scales—both ranges and averages by role—to employees within their firms”.

Thanks to the Scottish National party, we have the Gender Representation on Public Boards (Scotland) Act 2018, which sets the objective that 50% of non-executive members of public boards should be women. It also requires steps to be taken to encourage women to apply to become non-executive members of a board. That gender balance will help us towards a fairer and more understanding economy.

On fairness, the report suggests that everyone aged 21 and over should be paid the real living wage, and I concur. In Scotland, a higher percentage of workers receive the living wage, but until Westminster takes action and provides legislation it will not become a reality for all.

The report says that it has

“already drawn on the Scottish government's Fair Work agenda” in suggesting

“the establishment of a new national productivity agency, skills policies and a ‘good jobs standard’”,

which could deliver fairer working practices. The SNP Government are striving towards that, and it is time for the UK Government to do likewise and have a dramatic rethink about how the economy works. Otherwise, I look forward to the day when we have an independent Scotland, where a Government who have the correct will and desire can implement those policies.

5.8 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) for securing the debate, for his excellent work as chair of the all-party parliamentary group on inclusive growth, and for starting the debate with such a passionate and comprehensive call for a change to the economy.

I also thank the IPPR for bringing together such an amazing group of commissioners—Justin Welby, Mariana Mazzucato, Frances O'Grady and Lord Kerslake, to name but a few—to carry out such a far-reaching investigation into economic justice and to reach such radical and, at the same time, common-sense conclusions, as we have heard. That is such a contrast with the “same old, same old,” right-wing, neo-liberal policies of this Government and their Tory-led predecessors.

The British people are sick and tired of being told over and over again—largely by the same smug and privileged voices—that there is no alternative to the economy-wrecking, service-slashing, opportunity-destroying, soul-sapping austerity agenda. The Brexit vote and Labour's surge in the polls in last year's election were both, in different ways, products of the paucity of economic justice under the current regime.

[Chi Onwurah]

As my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) emphasised, we need to address the challenges of Brexit, but also the causes of Brexit. We are experiencing the longest period of stagnant wages for 150 years, with 6% of the workforce on short-term contracts and 3% on zero-hours contracts. UK productivity is 13% lower than the G7 average and we are, as we have heard, the most regionally imbalanced economy in Europe.

My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) highlighted the plight of retail workers, but we see those kinds of conditions in other sectors across our economy. The commission's assessment of those problems and of the need for the fundamental reform of the British economy matches the principles of Labour's transformative economic programme. Indeed, many of the report's recommendations are already Labour policy: a national investment bank with a regional network, compulsory diversity reporting for companies and a mission-oriented industrial strategy, as championed by leading economist and commissioner Mariana Mazzucato. Other recommendations we will look at closely as we prepare our programme for Government.

Having written before on the need for radical action to tackle our productivity crisis, I was struck by the commissioners' detailed proposals here; their suggestions on data are a welcome attempt to take seriously the power of this new property that drives the new economy. We have heard that strengthening union participation, as recommended in the report, is good not only for workers but for companies, the economy and, ultimately, the country. On that, as well as a number of other areas, the commission has produced thoughtful and practical recommendations, in stark contrast to the total lack of action on the Government's part. I hope that the Government will take the recommendations seriously. I welcome the Minister to her role and ask her to commit to publishing a full response to the commission's report.

Two years ago, the Prime Minister stood on the steps of Downing Street and talked about building "a country that works for everyone",

but in reality she has clung to the discredited zombie economics of Mr Osborne. The relentlessly negative and unimaginative election campaign waged by the Conservatives last year was proof of that. Meanwhile, Labour offered a serious critique of our economic model, with positive and practical measures to build a high-wage, high-skilled, high-productivity Britain. It is no coincidence that the publication of our manifesto saw our party soar 20 points in the polls, while Tory support fell dramatically once people saw what thin gruel they were being offered.

I welcome this report as an important intervention in the economic debate that Labour ignited last year. It is a debate in which this Government have no meaningful voice or even ideas; but perhaps that is about to change. Perhaps the Minister will now pledge to give this report the attention it so richly deserves. If not, she should step aside and allow us to do so.

Mr Philip Hollobone (in the Chair): If the Minister would be kind enough to finish her remarks no later than 5.27 pm, that will give Mr Byrne time to sum up the debate.

5.13 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): It is an absolute pleasure to serve under your chairmanship for my first Westminster Hall debate, Mr Hollobone.

I congratulate the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) on securing this debate. The IPPR's Commission on Economic Justice has produced a thoughtful and wide-ranging report on our economy, and it is absolutely right that this House should debate it and its recommendations. I thank him for bringing it to the House and for introducing it, and I congratulate the IPPR and the commission on their contribution to the public debate.

We can all agree that the issues raised today are of fundamental importance. Tackling low pay, boosting equality and putting fairness at the heart of society, while building on the strength of our jobs market and on economic growth, are issues that affect all our constituents. I will start by simply reflecting on where we are now. We have a deserved reputation for being a great place to do business, with high standards, respected institutions and the reliable rule of law. We are an enterprising and successful economy, built on firm foundations: the skills of our workers, the quality of the infrastructure, and a fair and predictable business environment.

