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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**
(HANSARD)

Wednesday 24 October 2018

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

The Secretary of State was asked—

Care Placement of Young People

1. **Mrs Madeleine Moon** (Bridgend) (Lab): What discussions he has had with the Welsh Government on the placement of young people from England in private sector care homes in Wales. [907183]

The Secretary of State for Wales (Alun Cairns): The Government are clear that the needs of the child are paramount when making decisions about the right care placement. The specific issue the hon. Lady refers to has not been raised with me directly by the Welsh Government.

Mrs Moon: More than 300 children from England are placed across Wales, often in small Welsh villages. Problems are experienced by some police forces and local authorities about early notification of vulnerable children being placed there who may be seduced into county lines, grooming operations and generally be vulnerable in isolation. Will the Secretary of State share my concern and raise it with the Welsh Assembly Government?

Alun Cairns: The hon. Lady clearly raises a very important point and is passionate about the subject. The most appropriate and suitable setting should always be the overriding factor in deciding the best placement for a child, but planning policy and approval from care inspectors should also be considerations, and, naturally, the police should be part of that process. I will happily raise the matter with the Welsh Government.

Fiona Bruce (Congleton) (Con): Does the Minister share my view that it is crucial that there are enough foster parents with the right skills in the right areas to care for children and meet their diverse needs? Would not a collaborative approach between local authorities be helpful in that respect?

Alun Cairns: My hon. Friend raises an important point. The appropriate setting has to be the overriding factor at all stages, but, of course, not all local authorities can offer appropriate settings for some complex needs that different children will have. Co-operation between authorities is always helpful and it is something that we want to encourage.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Plaid Cymru's North Wales police and crime commissioner has long warned that, post Brexit, criminals will use the common travel area to gain access to the UK. This warning has been reaffirmed today in a National Audit Office report. Will the Secretary of State tell me what provision he is making personally to protect Wales from becoming both the highway and the victim of international organised crime?

Alun Cairns: I am grateful to the hon. Lady for the question, but I am not sure where Brexit is linked with this. Clearly, there is freedom of movement across the European Union and the common travel area—those positions will still be in place, particularly in relation to the common travel area. I do not think that this is about where the children originate from, because, clearly, there are Welsh children being sited appropriately in England as well. We have to have as an overriding factor the most appropriate setting and it is important that the authorities co-operate wherever the regulations come from.

Liz Saville Roberts: It is no secret that the Secretary of State does not speak as Wales's voice in Westminster on Brexit. He has, in fact, poured scorn on the efforts of others who seek to make representations for Wales in Brussels. He may be aware that, together with other sensible Opposition leaders in this place, I am meeting Michel Barnier tomorrow, and I will do my duty to represent my country. Does he have any Wales-specific priorities that he would like me to raise with the EU Brexit negotiator-in-chief, or would that be against England's interest?

Mr Speaker: In relation to private sector care homes?

Alun Cairns: The hon. Lady talks about meeting Michel Barnier tomorrow with other colleagues, but I hope that she will stand shoulder to shoulder with the Prime Minister who is acting in the UK's interest rather than in any local national interest.

Bob Blackman (Harrow East) (Con): Returning to the subject, what changes does my right hon. Friend propose in terms of inspection of care homes to ensure that children are safe in those care homes?

Alun Cairns: My hon. Friend raises an important point. The social care innovation programme plans to change the laws in England so that local authorities have to promote the physical and mental health of looked-after children, and this would be a major step forward in this area of policy.

Leaving the EU: Aerospace Sector

2. **Ian C. Lucas** (Wrexham) (Lab): What representations he has received from the aerospace sector in Wales on the priorities for that sector when negotiating the terms of the UK's exit from the EU. [907184]

The Parliamentary Under-Secretary of State for Wales (Mims Davies): The UK, and specifically Wales, is home to a world-class aerospace industry. I have regular meetings with the aerospace sector and met Airbus last month in north Wales as part of my engagement with the CBI. It

is a top priority to continue to create and maintain the right conditions post Brexit for this growing international sector to thrive.

Ian C. Lucas: First, I welcome the Minister to her post. In June, Airbus said that a no-deal Brexit would severely undermine

“UK efforts to keep a competitive and innovative aerospace industry.”

It concluded that it would be “catastrophic” to have a UK Brexit. Does the Minister agree?

Mims Davies: As I have said, the aerospace sector in north Wales is absolutely vital. Airbus has been making those statements through conversations with those involved with the north Wales growth deal. I know, having met the hon. Gentleman last week, that a thriving sector, and the skills associated with it, are absolutely vital. The F-35 avionics global repair hub shows that this is a sector in which we are world-leading, and the UK Government in Wales will continue to support it.

Mr David Jones (Clwyd West) (Con): My hon. Friend is quite right to mention the importance of the proposed north Wales growth deal to the aerospace industry in north Wales. Can she say when the Government are likely to make a substantive announcement about that deal?

Mims Davies: I thank my right hon. Friend for his long-standing commitment to the north Wales growth deal, and for pushing for action and progress in this area. There are some very positive movements, and we hope to make real progress. We need a further update from the Welsh Government, and there will be key meetings later this week.

Jessica Morden (Newport East) (Lab): Airbus employs many of my constituents in Newport and Filton. Close collaboration between the Civil Aviation Authority and the European Aviation Safety Agency is vital to this industry. What are the Government doing to safeguard that?

Mims Davies: The hon. Lady is absolutely right to highlight the jobs and opportunities around the avionics sector in Wales. We are aware of the benefits of collaboration, and seek that as part of the overall deal. It is something that Switzerland—a non-EU member—enjoys, and we will continue to look for it as part of our overall deal.

Antoinette Sandbach (Eddisbury) (Con): Airbus employs a number of constituents in Eddisbury. Can the Minister confirm the Government’s commitment to striking a deal that provides for frictionless trade in this sector?

Mims Davies: I thank my hon. Friend for highlighting how important this sector is in her constituency. As an assiduous constituency Member, she raises the challenges ahead, but a good deal that works to support jobs in the supply chain is absolutely the primary focus of discussions, and a pragmatic, frictionless deal is what the Government are working for.

Christina Rees (Neath) (Lab/Co-op): With your indulgence, Mr Speaker, may I congratulate Louise Magee, general secretary of Welsh Labour, and her partner Luke Holland, who have had a beautiful baby

girl, Catherine Ivy, who is to be known as Kitty? Mother and baby are doing fine, and Luke is coping well, I understand.

I welcome the Minister to her place. The Welsh Government have pledged £3 million to support Airbus in preparing for Brexit. ADS, the national trade association that represents aerospace companies, has urged the Chancellor to ensure that there is enough financial liquidity for companies such as Airbus, which rely on just-in-time European supply chains. What are the Minister’s priorities for the Welsh aerospace sector?

Mims Davies: I thank the hon. Lady for her question. As I have said in my previous answers, Wales has a deep-rooted, world-leading aerospace sector, and the Government understand that. There has been cross-Government engagement with all key stakeholders to support it. Frictionless trade and supporting the sector are absolutely vital, and we are ready to work and step up to that challenge.

Christina Rees: That may well be, but the Government’s Brexit advice paper suggests that companies such as Airbus may move their headquarters to an EU member state in the event of no deal, which would be absolutely catastrophic for our Welsh economy. Does the Minister agree with her Prime Minister that no deal is better than a bad deal, as far as Wales is concerned?

Mims Davies: The UK Government in Wales are not complacent about the challenges of all scenarios. They are working extremely hard to make sure that all the opportunities are there in any deal, and are working to make sure that the sector thrives. That is vital to the Secretary of State, and to the UK Government. We will continue to stand by the Prime Minister in getting that frictionless deal.

UK Shared Prosperity Fund

3. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What representations he has received from the Welsh Government on the design of the UK Shared Prosperity Fund. [907186]

12. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What representations he has received from the Welsh Government on the design of the UK Shared Prosperity Fund. [907195]

13. **Tommy Sheppard** (Edinburgh East) (SNP): What representations he has received from the Welsh Government on the design of the UK Shared Prosperity Fund. [907196]

The Secretary of State for Wales (Alun Cairns): The UK’s exit from the European Union provides us with an opportunity to reconsider how funding for growth across the UK is designed and delivered. In our manifesto, we committed to engaging with the Welsh Government on the UK Shared Prosperity Fund, and that work is under way.

Alan Brown: At the moment, the so-called opportunity of the UK Shared Prosperity Fund falls within the remit of the Ministry of Housing, Communities and Local Government, a Department wholly devolved to

England. It therefore does not understand the needs of the devolved nations and is bound to put the needs of England before those of the devolved nations. Does the Secretary of State agree that the devolved nations should have control?

Alun Cairns: The answer is in the title—it is the UK Shared Prosperity Fund and, therefore, joint work is taking place across Government. As the hon. Gentleman would expect, I have shown a strong interest in it, as have my right hon. Friends the Secretary of State for Scotland and the Secretary of State for Northern Ireland. Clearly, we are keen to work together.

Martyn Day: The retention of the UK Shared Prosperity Fund at Westminster undermines the devolution of economic development. Does the Secretary of State not see that his Government's refusal to give the fund to devolved Governments is yet another power grab?

Alun Cairns: I certainly do not accept the basis of the hon. Gentleman's question in relation to a power grab, because the Welsh Government supported the European Union (Withdrawal) Act 2018, which demonstrates that his assertion does not stack up. On EU aid and how it has been spent in Wales, more than £4 billion has been spent over 17 years and west Wales and the valleys remains the poorest part of the United Kingdom. The development of the UK Shared Prosperity Fund is a great opportunity to reshape something that suits local communities and businesses far better and more efficiently.

Tommy Sheppard: This is a shambles. Over a year ago, the Secretary of State boasted of an efficient and responsive UK Shared Prosperity Fund, but today he admits that the Government have not even started the consultation on it. With months to go before the Brexit catastrophe, what guarantees do we have that there will be any fund fit for purpose for Wales or the other nations of the United Kingdom?

Alun Cairns: The hon. Gentleman is highly selective in his references. He fails to recognise that my right hon. Friend the Chancellor of the Exchequer has agreed to guarantee the funding for the existing programme until 2020. That gives us the opportunity to design a UK Shared Prosperity Fund with appropriate consultation with the devolved Administrations, as well as with businesses and local authorities, and we are ready for immediate discussions before the consultation.

Stephen Crabb (Preseli Pembrokeshire) (Con): In the past, too much EU funding was wasted in Wales on low-impact projects that did not help to close the economic gap. Can my right hon. Friend assure the House that the prosperity fund will not just repeat the mistakes of the past, but will be used in high impact projects to renew the Welsh economy?

Alun Cairns: My right hon. Friend makes an excellent point and obviously speaks with experience. He will remember the £38 million Technium project that built nine office spaces across Wales with the support of EU aid, six of which closed after nine years because they were unsustainable. That demonstrates the waste that was in the system: we can design a much better system for local businesses.

Rebecca Pow (Taunton Deane) (Con): This is my first ever Welsh question, and I came because I want to welcome the Under-Secretary of State for Wales, my hon. Friend the Member for Eastleigh (Mims Davies) to her position and wish her well.

Does my right hon. Friend agree that the UK Shared Prosperity Fund, which should benefit the south-west and Wales, provides us with an opportunity to break away from the complex and restrictive processes that characterise the EU structural funding scheme?

Alun Cairns: I thank my hon. Friend for her question. She will recognise that the current rules on EU funding exclude some areas that should qualify because they have wards that are among the most deprived in the UK. We can design a UK fund that is more appropriate for and responsive to those local communities.

Mr Mark Harper (Forest of Dean) (Con): What opportunities does the UK Shared Prosperity Fund provide for making sure that the money is spent on our priorities in all four constituent parts of our United Kingdom?

Alun Cairns: My right hon. Friend makes an important point, and he will recognise the benefits of co-operating on a cross-border basis. The UK Shared Prosperity Fund could give us an opportunity to consider how that can work imaginatively—although obviously I do not want to pre-empt any consultation.

Nick Smith (Blaenau Gwent) (Lab) *rose*—

Mr Speaker: It is always a pleasure to hear the dulcet tones of the hon. Gentleman, but I said “Owen” rather than “Nick”.

Owen Smith (Pontypridd) (Lab): Long may it continue.

In the first spending period after Brexit, will Wales receive more money or less than it would have received under EU structural funds?

Alun Cairns: The hon. Gentleman is tempting me to pre-empt the Chancellor's comprehensive spending review and Budgets that will come within that period. It is wholly inappropriate for me to respond on that basis, and much will depend on the detail of the nature of the deal we get with the European Union.

Chris Ruane (Vale of Clwyd) (Lab): Businesses and community organisations across Wales are alarmed at how little detail has been provided about the Shared Prosperity Fund. They are doubly concerned that the consultation that has been promised by the end of this year has not even started. Will the Secretary of State at long last provide a date for this consultation and, if he cannot, may we at the very least have a date on which we can have that date?

Alun Cairns: The hon. Gentleman will be aware that we will consult on the UK Shared Prosperity Fund very soon. I am sure that even he will agree that the existing programme has not gained the greatest value for money, as he will also be aware that the then first Minister, Rhodri Morgan, said that it was a once-in-a-lifetime opportunity and we are now on our third round of EU funding. There must be a better way.

Non-funded Pension Schemes

4. **Ben Lake** (Ceredigion) (PC): What assessment he has made of the implications for public authorities in Wales of the Treasury's draft valuation directions for non-funded pension schemes. [907187]

The Parliamentary Under-Secretary of State for Wales (Mims Davies): The valuations indicate that the amount employers pay towards the schemes will need to increase, and details will be finalised when the valuations are completed early next year. Treasury has committed to support the Welsh Government with additional funding in accordance with the statement of funding policy.

Ben Lake: The 2016 actuarial valuations will have an unprecedented impact on the constrained resources of local authorities, teaching institutions, the fire service and police forces in Wales if UK Government funding is not forthcoming. Will the Minister confirm that this funding will be forthcoming from the Treasury to the Welsh Government?

Mims Davies: The hon. Gentleman raises this concern on behalf of his constituents, and it is correct that some increases in costs were predicted in the 2016 Budget. We will of course apply the principles set out in the statement of funding policy in determining any additional funding for the devolved Administration, and continue to do what is right for Wales.

Eddie Hughes (Walsall North) (Con): On the Minister's first outing at the Dispatch Box, will she join me in welcoming the additional funding given to the Welsh Government to fund teachers' pay rises in Wales?

Mr Speaker: Order. This is about non-funded pension schemes, not funding pay rises. It was a nice try, and the hon. Gentleman is a cheeky chappie, but we will leave that one there and come to the other Smith, Nick Smith.

Nick Smith (Blaenau Gwent) (Lab): What is the Minister going to do to protect police numbers, given these financial pressures?