The Government are committed to building an economy that works for everyone, to raising living standards and to growing our national wealth, not just for today, but for future generations. That commitment is demonstrated by our progress since 2010: near-record levels of employment, with more than 3.3 million more people in work than in 2010, unemployment at a record low, income inequality down, fairness in the tax system—the right hon. Gentleman spoke about the wealthiest 1% in this country, but the top 1% contribute 28% to income tax and the top 5% contribute nearly 50% of income tax—and absolute poverty falling.

Alan Brown: In terms of rebalancing the economy and an economy that works for everyone, can the Minister explain how cutting the rate of inheritance tax and cutting capital gains tax help the poorest in society?

Kelly Tolhurst: One of the things we have absolutely seen is that putting wealth back into the system creates wealth. That is one reason why we have these measures and why we take some of these fiscal decisions—to ensure that we are fuelling wealth to be spent in order to benefit the lowest in our society.

We recognise the progress that has already been achieved in improving the life chances of millions around the country, but the right hon. Gentleman is right that we must not be complacent. For all our many strengths, we have businesses, people and places whose level of productivity is well below what can be achieved. That is why the Government have launched ambitious and transformative plans for our economy and for employment. The industrial strategy deliberately strengthens the five foundations of productivity: ideas, people, infrastructure, the business environment and places. It is a strategy that is being implemented with, not just for, British enterprise. It provides a template for the partnership between Government and the private sector that is required to

solve productivity issues. Through the “Good Work” plan, the Government are supporting people to seize those opportunities as the labour market is changed by technological advances. I will talk about those today.

The Government’s industrial strategy is our long-term plan for building a Britain that is fit for the future. It sets out how we will help businesses to create better, higher paying jobs in every part of the UK. It focuses on the necessary investment in the skills, industry and infrastructure of the future. It ensures that our country and its citizens can embrace and benefit from the opportunities of technological change. We need to prepare to seize those opportunities. That would be necessary at any time, but Britain’s decision to leave the European Union makes it even more important.

Technology is transforming the world of work. That means we must invest in our workforce. We have committed to establishing a technical education system that rivals the best in the world, to stand alongside our already world-class higher education system. As part of wide-ranging reforms, we will invest an additional £406 million in maths, digital and technical education. Technological progress and a faster pace of change create opportunities but also challenges for those who may find themselves needing to learn new skills to find a job. We will therefore embed a culture of career-long learning through a new national retraining scheme that supports people to re-skill and grow their earning power throughout their lives.

We should not forget that it was the Conservative party that introduced the national living wage, delivering the lowest earners their fastest pay rise in 20 years. In April this year, we increased the national living wage by 4.4%, from £7.50 to £7.83. That increase is expected to benefit more than 2 million people and means that a full-time worker on the national living wage will see their pay increase by over £600 over the year.

Our industrial strategy also sets out what we are doing to make sure that the UK is the best place in the world to start and grow a business, which will create new jobs. We firmly believe in business as a force for good in society.

Alan Brown: Will the Minister give way?

Kelly Tolhurst: I will make some more progress.

Our corporate governance reforms are driving changes in how our largest companies engage, at board level, with employees and external stakeholders. Significant changes to the corporate governance code will strengthen workers’ voices in boardrooms by requiring boardrooms to put in place robust employee engagement mechanisms, while new laws will require companies to report how they engage with employees and have regard to their interests. Amplifying the voices of employees and external stakeholders will improve boardroom decision making, deliver more sustainable business performance and build confidence in the way businesses are run.

We are also introducing pay ratio reporting, requiring quoted companies to compare CEO pay with average worker pay, supported by an explanation of why the ratio is consistent with pay, reward and progression policies in the wider workforce. Under the revised UK corporate governance code, remuneration committees will have to engage with the workforce to explain how

executive remuneration aligns with wider company policy. These changes will help to ensure that boardroom pay is connected with wider workforce pay and not set in an artificial bubble.

Chi Onwurah: I thank the Minister for setting out the Government’s industrial strategy proposals. Does she intend to deal with the proposals in the report? Specifically, does she agree with the report’s underlying assertion—that our economy is currently unjust?

Kelly Tolhurst: The premise of the report and some of the measures it suggests are already being considered by the Government, and I am outlining the actions we are taking in those areas. I am committed, and so are the Government, to providing fairness and high-quality jobs in the workforce.

The Government are investing. We plan to deliver £20 billion of investment in innovative and high-potential businesses by establishing a new £2.5 billion investment fund, incubated in the British Business Bank, and we will continue to support businesses to grow by accessing international markets. We aim to create a business environment well equipped to meet the challenges and opportunities of new technologies and new ways of doing business.