Mims Davies: The hon. Gentleman will know that we have tackled the fiscal challenge that Wales has suffered with for decades. In fact, Wales now benefits from £120 for every £100 spent in England. As I said earlier, we will do what is right for Wales, as we have done in the case of teachers raised by my hon. Friend the Member for Walsall North (Eddie Hughes).

Exports/Foreign Direct Investment

5. **Greg Hands** (Chelsea and Fulham) (Con): What discussions he has had with the Secretary of State for International Trade on increasing (a) exports from and (b) foreign direct investment into Wales. [907188]

The Secretary of State for Wales (Alun Cairns): Since 2010, Welsh exports have increased by 41%, growing faster than the UK average of 36%. There are a whole host of exporting success stories and it was a privilege to support SureChill and Hydro on the Prime Minister's recent trade mission to Africa.

Greg Hands: I thank the Secretary of State for that answer. Will he outline what specific measures he is looking at promoting at the forthcoming UK Board of Trade meeting in Swansea to promote trade and investment in both Wales and the wider UK?

Alun Cairns: I thank my right hon. Friend for the work he did at the Department for International Trade and his contribution to the establishment of the UK Board of Trade, which is an excellent innovation. It will be in Swansea in a number of weeks, so we have a great opportunity to highlight and champion to international businesses the best that Wales can offer in terms of exports.

Chris Evans (Islwyn) (Lab/Co-op): The Welsh automotive sector is a real success story, but it depends on frictionless trade. What action is the Secretary of State taking to ensure that that continues after Brexit?

Alun Cairns: The hon. Gentleman will be well aware that that is a plan for and determination of our negotiations. That is exactly what we will seek to agree with the European Union. It is in the UK's interest, it is in the European Union's interests and my right hon. Friend the Prime Minister is working to that end.

Michael Fabricant (Lichfield) (Con): My right hon. Friend will be aware that one of our biggest exports is tourism, and the sector deal still awaits to be made. Will he undertake to speak to the Secretary of State for Business, Energy and Industrial Strategy and the Secretary of State for Digital, Culture, Media and Sport to see whether the sector deal for the UK, and Wales in particular, can be enacted?

Alun Cairns: My hon. Friend, with his great knowledge and interest in Wales, recognises the value of tourism to the Welsh economy, and I meet him regularly. My right hon. and learned Friend the Secretary of State for Digital, Culture, Media and Sport is responsible for delivering on the industrial strategy, but my hon. Friend is right: Lonely Planet named north Wales the fourth top place to visit in the world in its recent report. [Interruption.]

Mr Speaker: There are a lot of very noisy private conversations taking place, but I want to hear the mellifluous tone of Jonathan Edwards.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The latest HMRC statistics show a 7% increase in Welsh exports to the EU, worth £643 million, while non-EU exports have fallen. Is it not the reality that trade deals with the US, China and the moon will never replace lost trade with the single market and the customs union?

Alun Cairns: The hon. Gentleman will be aware of the export data that I highlighted—that exports from Wales have grown faster than from other parts of the United Kingdom—and I could cite a range of export opportunities in other parts of the world on which Wales is doing better than other parts of the UK. I am hugely impressed by the renewed interest in the UK by an international audience as a result of our leaving the

European Union—Aston Martin, Qatar Airways and a host of others that I could cite are clear demonstrations of that.

New Prison: South Wales

6. Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent discussions he has had with the Secretary of State for Justice on the plan to build a new prison in South Wales. [907189]

The Secretary of State for Wales (Alun Cairns): This Government are investing in the prison estate—replacing older prisons with high-quality, modern establishments. A new prison in Wales could create up to 500 jobs and contribute £11 million a year to the economy.

Gavin Newlands: Over one third of adults released from prison in Wales go on to reoffend. Considering that the last prison that the Ministry of Justice built in Wales cost £250 million, does the Secretary of State not think that money would be better spent on rehabilitative measures that actually help those who need them—which, alongside a presumption against short sentences, in Scotland has been shown to reduce recidivism rates considerably—rather than on another costly UK Government vanity project?

Alun Cairns: The hon. Gentleman makes an important point, and clearly we would like the population of the prison estate to decline, but of course we also have to keep the community safe, and it is the right thing to do. We need to modernise the estate, and we would like to build a prison in south Wales.

David T. C. Davies (Monmouth) (Con): Does my right hon. Friend agree that high-quality modern accommodation located as near to prisoners' homes as possible is a vital part of the rehabilitation process? Will he therefore join me in welcoming this Government's extra commitment to spending on the prison estate?

Alun Cairns: I am grateful for my hon. Friend's interest and the expertise that he shows in working with the police on this basis. A new prison would create 500 new jobs. More importantly, it provides for much better outcomes for offenders, in order to help their rehabilitation and keep our communities safe.

Welfare Changes

7. Ms Marie Rimmer (St Helens South and Whiston) (Lab): What recent discussions he has had with Cabinet colleagues on the effect on people in Wales of the UK Government's recent changes to welfare benefits. [907190]

11. Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): What recent discussions he has had with Cabinet colleagues on the effect on people in Wales of the UK Government's recent changes to welfare benefits. [907194]

The Parliamentary Under-Secretary of State for Wales (Mims Davies): Our welfare reforms are incentivising work and supporting working families. The employment rate in Wales is at a record high, and the unemployment rate is at a record low. We will continue to take a test and learn approach, acting on feedback and improving the system as it rolls out.

Ms Rimmer: Why are this Government determined to press ahead with managed migration against the advice of more than 80 disability organisations, the Resolution Foundation and the National Audit Office that they should not do so until the major flaws in the universal credit system are sorted so that it can cope with the higher claimant volumes?

Mims Davies: I thank the hon. Lady for her question, but I dispute its premise. This is a personal, focused benefit, which offers us an opportunity to help people with health conditions, provide tailored support from work coaches, assist with housing costs, and give advances. We are listening and responding during the roll-out. This is a huge change in a complicated system, and we are testing and learning, but above all we are helping people.

Gerald Jones: Universal credit is a shambles. In my constituency, a homeless gentleman was told that phone claims for universal credit were not allowed, and that claims must be online only, although he has no access to IT or a computer. Vulnerability was not considered, and, ironically, the man was even offered a home visit. Will the Minister urge DWP colleagues to reconsider the online system and reintroduce phone claims?

Mims Davies: There is an opportunity to make phone claims. I would be happy to hear about that constituency case, although it is very concerning. This benefit is about ensuring that people are better off in work, and are able to respond in particular circumstances. In the Cwmbran jobcentre, positives are being fed back in terms of adjustments and simplification on the ground. If that is not happening in this gentleman's case, will the hon. Gentleman please let me know?

Rachel Maclean (Redditch) (Con): Does my hon. Friend agree that it is a shame that Labour Members fail to recognise the transformative effect of universal credit in lifting people out of poverty and getting them back into work? That is in stark contrast to Labour's approach, which left people trapped on benefits for decades or more.

Mims Davies: My hon. Friend is exactly right about the myriad complex reasons for which people may struggle to get back into work. The reason may involve personal circumstances, it may involve long-term legacy benefits, it may involve skills, or, indeed, it may involve confidence. With this project of universal credit, if we continue to scare people off approaching jobcentres and making use of advice—budgeting advice, and the advice of work coaches—then we will not be listening and learning from the people whom the Labour party has left to fester on legacy benefits, and that will not help anyone.

Robert Courts (Witney) (Con) *rose—*

Kevin Foster (Torbay) (Con) *rose—*

Mr Speaker: Order. Having consulted his scholarly cranium, the Clerk advises me that, by land, Witney is closer to Wales than Torbay, and upon that basis, I call Mr Robert Courts.

Robert Courts: Thank you very much, Mr Speaker. I, too, welcome the Minister to her post. Does she agree that the Government's welfare reforms show that people are better off in work, and that it is the best route out of poverty?

Mims Davies: I absolutely agree. From Witney to Torbay, people are getting into work more quickly, staying in work longer and progressing in work, which is very important. We are listening and learning. This is a huge change, but we do not need to row back. Claimants are getting into work and staying in work, and, as we know from the Prime Minister, the route out of poverty is having a job.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [907243] **Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): If she will list her official engagements for Wednesday 24 October.

The Prime Minister (Mrs Theresa May): It has been announced this morning that Sir Jeremy Heywood is sadly standing down as Cabinet Secretary and head of the civil service to concentrate on his recovery from ill health. Jeremy has been an exemplary public servant for more than three decades, serving with the highest distinction Prime Ministers and Ministers in all parties in the finest traditions of the civil service. As he steps down, he can look back on a contribution to public life that few in our country can match, and I am personally very grateful to him for the support that he has given me as Prime Minister since my first day in No. 10. I am sure that the whole House will join me in offering our very best wishes to Jeremy and his family.

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

Mr Sweeney: Two teenage brothers from my constituency, Somer and Areeb, have lived in Glasgow since the youngest was five years old. They are now naturalised Glaswegians, but they live in constant fear of deportation to a country from which they fled in fear of their lives. Their school friends at Springburn Academy rallied to their cause by launching a petition, which has now been signed by more than 90,000 people, and which was recently presented to the Home Office by the school and the Moderator of the Church of Scotland. However, that action has been met with callous indifference.

When the Leader of the Opposition met the children in August, he was appalled by the lack of compassion shown by the Home Office towards these boys who have been kept in limbo for years. Will the Prime Minister now review the case, and meet the boys to witness at first hand what life is like at the sharp end of this Government's hostile environment?

The Prime Minister: Every case in relation to people's right to stay here in the United Kingdom is looked at extremely carefully, and I will certainly ensure that the Home Office looks again at this case.

Q2. [907244] **Sir David Amess** (Southend West) (Con): If music be the food of love, we could certainly do with a lot of music just now. In that regard, will my right hon. Friend join me in welcoming Sir Michael Parkinson having opened the expanded premises of the United Kingdom's first jazz centre in Southend on Saturday, inspired by Digby Fairweather and displaying wonderful jazz memorabilia and music—and is that not yet another reason why Southend should be declared a city?

The Prime Minister: I have of course been known to move to a little bit of music myself on occasions. I thank my hon. Friend for highlighting this excellent new centre, and I am extremely pleased that it was opened by my constituent, Sir Michael Parkinson. My hon. Friend might know that culture is one of the key strands of the Government's GREAT Britain campaign; that is about promoting arts from across the whole of the UK to global audiences. We like to see and support events around the country showcasing the excellent range of performing arts that we have, and I join my hon. Friend in welcoming this new jazz centre—and I note the bid he has put in once again in relation to Southend.

Jeremy Corbyn (Islington North) (Lab): I join the Prime Minister in thanking the former head of the civil service Jeremy Heywood for his public service and wishing him well in his recovery. I know from my conversations with him what an impressive, well informed and dedicated public servant he is, and I hope he gets through this difficult condition he is in at the present time.

The Prime Minister says that austerity is over; the Conservative leader of Walsall Council says austerity is alive and kicking. Who is right?

The Prime Minister: After a decade of austerity people need to know that their hard work has paid off and that, because of their sacrifices, there are better days ahead. We will be setting out our approach in the spending review next year. *[Interruption.]* What does it mean? I will tell the right hon. Gentleman what it means: it means debt going down as a share of the economy and support for public services going up. Unlike Labour, we will continue to live within our means and we will not go back to square one.

Jeremy Corbyn: This process has not been very convincing to Mike Bird, the Conservative leader of Walsall Council, who says: "Never ever believe what you hear from central government, austerity is not over." The Prime Minister's MPs seem to have lost confidence in her, and so have her councillors. Not far away, in Derby, the Conservative council says the financial outlook is "extremely challenging with Government austerity measures confirmed as continuing." Will the Prime Minister try to cheer up these gloomy Tories in Derby and confirm to them that next week the Budget will cancel the planned £1.3 billion cut for local government next year?

The Prime Minister: Actually, we are making £1.3 billion more available in the next two years to councils, and I am pleased to say—*[Interruption.]* I am pleased to say that council tax is down in real terms since under the last Labour Government. If the right hon. Gentleman wants to make statements about what should be in the

Budget, perhaps we ought to look at his past predictions. He said our plans would mean 1 million people losing their jobs. What have we seen? We have seen 3.3 million more people in work. He said our plans would mean Greek levels of youth unemployment. What have we seen? Youth unemployment is at a record low. He will find out next week what is in the Budget, but there is one thing that we know for certain: Labour will still make a mess of the economy.

Jeremy Corbyn: The Prime Minister did not get round to mentioning the record numbers of people on zero-hours contracts; the record levels of in-work poverty, meaning that people who are in work have to access a food bank; or the fact that wages are lower in real terms than they were eight years ago and that her Government have cut 49% from local government since 2010.

Staffordshire police have lost 500 officers. On Sunday, the chief constable, Gareth Morgan, said sorry to his police colleagues and their families as they had to cancel rest days just to maintain the service. He apologised to his officers. Will the Prime Minister apologise to the police as well?

The Prime Minister: The right hon. Gentleman talks about the police and about what is available for the police. Of course, what we saw at the last election was the Labour party saying that £300 million more should be made available to the police. What we have done is make available £460 million more to the police. If he wants to talk about figures, I have a book here that is edited by the shadow Chancellor. In it, an article by an economic adviser to the Labour party says about its last manifesto that

“the numbers did not add up”—[*Interruption.*]

I have even got the page marked. It also said that this was “a welcome feature” and “largely irrelevant”. Well, it may be irrelevant to the right hon. Gentleman and the shadow Chancellor, but it is not irrelevant to the people whose taxes go up, whose jobs are lost and whose children have to pay Labour’s debt.

Jeremy Corbyn: Only one party costed its manifesto in the last election, and it was not the Tory party.

For all that the Prime Minister says about the police, the reality is that there are 21,000 fewer police officers than there were eight years ago. She should listen to the chief constable of the West Midlands, who says that criminals are taking advantage of these cuts. He says:

“We are struggling to deliver a service to the public. I think the criminals are well aware now how stretched we are.”

Two weeks ago, the Prime Minister told the House that people on universal credit “will be protected”. The very next day, the Secretary of State for Work and Pensions said that, on universal credit,

“some people will be worse off.”

Which statement is true?

The Prime Minister: I remind the right hon. Gentleman of what I made clear to the House: those people who are moved through the managed migration process on to universal credit will indeed have, I think, around £3 billion of transitional protection. Let me just tell him what happens under universal credit—

Emily Thornberry (Islington South and Finsbury) (Lab): No, no, no. Answer the question!

The Prime Minister: The shadow Foreign Secretary says “No, no, no.” Labour Members do not want to know what happens in terms of universal credit: 200,000 more people into work, 700,000 people getting the extra money they are entitled to and 1 million disabled households getting more money per month. We are not replicating the old system, because the old system did not work. This is a system that helps people into work and makes sure work pays.

Jeremy Corbyn: The Prime Minister is completely out of touch with the reality of what universal credit is about: £50 per week worse off; weeks waiting for the first payment when people move on to universal credit; people going into debt and losing their homes; and people who are stressed out beyond belief because they cannot make ends meet and have to access a food bank just to feed their children. That is the reality of universal credit.

Eight years of Tory austerity means that there are 40,000 nurse vacancies in the NHS. The number of students applying for nurse training has fallen by over 16,000 since the cut in the nurse bursary. The Prime Minister told us that austerity was over. Will the Government take the necessary step next week in the Budget of restoring the nurse bursary so that those who want to become nurses in our NHS can realise their ambitions?

The Prime Minister: The right hon. Gentleman mentioned the wait that people experience in order to get their first universal credit payment. We announced in last year’s Budget that we were reducing the period of time that people had to wait for their first payment, and what did the right hon. Gentleman and the Labour party do? They voted against that change.

The right hon. Gentleman said that if austerity is ending, we should be doing more for the national health service. May I remind him that this Government have announced that we will be putting £394 million a week more into the national health service? At the last election, Labour said that, with 2.2% more money going in each year, the NHS would be the envy of the world. I can tell the House that we are not putting 2.2% in. We are not putting 2.5% in and we are not putting 3% in. We are putting an extra 3.4% in, with a long-term plan that will deliver for people up and down this country.

Jeremy Corbyn: Applications for nurse training dropped by 12% in September—that is the reality of taking away the nurse bursary. Those who want to become nurses cannot afford to go into debt in order to do a job that they want to do and that we all need them to do.

This Government are simply not being straight with the public. They promised an end to austerity; they cannot even fool their own councillors. They promised the NHS an extra £20 billion, but we do not know where it is coming from or when it is coming. GP numbers are falling, health visitor numbers are falling and nurse numbers are falling. They promised that universal credit would protect everyone, but the Work and Pensions Secretary let the cat out of the bag, saying that

“people will be worse off”.

The Prime Minister claimed that she is ending austerity, so will she confirm that next week's Budget will mean more police on our streets and more nurses in our hospitals, and that elderly people in desperate need of care will not go ignored and forgotten by her Government?

The Prime Minister: What have we seen under this Government? We have seen more money being made available to the police, more money for the health service, more money for social care, more money going into local authorities, and more money going into our schools. At the end of this Parliament, we will be spending £500 million more in real terms on people of working age and children in our welfare system.

Let us look at what we now know about the Labour party's alternative. We now see, as reported by a respected academic, that Labour's plans, by its own admission, would cost £1,000 billion. That is the equivalent of £35,000 for every household in this country. We know what that would mean: higher debt; higher taxes; fewer jobs—Labour just taking us back to square one.

Q3. [907245] Alex Chalk (Cheltenham) (Con): Belmont and Betteridge special schools do a fantastic job of educating children with special educational needs in my constituency, but over the past decade they have had to contend with an explosion in pupil complexity—emotional, behavioural and medical. Does the Prime Minister agree that we need a careful examination of what lies behind such seismic changes so that we can deliver the best possible outcomes for all our children for years to come?

The Prime Minister: I thank my hon. Friend for raising that important issue. It is absolutely vital that such children have the right combination of education, health and care provision to ensure that they have the support that is right for them and that they are able to reach their full potential, just like other children. Our reforms to both SEN provision and disability assistance are key to that. However, my hon. Friend's question was about research, and the increasing complexity is an important matter. I am pleased to say that the Department for Education has several research projects under way in fields relating to such children and young people, and we are committed to building up a rich body of evidence on both identification and the outcomes of educational experiences. The Department is also scoping new work that will help to lead to our understanding of such issues so that we can ensure that these children get the support that they need.

Ian Blackford (Ross, Skye and Lochaber) (SNP): The kidnapping, killing and mutilation of the respected Saudi journalist Jamal Khashoggi has rightly shocked the world. The killing has all the hallmarks of being a premeditated murder. Angela Merkel has announced that her Government will no longer approve new arms sales exports to the Saudi kingdom—that is moral leadership. The UK Government must take decisive action; words of condemnation will not do. Will the Prime Minister finally commit to ending the sale of arms to Saudi Arabia?

The Prime Minister: It might be helpful if I take this opportunity to update the House on this particular issue. As I told the House on Monday, we condemn the

killing of the journalist Jamal Khashoggi in the strongest possible terms. After his disappearance, we made it clear that Saudi Arabia must co-operate with Turkey and conduct a full and credible investigation. The claim that Mr Khashoggi died in a fight does not amount to a credible explanation, so there remains an urgent need to establish exactly what happened.

The Foreign Secretary, other Foreign Ministers and our ambassador have been making our position very clear to the Saudi Arabians, and I expect to speak to King Salman later today. I can tell the House that no Minister or official is attending the investment conference in Saudi Arabia, and my right hon. Friend the Home Secretary is taking action against all suspects to prevent them from entering the UK. If these individuals currently have visas, those visas will be revoked today.

Ian Blackford: I am afraid that the Prime Minister said nothing about arms sales. Condemnation will not do; it is action that is required.

The Saudi Arabian regime is responsible for multiple human rights violations: critics face death by crucifixion; teenagers are tortured; and women are imprisoned for campaigning for their human rights. The brutal bombardment of Yemen is pushing that country to the brink of famine, and now we have the state-sponsored murder of Jamal Khashoggi. What more evidence of criminality does the Prime Minister need before she fully commits to ending the sale of arms to the brutal regime in Saudi Arabia?

The Prime Minister: We are concerned about the humanitarian issues in Yemen. We are actually the third largest humanitarian donor to Yemen, where we have provided significant support to millions of men, women and children. I remind the right hon. Gentleman that, yes, we do support the Saudi-led coalition's military intervention in Yemen, which has been recognised by the United Nations Security Council and came at the request of the legitimate President Hadi.

On defence exports, the procedures we follow are among the strictest in the world. They were introduced in 2000 by the late Robin Cook, and they were updated in 2014 by the Conservative-led coalition Government to reflect our obligations under the arms trade treaty. A licence will not be issued to Saudi Arabia or any other destination if to do so would be inconsistent with any provision of the consolidated EU and national arms export licensing criteria. In July 2017 the High Court ruled that our sales to Saudi Arabia were compliant with those regulations, but of course we keep things under review.

Several hon. Members rose—

Mr Speaker: Order. A lot of Members are still waiting to contribute, and we must try to accommodate them.

Q7. [907249] Richard Graham (Gloucester) (Con): The shadow Chancellor visited Gloucester last week and said that my constituency has suffered from austerity. In fact, Labour's high unemployment has been slashed; investment, manufacturing and apprenticeships are strongly up; a new centre for the homeless has been established; our two NHS trusts are rated good; and a new Gloucester transport hub funded by the Government opens tomorrow.

Does my right hon. Friend agree that, although we must do more, all we have achieved so far would be severely damaged if the Opposition leadership had its chance to impose economic bankruptcy on us again, with constituents better off on benefits than in work?

The Prime Minister: My hon. Friend is absolutely right about this Government's record. I congratulate him on the work he has done and pay tribute to his work with the charity HaVinG—Having a Voice in Gloucester—alongside Bishop Rachel. The charity is doing important work in Gloucester.

My hon. Friend is right that, overall, we see employment at a near record high, youth unemployment at a new record low and real wages rising. That is the benefit of a Conservative Government taking a balanced approach to our economy. The one thing we do know is that the Labour party would undo all that good and leave our economy in a mess once again.

Q4. [907246] Gordon Marsden (Blackpool South) (Lab): May I give the Prime Minister some brief relief from Brexit and ask her about dogs? Last week, the Environment, Food and Rural Affairs Committee said that the Dangerous Dogs Act 1991, with its specific breeds definition, was not fit for purpose, as hundreds of pit bull-type dogs are confiscated yearly and destroyed, with no impact on dog bite numbers. Will she ask the Secretary of State for Environment, Food and Rural Affairs to act urgently on the Committee's recommendations and not take the approach of the Lords Minister, who told the Committee that even a good-tempered dog had to be put down as "collateral damage"? My wonderful bull terrier-type dog was rescued from the streets, and to think of her being destroyed because her face did not fit in court is chilling.

Mr Speaker: We have heard quite a bit about the dog situation, but I think we are going to hear more.

The Prime Minister: Thank you, Mr Speaker. I had not looked at the detail of the Select Committee report on that particular issue, but I can assure the hon. Gentleman that the Secretary of State is a keen dog owner, as indeed is the Chancellor of the Exchequer, who is sitting next to me, and that the Secretary of State will be looking at this issue very carefully.

Q10. [907253] Paul Masterton (East Renfrewshire) (Con): We might not make much whisky in East Renfrewshire, but we do enjoy drinking it, and Scotch whisky is the jewel in the crown of our food and drink sector. Last year's duty freeze has raised more money for the Exchequer, just as Scottish Conservatives argued it would, and the industry continues to make more positive investment in our communities. Would not the least we could do on Monday be to extend that freeze for another year?

The Prime Minister: I thank my hon. Friend for the lobbying he has carried out, and I am sure that the Chancellor heard what he said. Of course, as ever, everybody will have to wait until the Budget is delivered to find out what is in it. My hon. Friend and my Conservative colleagues from Scotland mounted a robust campaign on Scotch whisky duty last year, and we were pleased to be able to take the stance that we did on the duty, because we recognise the importance of Scotch

whisky to the UK. I have to say that 2017 was a record-breaking year, and that in the first half of 2018, Scotch whisky exports increased further to nearly £2 billion. This is an important industry.

Q5. [907247] Patrick Grady (Glasgow North) (SNP): How does denying, delaying or disrupting visas for Moldovan and African trade commissioners, Palestinian academics, artists at WOMAD and Celtic Connections, or Malawian priests and pupils enhance the Prime Minister's vision of a global Britain? Does the Prime Minister understand that the visa crisis and perceived travel ban serve only to prove that the "hostile environment" lives on, and that Brexit is a small, isolationist retreat from the world stage?

The Prime Minister: The reality is far different from the situation the hon. Gentleman has suggested. There is no travel ban. We remain open to business and to people from around the world, and we will continue to be so under the new immigration system—a skills-based immigration system—that we will be introducing when we leave the EU.

Q11. [907254] David T. C. Davies (Monmouth) (Con): Women who have concerns about proposals to change the Gender Recognition Act 2004 that would allow self-definition of gender have had their meeting venues cancelled, have been subject to intimidation and have even been dragged into courts as a result of private prosecutions. Will the Prime Minister agree to a short meeting with a victim of sexual violence who believes that these plans will needlessly put more women in danger?

The Prime Minister: My hon. Friend raises a very important subject. It is right that we are making these proposals on gender reform, but of course this is a very sensitive issue and we have to make sure that any changes take into account their potential impact on women. I am very sorry to hear of the experience of the individual whom he mentioned.

In the run-up to the consultation on the Gender Recognition Act and during it, officials met more than 90 different groups, including lesbian, gay, bisexual and transgender groups, women's groups, refugees and domestic abuse charities, but this is an important and sensitive issue, and we want voters to be heard. May I suggest to my hon. Friend that I will ask a Minister from the Government Equalities Office, which leads on this issue, to meet him and the individual concerned to hear directly about their experience?

Q6. [907248] Jess Phillips (Birmingham, Yardley) (Lab): It seems that our laws allow rich and powerful men to pretty much do whatever they want, as long as they can pay to keep it quiet, so does the Prime Minister support the Court of Appeal's decision to back non-disclosure agreements that have been used to silence women who have been sexually harassed and others who have been racially abused?

The Prime Minister: The hon. Lady will understand that I cannot comment on a particular case that is currently before the courts. What I will say, and what I have said previously, is that sexual harassment in the workplace is against the law and such abhorrent behaviour

should not be tolerated. An employer that allows the harassment of women to go undealt with is sending a message about how welcome they are and about their value in the workplace. Just as we will not accept any behaviour that causes people to feel intimidated or humiliated in the workplace, there must be consequences for failing to comply with the law. Non-disclosure agreements cannot stop people from whistleblowing, but it is clear that some employers are using them unethically. The Government are going to introduce for consideration and consultation measures to seek to improve the regulation around non-disclosure agreements and to make it absolutely explicit to employees when a non-disclosure agreement does not apply or cannot be enforced.

Justine Greening (Putney) (Con): Currently, if someone pays a mortgage, their mortgage payments every month help them to build up their credit history, but if someone pays rent every month, that does not happen, which just is not fair. We can fix this situation for 15 million renters. The Creditworthiness Assessment Bill could help to give millions more renters throughout the country affordable credit, including mortgages, so that we can all get on in life. Will the Prime Minister take the opportunity of next week's Budget to look at whether the Government could support this Bill, which has cross-party support and has already passed through the Lords unamended?

The Prime Minister: I thank my right hon. Friend for raising this issue. As she will be aware, I cannot say what will be in the Budget next week, but she will have noticed that the Chancellor of the Exchequer was here to hear her point.

Q9. [907251] Christine Jardine (Edinburgh West) (LD): My constituency, unlike that of the hon. Member for East Renfrewshire (Paul Masterton), does depend on the Scotch whisky industry, which is perhaps why the industry is suffering, given that so many people like myself are currently supporting Macmillan with "Go Sober". There is also the threat from Brexit, of course. Stubborn Brexiteer isolationism could see us faced with a hard border with the Republic of Ireland and a disconnect with parts of the country that voted overwhelmingly for remain. Is the Prime Minister ready to accept that her party's narrow-minded nationalism poses an existential threat to the United Kingdom and that Brexiteer belligerence could break up Britain?

The Prime Minister: We are working in the national interest and we are working for a good deal with the European Union that will ensure that across all industries that are important to this country, including that of members of the Scotch Whisky Association, we can continue to trade with not only the EU but other countries around the world on good terms that will enhance that industry which, as the hon. Lady says, is important for her constituency. We are working for a good deal for the whole United Kingdom once we are outside the European Union.

Dame Caroline Spelman (Meriden) (Con): Given that the new generation of diesel engines are much cleaner and are comparable with petrol engines, will the Prime Minister use her good offices to help to adjust vehicle excise duty rates, which are having the perverse effect of

encouraging people to hang on to their older, more-polluting diesel cars and causing job losses due to falling sales in the car industry?

The Prime Minister: I thank my right hon. Friend for raising this issue. I think that she was making a Budget bid; as she will know, and as I have said in previous answers, the Budget will be announced last week. Nevertheless, this is an important issue because we saw demand for new diesel cars fall by 17% in 2017. That decline is in line with the trend in other major European car markets—demand fell by 13% in Germany, for example. It is because of the health impacts of nitrogen oxides that we see these changing patterns and that it has been important to take action. We want to ensure that manufacturers come forward with cleaner cars as soon as possible.