Across Government we are making huge strides towards rebalancing the economy and empowering local government. Through devolution deals we have strengthened local leadership and devolved powers and funding away from Whitehall, so that they are exercised by those with the strongest understanding of the needs of their communities. We are absolutely committed to this continuing.

Liz Saville Roberts: The Minister must forgive me for presuming that she will refer to the UK shared prosperity fund; she already referred to the importance of regionality and understanding the regions. Will she explain why a devolved English Ministry—namely the Ministry of Housing, Communities and Local Government—will administer the shared prosperity fund? Its history has involved dealing with English issues, rather than, for example, deprived communities in Wales.

Kelly Tolhurst: As I have outlined, the Government are committed to devolution and to giving local people the power to take decisions. There is a Minister responsible for the shared prosperity fund in that Ministry, but we feed into it across Government.

However, we are committed to delivering for the whole UK, including England, Wales and Scotland. That is why we are implementing the industrial strategy and why we are working with local communities to come up with, for example, local industrial strategies, which will build on their strengths and deliver on the economic opportunities that every region in the UK requires. Leadership and ambition for the future are key, and we recognise that there are individuals in those regions who can deliver those. The Government also continue to support the northern powerhouse strategy and have invested more than £3.4 billion directly into it for locally determined projects. Public support, combined with private sector dynamism, is enabling the region to flourish.

[*Kelly Tolhurst*]

Technological change presents both challenges and opportunities for the world of work. New ways of working have a part to play in a modern, flexible labour market, but it is absolutely right that we look at what we can do to support people through these changes. In response to Matthew Taylor's review of modern employment practices, the Government published the "Good Work" plan, in which we commit to reporting annually on the quality of work in the UK, with the first baseline report to be published later this year. I am clear that quality of work should take equal priority to quantity of work. Through the plan, we are also supporting workers by introducing a right to request a more predictable and stable contract, to tackle issues around one-sided flexibility, and by introducing enforcement of holiday pay.

I will pick up on some of the points raised by hon. Members. I again thank the right hon. Member for Birmingham, Hodge Hill for bringing the debate before us. I also thank the hon. Member for Mitcham and Morden (Siobhain McDonagh), who has a strong interest in this area and is extremely committed to tackling the injustices that affect her constituents.

On the point from the right hon. Gentleman about AI, robotics and the potential loss of 2.4 million jobs, the report by the Royal Society for the Encouragement of Arts, Manufactures and Commerce, "The Age of Automation", suggests that technological advances would not necessarily lead to job losses in the medium term but would actually improve opportunities for workers.

I must also clarify a point around zero-hours contracts. We often hear that they are all bad contracts and that people do not want them. In reality, we need to keep up with modern practices, and people want the flexibility that these contracts provide to work around childcare or other home commitments. That is why it is important that we are truthful about the benefits of zero-hours contracts.

On the Taylor review, we are analysing the responses to it and we will come forward with proposals in the relatively short term. I am committed to that.

I thank the IPPR for its report. I am committed, as the Minister responsible, to delivering fairness and quality of work for the people of this country. I must mention that I am not smug and I am not wealthy. I am a working-class girl who is a Conservative MP. I am absolutely committed to delivering for the people of my country.

5.27 pm

Liam Byrne: A vote is imminent, so I shall be brief. I am not entirely convinced that the Minister has read the report. She did not say much about what she had learned or what she disagreed with; we heard a defence of everything in the Government's platform. I do not think that the British public want an economic policy that is a nudge here and a nudge there. I think that they are looking for a much more radical transformation.

The Government have an opportunity at the G20, which is focused on the future of work, to make good on the commitments that they made when signing up to the 2015 sustainable development goals and the communique at the 2016 Hangzhou G20 summit. Those commitments were to creating a much more inclusive economy than today. That will not be delivered by a nudge here and a nudge there; it needs the radical transformation proposed in the report. I hope that the Minister reflects on the debate in preparation for another debate after the G20, when we will test her conclusions.

Question put and agreed to.

Resolved,

That this House has considered the final report of the Economic Justice Commission.

5.28 pm

Sitting adjourned.

Written Statement

Tuesday 11 September 2018

DEFENCE

Opposition Day Defence Industry and Shipbuilding Debate

The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood): I wish to clarify statements I made during the Opposition day debate on the defence industry and shipbuilding, *Official Report*, 11 July 2018, Vol. 644. The information should have been:

No UK shipyard provided a final bid for the auxiliary oiler ships recently purchased from South Korea. It cannot therefore be known whether the ships would have cost twice as much had they been purchased from a UK shipyard. However, the prices offered by South Korean yards were substantially lower than those of any alternative and, as a result, taxpayers are paying less than they would have had we adopted a different strategy.

Considering the totality of the programme, including UK customisation work, the programme has a UK work content worth some £180 million, around a third of the total acquisition costs.

[HCWS948]

Petition

Tuesday 11 September 2018

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Home Education: draft guidance and the consultation

The petition of residents of West Worcestershire,

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.]

[P002264]

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Tuesday 18 September 2018**

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