Q12. [907255] Judith Cummins (Bradford South) (Lab): West Yorkshire police have 900 fewer officers than they had eight years ago. The result is a 45% rise in violent and sexual crimes in my constituency this year. Now the Association of Police and Crime Commissioners has warned that the Government's pension shortfall will cost £165 million and leave 4,000 fewer officers on our streets. For West Yorkshire alone, that will mean another 400 officers lost. Does the Prime Minister agree that this is a national scandal and that the police should be fighting crime, not fighting for funding?

The Prime Minister: The hon. Lady particularly referenced sexual abuse crimes and other crimes of that sort. We have seen an increase in the number of crimes being reported, but that is partly because we now have an atmosphere where people are more willing and ready to come forward and report these crimes. She refers to pensions; this issue has been known about for some years.

Mr Jacob Rees-Mogg (North East Somerset) (Con): There have been reports today that the Government are willing to agree that the European Court of Justice would be the final arbiter in most cases arising from Brexit. As this would be inconsistent with the Prime Minister's previous commitments, will she authoritatively deny it?

The Prime Minister: I see quite a few reports and claims about what is happening in relation to Brexit, but I have not seen those particular reports. If they are as my hon. Friend has suggested, they are wrong. We have been very clear, in the work that we have been doing, about ensuring that the European Court of Justice will not have jurisdiction in the UK in the future.

Q13. [907256] Tonia Antoniazzi (Gower) (Lab): This week's hard-hitting Women and Equalities Committee report on sexual harassment in public places, the use of NDAs by perpetrators of sexual harassment, the pernicious two-child policy and women bearing the brunt of budget cuts to services show that equality is stalling under this Government. How is the Prime Minister going to address this?

The Prime Minister: The position is not as the hon. Lady has set out in her question. In fact, we see women with greater opportunities today. For example, there are more women in the workplace. Crucially, action is being taken as a result of the work that we have been doing on the gender pay gap and the requirement on companies

to report on gender pay, and the pay gap has been coming down over the years. I absolutely take seriously the issue of sexual harassment and bullying in the workplace. It is very important that anybody in any workplace is treated—and feels that they are being treated—with respect and dignity, and that action is taken to ensure that we eradicate sexual harassment and bullying in the workplace.

Sir Henry Bellingham (North West Norfolk) (Con): Does the Prime Minister agree that when veterans have already been investigated by both military and civilian authorities, they should never be hounded and pursued unless there is overwhelming new evidence? I thank the Prime Minister for her personal engagement on this issue, but does she agree that what is happening to numerous Northern Ireland veterans is against natural justice, damaging to recruitment and contrary to the military covenant?

The Prime Minister: We owe a vast debt of gratitude to the heroism and bravery of the soldiers and police officers who upheld the rule of law and were themselves accountable to it—something that will always set them apart from and above the terrorists who, during the troubles in Northern Ireland, were responsible for the deaths of hundreds of members of the security forces. The current system in Northern Ireland is flawed. It is not working. It is not working for soldiers, for police officers or for victims; and, of course, that group of victims also includes many soldiers and police officers. Although a number of terrorist murders from the troubles are actively under investigation by the Police Service of Northern Ireland and other police forces, I am clear that there is a disproportionate focus on former members of the armed forces and the police under the current mechanisms for investigating the past. We are committed to ensuring that all outstanding deaths in Northern Ireland should be investigated in a way that is fair, balanced and proportionate.

Q14. [907257] **Susan Elan Jones** (Clwyd South) (Lab): The Prime Minister has already said that she does not know what is in next week's Budget. As she probably does not know whether she is going to be Prime Minister next week, perhaps that is not a surprise. Does she agree that providing tax reliefs for private schools is not a good use of public money? Will she just have a little word about that with the Chancellor, who is sitting next to her?

The Prime Minister: What I said about the Budget was that I was not going to tell the House today; hon. Members will have to wait until Monday.

Nicky Morgan (Loughborough) (Con): My right hon. Friend will remember visiting the Defence and National Rehabilitation Centre at Stanford Hall, which sits between the constituency of my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) and my constituency of Loughborough. The Prime Minister knows that the "N" relies on the NHS being able to work with and benefit from the rehabilitation of those brave members of the armed forces she has just spoken about. What we really need now is my right hon. Friend to bring together people in national Government with local NHS commissioners to get the final decisions made so that

we can ensure that we have this world-class facility to benefit people in need of rehabilitation. I will not be going there myself, but I can see that repairing injured legs is very important.

The Prime Minister: First, I am sure that the whole House will want to join me in paying tribute to the courage and dedication of our armed forces. For the vast majority, their experience of serving is positive. Of course, we do see those members of our armed forces who sadly do suffer injuries that are life-changing. The rehabilitation capacity and capability that has been built up at Headley Court and that is now being put forward in the new Defence and National Rehabilitation Centre is very important. It was incredible to actually meet people who had been through that rehabilitation and see the massive change it had made to their lives.

This could be a huge benefit to the national health service as well. I thank my right hon. Friend for highlighting this issue. The question of national health service patients being able to use this centre is an important aspect. Everybody's aim is to be able to ensure that that can happen. I understand that my right hon. Friend the Secretary of State for Health and Social Care is currently reviewing the proposal for NHS patients to benefit from this legacy of expertise in the new centre.

Sir Vince Cable (Twickenham) (LD): Does the Prime Minister not accept that the very sensible objectives of universal credit, to simplify benefits and improve work incentives, were seriously undermined by the 2015 Budget of her friend, the former Chancellor, who slashed the work allowance, and that that, together with administrative rigidity, is now causing enormous hardship for families and single parents? So will she listen to the charities and her own Back Benchers who are urging her to pause the roll-out until these deficiencies are remedied?

The Prime Minister: The right hon. Gentleman rightly makes the point that the universal credit system introduces a system that is simpler, with a single benefit and a single claim, rather than something like the six claims that people might have been making. It is also a benefit that encourages and works with people to help them into the workplace, and a benefit that ensures that, as they earn more, they keep more. This is a benefit that is good for people, as we see from the extra numbers in work in receipt of universal credit and from the fact that, for people who go on to universal credit, the evidence is that they then go on to earn more in the workplace. Encouraging people into work; making sure that work pays; a simpler system: those are the benefits of universal credit.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): As a children's doctor, I have seen how some young people with life-threatening conditions, and their families, can struggle to receive the care and support they need, particularly respite care and out-of-hours community care. I would therefore like to draw my right hon. Friend's attention to the report by the all-party parliamentary group on children who need palliative care, which I co-chair with the hon. Member for Newcastle upon Tyne North (Catherine McKinnell). May I ask my right hon. Friend to take a personal interest in this report so that we can work together to ensure that our most vulnerable children, and their families, get the support that they need?

The Prime Minister: This is an important issue, and obviously my hon. Friend, with her particular experience, is well aware of it in a sense that many of us will not be. I thank her, first, for the work that she undertakes as the co-chair of the APPG on children who need palliative care. Of course, I am sure that the thoughts of the whole House are with those parents who find themselves in this situation. We have made a commitment to everyone at the end of life, including children, setting out the actions we are taking to make high quality and personalisation a reality for all and to end the variation in end-of-life care. This covers a whole range of aspects, including practical and emotional support, because that is an important aspect of good end-of-life care. That is set out, of course, in our end-of-life commitment and our ambitions for the palliative care framework. But it can be difficult for some commissioners to develop suitable care models for children. That is why, I understand, NHS England is convening an expert group to develop commissioning models that are suitable for this particularly vulnerable group of patients and ensure they get the support and care they need.

Faisal Rashid (Warrington South) (Lab): Can the Prime Minister assure the hundreds of my constituents in Warrington South who have been trapped in their homes by spiralling ground rents that the Government's commitment to crack down on unfair leasehold practices will be fulfilled and that the Government will restrict some ground rents to zero, as promised by the former Housing Minister less than a year ago?

The Prime Minister: We are indeed following up on our commitments in that area.

Theresa Villiers (Chipping Barnet) (Con): The whole House should welcome the commitment to another £20 billion for the NHS. Does the Prime Minister agree that it is vital that the NHS produces a plan to use that money wisely and to strengthen frontline care, including expanding GP services for my constituents in Chipping Barnet?

The Prime Minister: My right hon. Friend is absolutely right. This is the biggest cash boost that the NHS will have received in its history. It is important that this money is used carefully and properly, to ensure that care for patients is improved. That is one of the principles that we have set out for the 10-year plan that the NHS is working on at the moment, and I am sure the NHS will be looking carefully at the GP services in her constituency.

Dan Jarvis (Barnsley Central) (Lab): I am sure the whole House will want to send their best wishes to my hon. Friend the Member for Coventry North West

(Mr Robinson), who is recovering from a recent operation. In his absence, and with his blessing, we will proceed with the Third Reading of his Organ Donation (Deemed Consent) Bill this Friday. It is a Bill that will save lives and give hope to many. The Prime Minister previously has been very supportive, as has the Leader of the Opposition. Will she today reconfirm her support for this important Bill on Friday?

The Prime Minister: First, may I join the hon. Gentleman and other Members of the House in wishing the hon. Member for Coventry North West (Mr Robinson) the very best? We do indeed continue to support the Bill. As the hon. Gentleman said, it is very important, and it will save lives.

Sir Bernard Jenkin (Harwich and North Essex) (Con): May I join my right hon. Friend in her praise of and best wishes to the retiring Cabinet Secretary, Sir Jeremy Heywood? He not only served many Governments, but appeared in front of many Select Committees, including my own, and was as popular among Members of Parliament as he was among his colleagues. He will be missed.

The Prime Minister: I thank my hon. Friend for his comments. He is absolutely right. As I said, Sir Jeremy has been for more than three decades an exemplary civil servant. His public service is second to none, and I am sure that he enjoyed the opportunity to appear before my hon. Friend's Committee.

Mr Speaker: Oh, I imagine it was probably the height of his enjoyments. Who could possibly have thought otherwise? We are grateful to the Prime Minister for what she said.

Fiona Onasanya (Peterborough) (Lab): Given the £1.2 million-worth of cuts per year since 2014 to children's services in my constituency, does the Prime Minister believe we have adequate resources for special educational needs and disabilities in Peterborough?

The Prime Minister: We treat the issue of children's services very carefully, because all children, no matter where they live, should have access to high-quality care. Spending on the most vulnerable children has increased by over £1 billion since 2010, but of course, this is not simply about money; it is about how councils deliver good and excellent services. We need to ensure that everybody is delivering according to best practice. That is why we are improving social work training and spreading innovation and best practice, and where councils are not delivering the standard of service we expect, we will intervene to make sure they improve.

Point of Order

12.48 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): On a point of order, Mr Speaker. I am extremely grateful to you for accepting this point of order.

It is entirely correct that Members of both Houses engage in robust political debate around the parliamentary estate, but today we have learned that the violent, racist thug and fraudster known as Stephen Yaxley-Lennon, or Tommy Robinson, was invited on to the estate and wined and dined in the House of Lords yesterday. I understand that sometimes we have to engage with views that we might not agree with, but surely a man who is as guilty as he is of stirring up racial hatred, organising violent, thuggish crimes around the country, setting up the English Defence League and everything that comes with it crosses a line, and such a person should not be invited to walk among us on the parliamentary estate. Can you advise me and other Members whether that is in order, and will you take it up with your counterpart in the House of Lords?

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order, of which—I make no complaint about this—I have had no advance notice, so I am reacting on my feet and I am perfectly content to do so. What I have to say to the hon. Gentleman is twofold. First, I share his assessment of the individual concerned: a loathsome, obnoxious, repellent individual. I make no bones about my view being the same as his on that front.

Secondly, and this is the procedurally significant point, the question of who might be invited to dine in the other place is outside my remit. I always appreciate the enthusiasm of the hon. Gentleman for extending my reach and scope. I am very grateful to him for thinking in those terms. However, this is a matter for the other place, so when the hon. Gentleman asks me for my advice, my advice to him is that, if he wishes to pursue the matter, he should in the first instance—as a matter of both courtesy and practicality—write to the Lord Speaker to register his views, perhaps enclosing the relevant extract from today's *Official Report*. I hope that that is helpful to the hon. Gentleman.

Housing Reform

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

12.51 pm

Mr Richard Bacon (South Norfolk) (Con): I beg to move,

That leave be given to bring in a Bill to amend the law relating to housing; to make provision about housing space and thermal performance standards; to place a duty on the Secretary of State to require the provision of serviced plots of land; and for connected purposes.

I am pleased to introduce the Housing Reform Bill, which will improve space standards, increase the minimum thermal performance of new homes and require the Secretary of State to provide serviced plots of land at scale to offer real choice to anyone who wishes to get their own place to live, whether through a housing association, a housing co-operative, a council house—to that end, the Minister may have noticed the article by Lord Porter in *The Guardian* the other day—or for private purchase. I declare my interest as an ambassador for the Right to Build Task Force, which is supported by the Nationwide Foundation, the charitable arm of the Nationwide building society.

The Prime Minister has said that housing is the Government's top priority domestically. True, there have been four Housing Ministers in the past year or so, which does not make it sound like the Government's top domestic priority, but after all there have been eight Housing Ministers in the past eight years and 17 Housing Ministers in the past 17 years. No recent Government have really taken housing seriously enough, although there are encouraging signs with the new Minister for Housing, my hon. Friend the Member for North West Hampshire (Kit Malthouse). I will come on to him later; I am delighted to see him in his place.

The planning system should be about making great places to live that are well designed and well built; well connected; well served with schools, health, community and sports facilities; environmentally sensitive, where green is normal; part of a thriving economy with local jobs; and active, inclusive and safe—that is to say, fair for everyone. In other words, we should separate the business of place making from the business of home building, which, so long as it is done to the required standards, can be built by anyone, including—increasingly, and often to higher standards—in an off-site factory.

Instead of that, we have a system that is broken. According to the National Audit Office, 74% of the Government's housing budget goes on housing benefit, which is 3% of all public expenditure. Some 86% of people would like to own their own home but, despite this, home ownership is falling. There has been a surge in the number of people privately renting, particularly families with young children, not because they want to, but because they have no choice.

Dr Julie Rugg of the University of York's Centre for Housing Policy, who has done excellent research in this area, points out that in most cases the private rented sector is now a proxy either for people who wish to buy but cannot afford to do so, or for people who need to be in social housing. We have scarcely considered the long-term consequences for pension provision and affordability of people not owning their own homes, if more people are

[Mr Richard Bacon]

paying rent until they die. Meanwhile, we have two nations developing: one nation of those people who are invited to landlord evenings by estate agents and who in some cases already own several buy-to-let properties; and another entirely separate nation of those who cannot afford somewhere to live at all, either to rent or to buy. Home ownership among young adults has collapsed, falling to just 27% in 2016 from 65% 20 years ago.

We have a system that maximises opposition. I have yet to meet the grandmother whose daughter has just had a second baby who does not want her daughter's family to have a good home. However, the reason there is so much opposition to new housing is that most people feel they have no real say over what gets built; where it gets built; how it performs—its thermal performance; what it looks like; crucially, who has the first chance to live there; and what the benefits of the new housing will be for the existing community. If we change all of that, we change the conversation.

We need a system where there is not a prolonged argument that prevents houses from being built quickly. At present, a very small number of very large companies build houses when, and only when, it is sufficiently profitable to do so. I do not blame them for that—they are doing their duty by their shareholders—but there are no real alternatives at scale for consumers who wish to buy something else. We have to tackle the root causes of the lack of supply. Some 67% of people are unlikely to, or would prefer not to, buy the product of volume house builders. That figure is based on research by the trade body for volume house builders, the Home Builders Federation.

The normal essentials for any vaguely competitive market to operate properly—first, real variety and choice for consumers; and, secondly, low barriers to entry for new suppliers—are wholly absent. My Bill will fix this by doing three things. First, it will improve minimum space standards. The large volume house builders are making houses that are ever more like shoe boxes, and they need to be stopped. When the 1961 report by Sir Parker Morris, “Homes for today & tomorrow”, was published, it ushered in a brief period when a decent amount of space was considered normal. The 1970s are blamed for many lapses of taste, but at least one thing that went well—so well that it is now regarded almost as a halcyon period in this respect—was that houses started to get bigger. Now they are getting smaller again.

Volume house builders routinely construct what are little more than shoe boxes, even commissioning extra-small furniture for show homes to create an optical illusion, whereby rooms in a house seem larger than they actually are, to deceive their customers. We need nationally enforced minimum standards, rather than the set of rather ad hoc arrangements we have at present. There is clear evidence that people in larger spaces are healthier, which reduces the burden on the NHS.

We also need better lifetime adaptability not as an add-on by the rare more thoughtful developers, but as standard, so that houses can easily be made suitable for young families, older people or individuals with a temporary or permanent physical impairment. In this context, I am looking forward to the launch later today by the all-party group on healthy homes and buildings of its report, “Laying the Foundations for Healthy Homes

and Buildings”. The chairman of the group, the hon. Member for Strangford (Jim Shannon), is one of the sponsors of my Bill.

Secondly, my Bill will raise the minimum thermal performance standard that new-build residential property must achieve. We have known for decades how to build a house that costs nothing to heat, but the main house builders just do not do it. The main capital cost may be slightly higher in the short term, although even that is not necessarily true, but the long-term higher costs of poor-quality housing and higher heating bills are borne the most by those who can least afford to do so, and there is also the excessive and wholly unnecessary extra burden on our planet.

It is possible to produce homes that cost a few pounds per month for heat and hot water. I recently saw one at Graven Hill in Oxfordshire, and I know that the Minister, although he has not been in office for very long, has already visited Graven Hill, which is the site of the biggest self-build and custom house building development in the UK, where eventually 1,900 serviced plots will have been built on. I saw a house where, with mechanical ventilation and heat recovery, someone can have heat and hot water for £125 a year.

Thirdly, my Bill will require the Secretary of State to provide or to ensure the provision of serviced plots of land at scale—that is to say, plots of land where the difficult parts, such as the connections for water, gas, electricity and broadband, are already done. On the continent it is quite normal to go to one's local authority and buy a serviced plot of land. One can be produced for £12,000 to £15,000, plus the land cost. The Right to Build Task Force is working with willing local authorities across the country to make it more normal here, but we could go much further.

Recently, the city of The Hague in the Netherlands has provided serviced plots that can be purchased for €40,000, and a house can then be built for about €120,000 or £105,000. If somebody cannot afford to buy the plot, they can rent it and buy it later. Another innovative scheme in the Netherlands, known as “Ik bouw betaalbaar”—“I build affordable”—takes people on limited incomes who are on the housing register and helps them to bring forward their own affordable scheme to their own design. Lord Porter referred to that in the article in *The Guardian* the other day. I propose a system where such plots could be obtained by anyone from a housing association or a local council to a private individual or a housing co-operative. Simple rules would prevent volume house builders or other developers from buying large numbers of plots and would also prevent flipping.

We have sites with serviced plots, but not enough of them. It should become a normal choice. In the past 20 years, the ratio of average house prices to average incomes has doubled from three-and-a-half times average income to 7.7 times average income. In the 1980s and until the late '90s, the average 30-year-old could afford a deposit for a home if he or she saved for three or four years; now, they would have to save for nearly 20 years. The system is broken. We need a radical change of approach, and to succeed we must engage the energy of our people.

I know that there are people who say that this cannot be done, or, if it can be done, that it can be done only on a small scale in certain limited sites. It is certainly true

that it works for small sites, but those people who do not believe that it can be done on a large scale are wrong, and the reason why I know they are wrong is that I have seen it being done; it is just not being done here in the United Kingdom. We will not succeed without muscular help from Government and without engaging the energy of our own people. To those people who think that the energy of our own people is insufficient, I simply join Rod Hackney, the architect, in saying that it is a dangerous thing to underestimate human potential and the energy that can be generated when people are given the opportunity to help themselves. I commend this Bill to the House.

Question put and agreed to.

Ordered,

That Mr Richard Bacon, George Freeman, Jeremy Lefroy, Hilary Benn, Siobhain McDonagh, Mr Simon Clarke, Sir Vince Cable, Eddie Hughes, Mr Clive Betts, Jim Shannon, Sir Robert Syms and Sir Graham Brady present the Bill

Mr Richard Bacon accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 23 November, and to be printed (Bill 277).

Northern Ireland (Executive Formation and Exercise of Functions) Bill (Business of the House)

Motion made, and Question proposed,

That the following provisions shall apply to the proceedings on the Northern Ireland (Executive Formation and Exercise of Functions) Bill:

Timetable

(1)(a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at today's sitting in accordance with this Order.

(b) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) four hours after the commencement of proceedings on the Motion for this Order.

(c) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be brought to a conclusion (so far as not previously concluded) six hours after the commencement of proceedings on the Motion for this Order.

Timing of proceedings and Questions to be put

(2) When the Bill has been read a second time:

(a) it shall, despite Standing Order No. 63 (Committal of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3)(a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.

(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) If, following proceedings in Committee of the whole House and any proceedings on Consideration of the Bill, a legislative grand committee withholds consent to the Bill or any Clause or Schedule of the Bill or any amendment made to the Bill, the House shall proceed to Reconsideration of the Bill without any Question being put.

(5) If, following Reconsideration of the Bill—

(a) a legislative grand committee withholds consent to any Clause or Schedule of the Bill or any amendment made to the Bill (but does not withhold consent to the whole Bill),

(b) the Bill is amended to remove any provisions which are not agreed to by the House and the Legislative Grand Committee, and

(c) a Minister of the Crown indicates his or her intention to move a minor or technical amendment to the Bill,

the House shall proceed to consequential Consideration of the Bill without any Question being put.

(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (1), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and shall not put any other questions, other than the question on any motion described in paragraph (17)(a) of this Order.

(7) On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(8) If two or more Questions would fall to be put under paragraph (6)(c) on successive amendments moved or Motions made by a Minister of the Crown, the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions.

(9) If two or more Questions would fall to be put under paragraph (6)(d) in relation to successive provisions of the Bill, the Chairman shall instead put a single Question in relation to those provisions, except that the Question shall be put separately on any Clause of or Schedule to the Bill which a Minister of the Crown has signified an intention to leave out.

Consideration of Lords Amendments

(10)(a) Any Lords Amendments to the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(11) Paragraphs (2) to (11) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (10) of this Order.

Subsequent stages

(12)(a) Any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(13) Paragraphs (2) to (9) of Standing Order No. 83G (Programme orders: conclusion of proceedings on further messages from the Lords) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (12) of this Order.

Reasons Committee

(14) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order.

Miscellaneous

(15) Standing Order No. 15(1) (Exempted business) shall apply so far as necessary for the purposes of this Order.

(16) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

(17)(a) No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(b) No notice shall be required of such a Motion.

(c) Such a motion may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(d) The Question on such a Motion shall be put forthwith; and any proceedings suspended under sub-paragraph (c) shall thereupon be resumed.

(e) Standing Order No. 15(1) (Exempted business) shall apply to proceedings on such a Motion.

(18)(a) No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown.

(b) The Question on any such Motion shall be put forthwith.

(19) No debate shall be held in accordance with Standing Order No. 24 (Emergency debates) at today's sitting after this Order has been agreed.

(20) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(21) No private business may be considered at today's sitting after this Order has been agreed.—(*Karen Bradley.*)

Mr Speaker: I should inform the House that an amendment has been put to me, and I am calling the hon. Member for Walthamstow (Stella Creasy) to speak to and move her manuscript amendment.

1.3 pm

Stella Creasy (Walthamstow) (Lab/Co-op): I beg to move a manuscript amendment, in line 43, paragraph (6), after sub-paragraph (b) at end insert—

“(ba) the question on any amendment, new clause or new schedule selected by the Chair or Speaker for separate decision.”

There is much talk right now in this Chamber, and indeed in our country, about what a meaningful vote is. I wager that a meaningful vote is one that people can vote on—a very simple line. My hon. Friend the Member for St Helens North (Conor McGinn) and I have tabled this amendment to today's programme motion because we are concerned about the programme motion. Let us be clear: we understand that this is considered emergency legislation. We have no desire to delay this important legislation as it passes through the House, but because it is emergency legislation it is all the more important that, where there are concerns about what it may concern, or may include, or may not include, the House is able to take a view and Members are able to decide. Therefore, to see the programme motion today and discover that a crucial element of it—one that is in most other Bills—is missing is a concern to us. It is the part that allows the Chair of proceedings the right to select any amendment, new clause, or new schedule for a vote. To remove that section of a programme motion and not to inform the Opposition of that is a concern to us because it recognises that there may be issues on which Members have a strong view, but, by dint of the programme motion, not by the consent of the House ahead of the time, they would not get a say on them.

I am sure that the error is in overlooking the matter rather than a deliberate intent by the Whips to deny a debate. Therefore, my hon. Friend and I wish to be extremely helpful, which is why we have tabled a manuscript amendment to restore that section of the programme motion, which allows the Speaker and the Chair, at their discretion, to select any amendment, new clause, or new schedule for a meaningful vote on this legislation.

I say to everyone in this House that, whatever they think of the amendments tabled for today, to cross this Rubicon and decide that there are some matters on which the House should not be paramount is a dangerous move to make. I also say that the people of Northern Ireland, who have already seen so much democratic dysfunction, deserve better from this House.

Heidi Allen (South Cambridgeshire) (Con) *rose*—

Stella Creasy: I will happily quickly give way to the hon. Lady, but I know that the House wants to get on and have its say about this process.

Heidi Allen: I will be very swift indeed. I just want to say to the hon. Lady that there are many colleagues on the Conservative Benches who are absolutely with her on this, and that this item should be voted on.

Stella Creasy: I thank the hon. Lady, because I know that she, like me, believes that the democratic process must be open and transparent, no matter how difficult the conversation and the issues at hand may be.

I hope that all the House will agree that it is right to stick to the kinds of programme motions that we have all come to know and love. With that, I move this manuscript amendment.

1.6 pm

Chris Bryant (Rhondda) (Lab): The point is that we should do things properly. It is an established principle in this House, and in this Parliament, that we normally have three Readings, a Committee stage, and Report, with gaps in between, so that people can consider matters properly. The only time that we suspend that is for emergency legislation. In all honesty, I do not see why this is emergency legislation. By definition, it is only emergency legislation normally when there is no controversy; there is clearly substantial controversy here, which is why we should have a proper Business of the House motion to allow us to consider amendments that have not been tabled by Ministers.

Mr Speaker: I am grateful to the hon. Gentleman for what he has just said. His reference to a proper Business of the House motion is the view that he has volunteered, but I say this as much for the benefit of people attending to our proceedings and in the name of their intelligibility as for any other reason that it is precisely because I judged that this matter should be capable of amendment, even at the last minute, that I selected the manuscript amendment, so I know perfectly well how to operate in these matters. I am very glad that we are in agreement on that—[*Interruption.*] No, no, I appreciate that. The hon. Gentleman does not need to be touchy about it. I was merely claiming credit for selecting the amendment.

1.8 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I take the point that the hon. Member for Walthamstow (Stella Creasy) has made in putting forward her manuscript amendment, but surely it is the case that when we are dealing with this type of procedure—emergency legislation that is fast tracked—this procedure is not normally included. The Speaker does not normally have this discretion in a fast-track motion procedure. As I understand it, it is not a question that the Government are trying to mislead anyone; they are just following what is the normal procedure for this type of legislation. Therefore, it is unfortunate that some are suggesting that, somehow, this is a fast move on the part of Government or anyone else. I note that, on previous occasions when Northern Ireland legislation has been dealt with by this procedure, we heard nothing from the Opposition; we heard nothing from the hon. Lady about the need for some of our amendments, for example, to be pushed to a vote. It is worth putting it on record that this is the normal procedure; it is the way that the House deals with fast-track legislation.

Mr Speaker: I am not sure that I would in any sense put myself forward as the arbiter of normality; I am not sure that that is my role. I am simply the person who guarantees or underscores order. Nor is it really for me—I am not suggesting that the right hon. Gentleman says that it is—to offer my understanding of the Government's interpretation of these matters. If the Secretary of State wishes to explain her reasoning, and give an exegesis, she is welcome to, but she is not under any obligation to do so.

1.10 pm

The Secretary of State for Northern Ireland (Karen Bradley): The motion is exactly the same as the programme motion tabled to the Budget Bill earlier this year. It is the standard programme motion used for this kind of emergency legislation. The Government are not at all trying to do anything underhand.

Mr Speaker: This is, of course, a Business of the House motion, rather than a programme motion, but I think I know at what the Secretary of State is getting.

Amendment agreed to.

Main Question, as amended, put and agreed to.

Resolved,

That the following provisions shall apply to the proceedings on the Northern Ireland (Executive Formation and Exercise of Functions) Bill:

Timetable

(1)(a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at today's sitting in accordance with this Order.

(b) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) four hours after the commencement of proceedings on the Motion for this Order.

(c) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be brought to a conclusion (so far as not previously concluded) six hours after the commencement of proceedings on the Motion for this Order.

Timing of proceedings and Questions to be put

(2) When the Bill has been read a second time:

(a) it shall, despite Standing Order No. 63 (Committal of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3)(a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.

(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) If, following proceedings in Committee of the whole House and any proceedings on Consideration of the Bill, a legislative grand committee withholds consent to the Bill or any Clause or Schedule of the Bill or any amendment made to the Bill, the House shall proceed to Reconsideration of the Bill without any Question being put.

(5) If, following Reconsideration of the Bill—

(a) a legislative grand committee withholds consent to any Clause or Schedule of the Bill or any amendment made to the Bill (but does not withhold consent to the whole Bill),

[Mr Speaker]

(b) the Bill is amended to remove any provisions which are not agreed to by the House and the Legislative Grand Committee, and

(c) a Minister of the Crown indicates his or her intention to move a minor or technical amendment to the Bill,

the House shall proceed to consequential Consideration of the Bill without any Question being put.

(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (1), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(ba) the question on any amendment, new clause or new schedule selected by the chair or Speaker for separate decision;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and shall not put any other questions, other than the question on any motion described in paragraph (17)(a) of this Order.

(7) On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(8) If two or more Questions would fall to be put under paragraph (6)(c) on successive amendments moved or Motions made by a Minister of the Crown, the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions.

(9) If two or more Questions would fall to be put under paragraph (6)(d) in relation to successive provisions of the Bill, the Chairman shall instead put a single Question in relation to those provisions, except that the Question shall be put separately on any Clause of or Schedule to the Bill which a Minister of the Crown has signified an intention to leave out.

Consideration of Lords Amendments

(10)(a) Any Lords Amendments to the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(11) Paragraphs (2) to (11) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (10) of this Order.

Subsequent stages

(12)(a) Any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(13) Paragraphs (2) to (9) of Standing Order No. 83G (Programme orders: conclusion of proceedings on further messages from the Lords) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (12) of this Order.

Reasons Committee

(14) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order.

Miscellaneous

(15) Standing Order No. 15(1) (Exempted business) shall apply so far as necessary for the purposes of this Order.

(16) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

(17)(a) No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(b) No notice shall be required of such a Motion.

(c) Such a motion may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(d) The Question on such a Motion shall be put forthwith; and any proceedings suspended under sub-paragraph (c) shall thereupon be resumed.

(e) Standing Order No. 15(1) (Exempted business) shall apply to proceedings on such a Motion.

(18)(a) No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown.

(b) The Question on any such Motion shall be put forthwith.

(19) No debate shall be held in accordance with Standing Order No. 24 (Emergency debates) at today's sitting after this Order has been agreed.

(20) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(21) No private business may be considered at today's sitting after this Order has been agreed.

Northern Ireland (Executive Formation and Exercise of Functions) Bill

Second Reading

1.12 pm

The Secretary of State for Northern Ireland (Karen Bradley): I beg to move, That the Bill be now read a Second time.

I inform the House that the noble Lord Caine, who will be well known to many Members of this House, cannot be with us because, sadly, his father passed away this morning. I am sure that we will all join together in sending our condolences to him and his family. We send him, and his mother in particular, our very best wishes. *[Interruption.]* Lord Caine.

Stephen Pound (Ealing North) (Lab): Jonathan.

Karen Bradley: Yes, Jonathan to you, Mr Speaker, I am sure.

I begin by inviting the House to join me in remembering those who lost their lives in the horrific Shankill Road bombing, the Greysteel massacre and the series of attacks that followed. These atrocities took place 25 years ago, but their effects are still felt by those who lost loved ones and by the dozens of people injured. Those who lost their lives will never be forgotten. People from across the community in Northern Ireland suffered in those dark days, and we must not forget that suffering.

When the people of Northern Ireland voted, by a huge majority, in favour of the Belfast agreement, they voted for a shared future in which no one would have to experience the suffering and loss that took place during the troubles. None of us in this House should forget, or underestimate, what was lost before the Belfast agreement, or what has been achieved since.

The Government remain completely and unequivocally committed to the Belfast agreement, not just because of what it stands for, but for what it has delivered for the people of Northern Ireland. At the heart of that agreement is a devolved power-sharing executive Government, and restoring that Executive remains my top priority. Northern Ireland needs devolved government. It needs all the functioning political institutions of the Belfast agreement and its successors. The only sustainable way forward lies in stable, fully functioning and inclusive devolved government. As Secretary of State, achieving this aim is my absolute priority.

The Bill delivers on a number of commitments that I set out in my last statement to the House on 6 September. It is an important step towards our goal of restoring the devolved power-sharing Executive and Assembly. It seeks to provide for a fixed period in which an Executive can be formed at any time. It provides the space and time for this Government to continue our engagement with the political parties in Northern Ireland, and with the Irish Government where appropriate, so that we can renew the talks process, with the shared aim of restoring devolved government at the earliest possibility. The Bill also provides the Northern Ireland Departments with the certainty and clarity they need to continue to deliver public services during this fixed period.

Fiona Bruce (Congleton) (Con): Will the Secretary of State confirm that the Government's purpose in bringing forward the Bill is limited to ensuring that administrative

functions in Northern Ireland continue efficiently, and that it is not about deciding on key devolved policy issues, which are more properly decided on by the people of Northern Ireland and their elected, accountable representatives?

Karen Bradley: My hon. Friend sums up very well the intent of the Bill. It will enable civil servants to continue to run public services; it will not make them law makers. They will not have the power to change policy decisions, but they will have the ability to continue to make decisions. That is why the Bill is a matter for urgent debate, and why it is emergency legislation. Without the Bill, there would be a danger of essential public services in Northern Ireland not being delivered. That is why the Government have brought it forward.

The Bill does not give civil servants any new powers; rather, it gives clarity on the exercise of their existing powers in the absence of Ministers. It will be underpinned by supporting guidance that provides a framework for decision making for Northern Ireland Departments when a judgment is being made on whether those existing powers should be used in the absence of Ministers.

Lady Hermon (North Down) (Ind): As the Secretary of State is well aware, the date of 26 March 2019 appears in clause 1. I am sure people are intrigued to know why that date—three days before we Brexit—was chosen.

An agreement would have to be reached by the Democratic Unionist party, whose Members are here, properly take their seats in Parliament, and work assiduously on behalf of their constituents, and Sinn Féin MPs, who absent themselves and do not take their seats. Will an agreement between Sinn Féin absentee MPs and the DUP have to be arrived at by 26 March next year?

Karen Bradley: I will—*[Interruption.]* I am not having a good day, am I? *[Interruption.]* I thank the hon. Member for Ealing North (Stephen Pound); he is such a gentleman, as I am sure we all agree. *[Interruption.]* Better still, he is ensuring that I do not waste any water.

The date in the Bill was chosen after consultation with all the main parties in Northern Ireland. It is not easy to determine the most appropriate date, but we have chosen the date that we believe gives the best chance for an Executive to be formed, and for meaningful talks to take place.

Lady Hermon: That is very helpful indeed. In fact, it is very succinct, and leaves a lot to the imagination. Will the Secretary of State give just one past example of the DUP or Sinn Féin having met a deadline for political talks?

Karen Bradley: I do not see this as a deadline as such; I see it as a date by which a decision will have to be taken on whether an election is called. The hon. Lady will be aware that the date is around the time when *purdah* starts for local elections. She will know very well that there are local elections in Northern Ireland next May. The date was chosen with that in mind, because clearly once a local election campaign starts, political parties focus on campaigning. She will know that we have had stable devolved government in Northern Ireland, but for most of the last 10 years, we have had a hiatus;

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that is far too long, and that is not right for the people of Northern Ireland. It is not what they deserve. I am trying to put in place, through the Bill, the best conditions to allow those talks to recommence, and to enable us to get an Executive in place. The date was chosen after consultation with all the main parties and the civil service of Northern Ireland.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): The Secretary of State has made several references in her speech so far to the political hiatus. Does she agree that the reason we do not have a functioning Executive and Assembly is that out of the five political parties in Northern Ireland eligible to be in the Executive, four—the Democratic Unionist party, the Ulster Unionist party, the Social Democratic and Labour party and the Alliance party—have all said that if the Secretary of State convenes a meeting of the Assembly for the purpose of appointing Ministers, they will be there and will appoint their Ministers immediately and without precondition, but one party, Sinn Féin, has declined to give such an undertaking? Should we not be honest with the House, and instead of blaming all of the political parties, put the focus where it belongs, on the people who do not take their seats here, who do not take their seats at Stormont and who are outside, looking in? They are the people denying Northern Ireland its proper democratic Government.

Karen Bradley: I do not want to provide a running commentary on the talks I have had with parties since the talks broke down in February between the two main parties. What I would say is that I have heard a willingness from parties that they want to get back into Government. That is why I believe that the best thing for the people of Northern Ireland is that we give those parties the chance to get back into devolved Government and provide the best conditions to enable that to happen—and the Bill is part of achieving that. It is important that we use this time and the powers in the Bill to ensure that public services continue to be run and there is no distraction from the parties coming back together and forming a Government.

David Simpson (Upper Bann) (DUP): Does the Secretary of State accept that if an Assembly is to come back to Northern Ireland—and we all here support that—the structure of that Assembly has to be right, so that no one party can pull it down?

Karen Bradley: I want to see a fully functioning, devolved Government as we have seen in the past, as that would be best for the people of Northern Ireland, and so that many of the decisions and the policies that right hon. and hon. Members will raise today can be taken in the right place, which is Stormont.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Is cearta daonna iad cearta teanga agus tá cothrom na féinne tuilte ag lucht labhartha na Gaeilge.

Under the St Andrews agreement of 2006, the British Government pledged to introduce an Irish language Act based on the experiences of Wales and the Republic of Ireland. Will the Secretary of State uphold that

commitment by introducing an Irish language Act if power-sharing institutions are not restored within six months?

Mr Speaker: I assume that that intervention contained a translation. That is my working premise—

Liz Saville Roberts: I would be delighted to offer a translation if that would be sufficient.

Mr Speaker: I thought it had been offered, but if it has not been, I hope that the hon. Lady will indulge not just me, but the House.

Liz Saville Roberts: Language rights are human rights and the Irish speakers of Ireland deserve fair play.

Karen Bradley: The hon. Lady is right that the St Andrews agreement includes a political declaration to legislate for an Irish language Act, but it is also clear that once devolved Government restarted in Stormont in 2008, that power became a devolved power for Stormont to legislate on. I support the fact that we have statutory underpinning for many of our indigenous languages. For example, during the 2010-15 Parliament, the Cornish language was granted statutory underpinning, and S4C, which was legislated for by a Conservative Government in the 1980s, has delivered a status for the Welsh language that I am sure the hon. Lady appreciates and enjoys on a regular basis. The important point is that it is a devolved power, and I am sure that as the leader of Plaid Cymru in the House she would not want to see the House undermining the constitutional devolution arrangements that exist across the United Kingdom, or cherry-picking points that right hon. and hon. Members may feel strongly about—and I have great sympathy with much of the strength of feeling—as we have to respect those arrangements.

The Bill will also enable key public appointments to be made in the absence of Northern Ireland Ministers, including reconstituting the Northern Ireland Policing Board. To make it clear to right hon. and hon. Members, a properly constituted Northern Ireland Policing Board is essential for proper governance and accountability, and public trust in policing in Northern Ireland. That is why it is essential that we pass the Bill urgently.

I shall turn to the specifics of the Bill. First, the Bill extends the period provided for in the Northern Ireland Act 1998 for Northern Ireland Ministers to be appointed before the local elections next year. As the House is aware, because Ministers were not appointed by 29 June 2017, the 1998 Act requires a further election before an Executive can be formed. As I set out in my 6 September statement, an election at this time would not be helpful, nor would it increase the prospects of restoring the Executive. The provisions of clause 1 aim to create a period in which an Executive can be formed and talks can take place, by removing that current legal impediment to an Executive being formed for a defined period. Let me be clear about what that means: as things stand, if the parties were able to find agreement and form an Executive, the House would have to pass primary legislation to enable that to happen. During a recess or periods of intense parliamentary activity, we might be unable to find parliamentary time to allow an Executive to form. I do not think that that barrier or impediment to

forming an Executive is one that right hon. and hon. Members would want to see, and the Bill will therefore enable an Executive to be formed without the need for primary legislation during the period covered by the Bill.

The Bill also contains a provision in clause 2 that this period may be extended once, for up to five months. That will remove the need for further primary legislation in the event that, for example, Northern Ireland parties have made progress towards a deal, but a short extension is judged necessary to finalise an agreement and form an Executive.

I want to be clear to the House—I will not wait until March to begin efforts to bring the parties together to work towards Executive formation. Following the passage of this legislation, I intend to meet party leaders to discuss the basis, process, and timing for a further phase of talks, and will at all times continue to stress the urgent need to restore devolution. I welcome all efforts to improve political dialogue between the parties in Northern Ireland, including those by church leaders, who I met earlier this month—following their meeting with the parties—to discuss how best to encourage meaningful political engagement towards the restoration of an Executive.

Lady Hermon: I admire the stamina and diligence that the Secretary of State has demonstrated in trying to achieve the restoration of the Assembly since January last year. However, I am intrigued to learn whether the Northern Ireland Office has taken time to assess the unpopularity of the Assembly in Northern Ireland caused mainly, although not exclusively, because the 90 MLAs continue to receive their full salary while not doing a full job. When the Secretary of State announced in September that she would cut MLA salaries, she delayed the cut until November. Can she explain that three-month delay to the people of Northern Ireland who are outraged by MLAs continuing to receive a full salary?

Karen Bradley: I know that the hon. Lady feels strongly about that matter and she has raised it in the House on several occasions. It is not a three-month delay: I made the statement on 6 September. She will understand that issues need to be dealt with, including notifying MLAs of my decision to cut their pay and changing the payroll arrangements. As I said in September, the November pay cheques were the earliest opportunity to cut the pay, so the pay cheques that will be delivered next week will include the pay cut. The next pay cut will be in January, if we have been unable to get the Assembly and Executive reconstituted by then.

Sir Jeffrey M. Donaldson: Although I fully understand and appreciate the point made by the hon. Member for North Down (Lady Hermon), I appeal to her to understand that at the end of the day these are people with families. Yes, I understand the public ire at the lack of an Assembly, but most of the Assembly Members are not functioning there properly through no fault of their own. As I explained to the House, it is the actions of one political party in Northern Ireland and its army council—its illegal army council—that are holding the people of Northern Ireland to ransom. It would be nice just for once to hear the hon. Lady call them out for that, instead of labelling in such a way all 90 Members of the Assembly, many of whom are innocent of the charge that they do not want to make progress in

Northern Ireland or do their job fully. We treat them unfairly when we label them all in the same way without calling out the people who refuse to do their jobs and sit outside; the majority of Assembly Members want to work full time and do the full job. Of course, the House has taken the decision to cut their pay and we support that, but there are practical issues. They and their families need proper notification. When she makes these points, the hon. Lady should not just put the blame on everyone.

Mr Speaker: Order. Before the Secretary of State responds, let me say this in good humour, if I may. The hon. Member for North Down (Lady Hermon) and the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) are themselves so unfailingly courteous to colleagues and, indeed, to everybody, that it is really very difficult to get annoyed with them—and I am not. I hope, however, that they will take it in the right spirit if I say that in respect of both of their “interventions”, the erudition was equalled only by the length.

Karen Bradley: Thank you, Mr Speaker. I could not have put it better myself.

The right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) makes an important point, in that it is not the fault of Members of the Legislative Assembly that this is the situation. The MLAs I meet regularly want to get back to the Executive and the Assembly, and it is important we recognise that. I also want to put on record once again that I am of course not cutting the pay of any of the staff of MLAs. As we all know in this House, our staff work tirelessly for our constituents, as do the staff of MLAs. They are dealing with casework and constituency matters, and it is quite right that those staff should not be prejudiced against as a result of decisions taken by others.

During the period covered by the Bill, it will be necessary to provide Northern Ireland Departments with certainty about their decision-making powers. Clarity is needed on the decisions that they should or should not make. This follows a recent court ruling against a Northern Ireland Department’s decision to approve a major waste disposal and energy generation facility. The Bill clarifies that a senior officer of a Northern Ireland Department is not prevented from exercising departmental functions in the absence of Ministers during the period for forming an Executive, if the officer is satisfied that it is in the public interest to do so. The Bill also requires that I, as Secretary of State, should publish guidance about the exercise of departmental functions, as I will, of course. That includes principles that senior officers in Northern Ireland Departments may take into account when deciding whether or not to exercise a function, and they are required to have regard to that guidance.

Emma Little Pengelly (Belfast South) (DUP): I thank the Secretary of State for her engagement on this issue. It will come as no surprise to her if I mention the transport hub, which is in my constituency but of regional significance for Northern Ireland. Will she confirm that the decision hoped for before Christmas is the type of decision that can be made under the terms of this Bill by a senior civil servant in the relevant Department?

Karen Bradley: I thank the hon. Lady and her colleagues and members of all the main parties across Northern Ireland who assisted in the development of the guidance. Clearly, as Secretary of State I am not able to say what decision a civil servant would make, but we have looked at the kind of decisions and how they might be made. Given that the example she has cited was approved in the programme for government before the Executive collapsed and that Ministers had indicated that they had wanted to see it happen, it is the kind of decision that a civil servant should be able to take on the basis of the guidance as issued.

Owen Smith (Pontypridd) (Lab): The Secretary of State is being very generous in giving way. From reading the Bill and listening to the Secretary of State's answer, it is very unclear to me precisely which sort of decisions will or will not be enabled under this legislation. Can she give us an example of a decision that would not be allowed to be taken by a civil servant?

Karen Bradley: I was just about to say that I have published a draft copy of the guidance and placed it in the Library of the House so that hon. and right hon. Members can have a clear sense of what it seeks to do. The important point is that throughout my period as Secretary of State—I put on record how supportive the hon. Gentleman was when he was my opposite number of the need to make legislative changes on limited occasions in this House for the essential running of public services—when we in this House have taken decisions and passed legislation, we have been very clear that what we are not doing is changing policy. Policy and legislation cannot be changed by anything in this Bill. It is about allowing civil servants to make decisions that have been part of a policy that has previously been agreed. I suggest that the hon. Gentleman looks at the draft guidance in the Library, and says if he has any suggestions for how the guidance could be strengthened or improved to help civil servants.

I want to be clear: civil servants in Northern Ireland Departments have acted in an exemplary fashion. They have behaved without political cover and without an Executive or Ministers in a way that we should all commend. They have enabled public services in Northern Ireland to continue to be run, and the people of Northern Ireland are continuing to receive their public services. Significant reform is needed in many public services, but this is not about policy decisions on reform. It is about enabling those public services to continue, because the best way to change policy and law in Northern Ireland is for Ministers to be in Stormont making those decisions on behalf of the people who elected them.

Dr Andrew Murrison (South West Wiltshire) (Con): Can the Secretary of State say how many legal actions have been initiated in the few days since the contents of clause 3(4), on the retrospective empowerment of civil servants, were made known? I would be grateful for her confirmation or otherwise, but my understanding is that those legal actions that have been initiated will not fall within the scope of the retrospective action that she is seeking to take through clause 3.

Karen Bradley: Perhaps it is best if I write to the Chair of the Select Committee with specific details, although I want to be clear that we have put in a specific reference to decisions taken since the Executive collapsed

because we do not want those decisions that have already been taken to be challenged on the basis that once the Bill is in place there is more cover for civil servants. We want to ensure that the decisions that have already been taken are not undone.

Layla Moran (Oxford West and Abingdon) (LD): I had the privilege of visiting Lagan College, an integrated school in Belfast, and I would like to take this opportunity to convey to the Secretary of State people's deep frustration that Stormont is not functioning and their deep frustration about how Stormont functions. Same-sex marriage is an example of a policy that Stormont voted in favour of but was then blocked by a petition of concern. As part of bringing the parties back around the table, is the petition of concern something that the Secretary of State will be encouraging them all to look at again?

Karen Bradley: At the moment I need to get this legislation through, then I can bring the parties together. The hon. Lady is right that the petition of concern was discussed during the last talks process. What I cannot say is what will be discussed in the next talks process.

Paul Girvan (South Antrim) (DUP): On the question of decisions and what are believed to be non-controversial issues, senior civil servants were not making decisions on the back of the Buick ruling, and I want to ensure that those civil servants will be given the cover, under this legislation, to go ahead and deliver on issues that are not controversial, such as broadband, which needs to be delivered to rural areas.

Karen Bradley: It is precisely because of the uncertainty since the Buick judgment that we are bringing forward this legislation. I do not want to be bringing this Bill forward; I would much rather not be standing here at this Dispatch Box, taking the Bill through the House, because I would much rather that there were Ministers in Stormont making the decisions on behalf of their constituents; but there are not, and faced with the reality of the situation, I have to do what I consider to be best for the people of Northern Ireland, to ensure that their public services can continue, and that civil servants can continue to take the essential decisions in the public interest that they need to take.

It is vital that Members read the guidance alongside the legislative measures, as it clarifies the legal basis for the decisions.

Diana Johnson (Kingston upon Hull North) (Lab): I just want to be clear in my mind about what the Secretary of State is saying. I understand she is saying that there will be no change in policy and decisions will be made by civil servants in the Departments without changing policy. What happens when, in the absence of an Assembly and an Executive, there is a challenge to the policy—perhaps for being in breach of our international obligations? What happens then to the policy? Who is responsible then for dealing with that?

Karen Bradley: The hon. Lady introduced her ten-minute rule Bill yesterday, and I know she is a campaigner on a particular topic, which I suspect is what she is referring to. This Bill does not make civil servants lawmakers, so they will not be able to change the law—quite rightly. It also does not enable them to take new policy decisions, because it would be wrong to ask civil servants to do so.

Civil servants across the United Kingdom act in an incredibly professional and independent way and they follow the decisions and the policy recommendations of Ministers, and it is right that they do that. The answer to the hon. Lady's question is that we need Ministers in Stormont, because Ministers in Stormont could quite rightly make those decisions. They could change the law, and they could make policy decisions on behalf of the people who elected them, and that is what the Bill is about—enabling us to have the best conditions and framework for talks to recommence, and for the parties to come back together and do the right thing by the constituents who elected them.

Vicky Ford (Chelmsford) (Con): As I understand it, the Bill before us allows vital everyday public services to continue. I wonder whether my right hon. Friend could possibly give us some examples of the types of everyday public services that the Bill will help to continue. I suspect they include health, education and transport—things that we all use every day—and it would give greater clarity to everyone to hear those examples.

Karen Bradley: I would strongly advise my hon. Friend to read the guidance, but she is right: the purpose of the Bill is to enable public services to continue to be delivered; and to enable decisions around infrastructure projects, where there has been clear ministerial direction in the past, to be taken, so that we can see continued economic growth. We have seen incredible economic growth in Northern Ireland over the past 20 years. We have 60,000 more people in employment in Northern Ireland today than in 2010. I want to build on that. I do not want to see Northern Ireland go back. In the absence of an Executive, we are in great danger that Northern Ireland will come to a standstill. We cannot allow that to happen. However, the Bill is about the essential running of public services. It is not about policy decisions or changing the law. It is about enabling civil servants to carry on running those services.

Mr Gregory Campbell (East Londonderry) (DUP): On enacting existing provisions, would the Secretary of State be able to explain something to me? The Londonderry airport, which is owned by a municipal authority, has got money for public service obligation expansions. It is owed £2.5 million from a previous Executive decision, which was not drawn down last year. Is that the sort of provision, which has already been made, that could be decided under this legislation, and the money paid over?

Karen Bradley: It would not be right for me to answer definitively on any decision that a civil servant may make when this legislation receives Royal Assent, on the basis of the guidance, but the hon. Gentleman makes a very good point about the kind of decision that they may make. I have used Londonderry airport. It is a great airport, and it would be great to see more flights coming into it—and out, of course.

Owen Smith: I am a relative newcomer to this place—I have been here only eight years—but I have just been to the Library, the Table Office and the Vote Office, looking for a copy of the guidance that the Secretary of State says she has placed in the Library, and nobody has a copy of it. Would she clarify where it is?

Karen Bradley: I have received a nod from the Box, which means that it is there, but we will check as to why it was not available for the hon. Gentleman, because he should see a copy of the guidance, given that I have said it is vital that Members read it. The hon. Gentleman on the Front Bench who has great dexterity when it comes to mopping up water—the hon. Member for Ealing North (Stephen Pound)—appears to have a copy, so I hope that copies will be available for others.

The guidance sets out a clear framework to support Northern Ireland Departments in making a judgment on whether those judgments should be made in the absence of Ministers. The Bill stipulates that I must have regard to representations from MLAs before publishing the guidance, which would of course also be the case, should there be any need to revise the guidance. I would welcome representations from MPs as well as MLAs on its content before I publish a final iteration, which I intend to do shortly after the Bill receives Royal Assent.

Those in the Northern Ireland civil service have a difficult task of weighing up which decisions they can take in the absence of Ministers, and I again pay tribute to their hard work and dedication. The combination of the Bill and the proposed guidance will provide a framework to inform their decision making. For example, it is advised that opportunities should be taken to work towards the 12 outcomes published in the 2018-19 outcomes delivery plan, based on the draft programme for government developed in conjunction with the political parties of the previous Executive.

The guidance takes as its starting point the fact that there are certain decisions that should not be taken in the absence of Ministers. Senior officers in Departments will then be obliged to consider whether there is a public interest in taking a decision rather than deferring it. The guidance does not, however, direct the Northern Ireland civil service to take decisions on the wide range of pressing decisions raised by various hon. Members in their amendments to the Bill. As I said earlier, the principle that established our interventions over the past year is that we will legislate when doing so is necessary to protect the delivery of public services and uphold public confidence.

Lady Hermon: Before the Secretary of State moves on, could she please give some hope and encouragement to the victims of historical institutional abuse in Northern Ireland? We know the recommendations of the Hart report, and we understand from David Sterling, the head of the civil service in Northern Ireland, that legislation was drafted by the summertime. If a departmental permanent secretary does not have the power to take forward the Hart proposals, will the Secretary of State please confirm today that legislation will be taken through this House, because the victims are ageing, some of them are dying, and the situation is morally indefensible?

Karen Bradley: This is a matter that I know the hon. Lady feels very deeply about, and it is the subject of one of the amendments tabled by my hon. Friend the Member for South West Wiltshire (Dr Murrison), the Chair of the Select Committee. The difficulty with the Hart recommendations, as the hon. Lady knows, is that they were laid after the Executive had collapsed, and that

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means we have no ministerial direction on which of the recommendations have cross-party support and which do not. Although, from my discussions with parties, it is clear that everybody wants some action to be taken, it is not clear that there is a consensus in favour of every recommendation. However, I am sure the hon. Lady will be relieved to know that David Sterling has written to me to say that he would like to consult on the recommendations, and I have thanked him for the fact that he is going to do so, because that is something that he can do as a civil servant. Even if he cannot make the final decision on which of the recommendations should be accepted, he can consult on how those recommendations would be implemented, and I welcome that decision.

Emma Little Pengelly: Issues relating specifically to the victims of historical institutional abuse, for whom I think we all feel huge sympathy, have been outstanding for a considerable time. The Assembly collapsed only about a week before the report was due to be published, and that date was known to everyone, but may I suggest that there are other options? For example, we could consider the contributions from the Roman Catholic Church and other institutions that were mentioned in the report. Some work could be done to establish the number of victims who may be able to come forward to claim compensation and redress. It might be possible to consult on a specific scheme, and, rather than just consulting on the recommendations, use the coming weeks and months to make constructive progress in trying to secure justice and redress for the victims.

Karen Bradley: The hon. Lady makes some interesting suggestions. This might be a topic on which we could engage a number of MLAs on a cross-party basis to try to identify where there may be consensus and where there may be recommendations, or other elements, that could be acted on.

The Hart report is an excellent document, and I pay tribute to Sir Anthony Hart, who did a tremendous amount of work. It is right that those victims should receive the justice that is appropriate for them, because they have suffered in a way that they should not have suffered, and all of us in the House feel strongly about that. However, I return to a point that I made earlier. The constitutional settlement is clear, and we cannot cherry-pick the matters about which we feel strongly, on whatever grounds, as matters with which we deal in the House. We have to respect that constitutional arrangement because not to do so would undermine a devolution settlement throughout the United Kingdom, and that would not be the right thing to do.

Lady Hermon: May I urge the Secretary of State please to agree to meet Judge Hart? She has rightly praised the integrity of his work, and the professionalism and dedication of his team. Will she also meet the victims of historical institutional abuse? She personally, as Secretary of State, needs to meet them, and to do so in a timely manner. Will she commit herself to meeting those victims, and also to meeting Judge Hart and hearing directly from him his suggestions about how we could implement his report?

Karen Bradley: I have met victims of historical abuse and heard their testimony. As the hon. Lady will know, when I served as a Home Office Minister, the issue of child abuse in England and Wales was within my remit, and I met many of those victims.

I do not need to be convinced of the need to do this, but we need to proceed in a way that is right and appropriate and that respects the devolution settlement. I would like to see MLAs engaging and cross-party discussion on a number of matters. This might be an issue on which it would be appropriate for all parties to come together and begin to work so that we can get a dialogue started, so that parties can start to regain trust, and so that we have the best chance of seeing devolution restored and power sharing at Stormont. That is the key issue.

Gavin Robinson (Belfast East) (DUP): The Northern Ireland civil service should be engaging with a range of policy decisions, some of which were outlined by my hon. Friend the Member for Belfast South (Emma Little Pengelly). I was surprised to learn from victims only last week that the NICS was engaging with them on a measure that would establish a commissioner for victims and survivors of historical institutional abuse, and a redress board. I find it encouraging that the NICS is doing that, but I find it discouraging that there has been zero political engagement, political discussion or political direction on how best to make progress with these important matters.

Karen Bradley: As I have said, I want to see political engagement and political discussion—I think that that is absolutely vital. We need politicians to re-engage—with civil society, with business and with others—and I am heartened by the initiatives that church leaders have taken to encourage them to do so. I want to see more of that, and I am working with those church leaders and other civic groups to that end. I will reflect on that in the context of the inquiry.

Mrs Anne Main (St Albans) (Con): My right hon. Friend is advancing a powerful defence of the reason she is not becoming involved in this particular case, namely the constitutional settlement. Does she not think that bolting on abortion legislation would have the same impact as someone else bolting on the matters that she has just been discussing, and that we really should not be using the Bill as a vehicle for such matters?

Karen Bradley: As I said, a number of amendments dealing with several matters have been tabled, including one specifically about the Hart report of the historic institutional abuse inquiry. The Bill is not the vehicle for such measures. This is a Bill to enable civil servants to make the decisions that are necessary to enable public services to continue to be run. Officials will not make major policy decisions as a result of the Bill, but they will act in the public interest, and I think that that is very important.

Owen Smith *rose—*

Sammy Wilson (East Antrim) (DUP) *rose—*

Karen Bradley: I will give way to the right hon. Member for East Antrim, but then I must make progress.

Sammy Wilson: Does the Secretary of State accept that while there may be some grandstanding today by Members who want to force into the Bill policies that they particularly want to be implemented in Northern Ireland, against the wishes of the people of Northern Ireland, the Bill will not enable any public official to pursue such policies, regardless of whether an amendment goes into the Bill, because the Bill is not designed to give the powers that would rest with politicians and public representatives to civil servants, and, indeed, it would be unfair to do so?

Karen Bradley: The Bill will enable civil servants to act within the law as it stands today. It will not give them the ability to become lawmakers and to change the law. That is a very important point.

Owen Smith *rose*—

Karen Bradley: I give way one final time because I cannot resist the hon. Gentleman.

Owen Smith: How do I respond to that, Mr Speaker? I grateful to the Secretary of State for giving way one last time. My question is also about Hart. This is not grandstanding; it is pursuing an issue about which many of us—including, I know, the Secretary of State herself—feel very strongly. Is she saying that there is no prospect of legislating in this place to deal with the Hart recommendations, and that that will be done only once the Executive have been restored?

Karen Bradley: What I am saying is that the Bill does not enable that to be done. I am focusing on ensuring that the Bill becomes an Act of Parliament so that we can use the conditions that it puts in place to get the politicians back. The priority has to be a laser-like focus on getting politicians to agree to come back to restore power sharing at Stormont. That is what is best for the people of Northern Ireland.

Let me repeat that these measures do not set or change policy direction on devolved issues in Northern Ireland. That is rightly for the Executive and the Assembly, and our overriding priority is to see them up and running again. The NICS needs certainty about decision-making powers, and we should not be seeking to direct it on issues that clearly require ministerial decisions.

The various principles are set out in guidance rather than in the Bill, as Departments need a degree of flexibility and discretion to enable them to reach appropriate and necessary decisions, and to ensure the continued delivery of public services in Northern Ireland. That guidance, above all else, must be operable for Northern Ireland Departments if we are to provide the clarity and assurance that are needed to ensure that public services can continue to be delivered in the absence of Ministers. We have engaged closely with the NICS in developing the guidance, and the factual information provided by the NICS strongly informed the approach that we have taken to it.

The Government also recognise that, in the absence of an Executive, there will be some decisions that we should make, for instance in relation to the setting of departmental budget allocations for approval by Parliament to ensure that public services continue to function. As I have told the House before, we remain committed to making the decisions that are necessary to provide good governance and political stability for Northern Ireland.

Those are decisions, and actions, that cannot be undertaken without our intervention, particularly when legislation is needed, as it is for budgets and regional rates. When it comes to devolved decisions conferred on Northern Ireland Departments, however, the UK Government and Parliament should not be intervening directly. Therefore, while there is clearly a need to intervene to provide clarity, it is more appropriate for us to set out the framework for decisions to be made by Departments when it is in the public interest to do so, and that is what the Bill will do.

Finally, the Bill addresses the urgent need for key appointments to be made in Northern Ireland and in the UK in circumstances when those appointments require the involvement of Northern Ireland Ministers. Clauses 4 to 6 ensure that key posts can be filled while minimising the extent of UK Government intervention in what are, rightly, devolved matters. Clause 4 allows the relevant UK Minister to make specified appointments, exercising the appointments functions already conferred on Northern Ireland Ministers. As I set out in my written statement on 18 July, these posts are the most pressing appointments. They are essential for good governance and public confidence in Northern Ireland, and include appointments to the Northern Ireland Policing Board, the Probation Board for Northern Ireland, the Northern Ireland Judicial Appointments Commission and the Police Ombudsman for Northern Ireland. These offices are stated on the face of the Bill to address the most urgently needed appointments while minimising the role of UK Ministers in these decisions that should be taken by Northern Ireland Ministers. The Bill takes this narrow approach rather than putting in place a blanket power with a long list of all possible appointments, or transferring these appointments from being ministerial responsibilities to being the responsibility of civil servants. Neither of those alternatives would have been appropriate.

It is important, however, that we provide for a situation in which other vital offices unexpectedly become vacant, or filling other existing vacancies becomes more urgent. For that reason, the Bill includes the provision to add to the list of offices, by means of a statutory instrument, to allow the relevant UK Minister to exercise Northern Ireland Ministers' appointment functions in relation to additional specified offices.

Paul Masterton (East Renfrewshire) (Con): All the appointments in the Bill are justice-based, and I completely take on board the point about those being the most pressing, but how does the Secretary of State plan to continue to monitor what other areas are pressing, because there are lots of roles in other areas that need to be filled, but that will not happen under the Bill?

Karen Bradley: We would use the power only if appointments were urgent and necessary. I would consult the main Northern Ireland political parties before bringing forward regulations, as I did before I introduced this Bill. Essentially, we are allowing appointments to be made to bodies when either a failure to appoint would mean that the body becomes inquorate, or the role is required to command public respect and show full accountability.

A large proportion of appointment functions in Northern Ireland are conferred on Northern Ireland Departments. The provisions that I have already outlined dealing with

[Karen Bradley]

Departments' decision-making powers provide clarity that Northern Ireland Departments are able to exercise the appointment functions conferred on them during the period for Executive formation. They would not transfer to them any appointment functions currently conferred on Northern Ireland Ministers.

The lack of an Executive has also had an impact on appointments to UK-wide bodies, as a small number require Northern Ireland Ministers to be consulted on or to agree an appointment by a UK Minister. The most pressing example is the appointment by the Home Secretary of a new chair of the Disclosure and Barring Service. Similarly, there are appointments made jointly by UK and Northern Ireland Ministers. The Bill deals with such appointments by allowing them to be made without Northern Ireland Ministers, but it retains the Northern Ireland input by requiring the UK Minister to consult the relevant Northern Ireland Department. The changes represent a minimal intervention and a careful balance to ensure that the bodies and offices are able to operate as normal, but without UK Government intervention at a policy or operational level.

The powers given to UK Ministers under clauses 4 to 6 expire at the point that Northern Ireland Ministers are appointed and an Executive is formed. Responsibility for the appointment functions affected by the Bill would then, rightly, revert to the Northern Ireland Ministers.

The people of Northern Ireland deserve strong political leadership from a locally elected and accountable devolved Government. Achieving that remains my absolute priority, and that is why the Bill aims to restore the devolved power-sharing Executive and Assembly, and sets out a fixed period in which I will work closely with Northern Ireland parties to encourage them to form an Executive. During this period, the UK Government will continue to deliver on their responsibilities for political stability and good governance. Northern Ireland has made huge progress in recent years, but we can achieve even more with a devolved Government who unlock all the potential that Northern Ireland has to offer. I am focusing on achieving that outcome—it is the outcome that we all want to see—and I commend the Bill to the House.

2.4 pm

Tony Lloyd (Rochdale) (Lab): May I begin by joining the Secretary of State in offering my condolences to the families of the victims of the Shankill bombing and, of course, to Lord Caine for his own loss?

From now on, there might well be less consensus on Northern Ireland, as it is very difficult to see how the Bill resolves the major issue Northern Ireland now faces. We operate on the basis of consensus, so we in the Opposition will not oppose the Bill's passage through this House, but the Secretary of State is now straining the consensus that has existed on a bipartisan basis over the years, because the Bill is grossly inadequate for its purposes. We have now had 652 days of inactivity by herself and her predecessors in government. While I totally accept that she is perfectly able to say to others—particularly the leaders of the two major political parties in the Assembly—that they also share responsibility for that lack of action, real energy must be put into this; otherwise what this Bill will represent is simply an

object admission of failures of the past and a gross lack of ambition and hope for the future, and that cannot be acceptable.

There is a constitutional crisis in Northern Ireland. The public are now entitled to begin to lose faith in the political institutions established under the Good Friday agreement. The public lose faith when they see that those institutions fail to work, and there are many issues, which I will touch on later, where we must have concern about the impact on the lives of Northern Ireland's citizens. This constitutional crisis is therefore also now developing into a human crisis, and that is the measure against which I say that this Bill is simply inadequate.

In the past, we had the political ambitions of John Major as Prime Minister, working with Albert Reynolds, and Tony Blair as Prime Minister, working with Bertie Ahern, and we had the ambitions of the David Trimbles of this world, alongside at that time John Hume, and later on of Dr Ian Paisley with Martin McGuinness, who were prepared to take risks, but so as well were Secretaries of State and Prime Ministers. David Cameron intervened during the Stormont House agreement process, to make sure the prime ministerial writ was there. We have not seen that level of activity from our Prime Minister. I accept that she is, rightly, preoccupied with Brexit, but Northern Ireland matters, and the constitutional situation of Northern Ireland also matters. We must establish that. That is why the Bill is so disappointing.

Let me address why the Bill has come before the House. It obviously has some merit, and we strongly support the need to appoint people to bodies such as the Policing Board. That is common sense and the right thing to do. The Secretary of State is right to say that we need to prioritise some important decisions and that decisions must be made here in Westminster where those decisions cannot be made in Belfast at Stormont. However, the simple fact is that there are many other areas of activity where we must see action, too.

One of the drivers in bringing this proposed legislation forward is the Secretary of State's concern that she would be judicially reviewed because of the failure to call an election. Ironically, that refers back to the question asked by the hon. Member for North Down (Lady Hermon) on the Hart inquiry. Victims of institutional abuse could not judicially review questions about Hart, so they took the judicial review about the timing of elections. It is ironic that the Secretary of State brings this proposed legislation forward but can say nothing helpful about the need for compensation for the victims of sexual and institutional abuse that Hart did so much to unearth. We can take those remedies, and I hope that the Secretary of State will think long and hard about why we cannot also see this as the kind of priority that would serve to achieve a consensus across the whole of Northern Ireland.

Equally, the Buick judgment has caused real uncertainty, but it has placed limitations on the capacity of civil servants. We need to be very certain that we are not doing more and returning to the position where we are asking civil servants to make politically controversial decisions that should only be taken by elected politicians, possibly and best of all, of course, in the Stormont Assembly; but if that does not happen, some of those decisions might have to come to the Secretary of State and this House for us to resolve.

This is particularly true in the light of the extraordinarily long period that the Secretary of State has outlined, with no certainty of any movement until March next year and a further five months if that fails. Frankly, it beggars belief that the Secretary of State should have to tell the House that a further five months could be necessary just in case we are close to an agreement at the end of March. That really challenges all our imaginations. It does not seem a reasonable justification of time to say that five more months would be needed to get us over a hurdle if we were almost there. We are all well aware of the interesting calendar that Northern Ireland presents, but we can and must do better than this.

We need to see energy from this Government in bringing together the five-party talks. The Secretary of State told the House on 6 September:

“I have made no decisions about the right way to get talks restarted”.—[*Official Report*, 6 September 2018; Vol. 646, c. 350.]

That was after 550 days of inaction. Another 60 days have gone by since then. Has she now given any thought to how to get those talks restarted? We need to see some urgency in relation to those talks. We need to see the leaders of the five political parties get round the same table. If they do not come forward—if that is the challenge posed by DUP Members—let us test that. Let us see who does not turn up for those multi-party talks.

The Secretary of State has already been asked about having an independent chair, which has worked in the past. It is difficult to find an independent chair who would be acceptable to all the parties, but it is not impossible. It was not impossible in the past, and it should not be now. If taking that step could begin to unlock this logjam, we must look at taking it. I have also said to her on a number of occasions that we need to re-institutionalise the use of the British-Irish Intergovernmental Conference, which has fallen into disrepute. It is part of the Good Friday institutions, and it has not disappeared. It has not in any sense been abolished. It met once in London, but I understand that the agenda was so slimmed down that it had little merit other than to reintroduce Ministers from either side of the Irish sea to one another. We have to do better than that. We have to get the next meeting in Dublin tabled, with an agenda that will be helpful in moving us all forward.

We need to see a change of gear and a change in energy, because this matters enormously in regard to the sorts of things that will not be done. People have already asked the Secretary of State about matters that they hold dear in their constituencies, such as the airport in Londonderry, the York Street interchange, the dualling of the A5 and the A6, and the introduction of proper broadband connections across Northern Ireland. Those are important issues, and I agree with her that they could be delivered through the capacity of the Northern Ireland civil service under the Bill. However, there are issues that go beyond that capacity and that the civil service would struggle to address. I want to talk about a number of those issues, because they are massively important. I also want to quote the Secretary of State again. She said that, in the absence of a Northern Ireland Assembly,

“the UK Government will always deliver on their responsibilities for political stability and good governance in the United Kingdom.”—[*Official Report*, 9 July 2018; Vol. 644, c. 757.]

Northern Ireland is part of the United Kingdom, and we are now entitled to see this Government beginning to deliver on those issues.

I want to raise some topical issues. A court judgment in Belfast today involves a woman whom I have met, Sarah Ewart. That judgment allows her to take forward her case that the decision to refuse her an abortion in Northern Ireland was outwith the law. I congratulate Sarah on her bravery in taking her case forward. If she were to win it, where would the remedy lie? The Minister of State is a lawyer, and I hope that he will tell us the answer to that question when he responds to the debate. We know that if Sarah has to fight her case all the way through to the Supreme Court, as has happened in a previous case, the chances are that the Supreme Court will make the identical judgment and say that its judgment is binding because it relates to a named individual. In those circumstances, the Supreme Court will make it absolutely clear that the remedy lies not in Stormont but here in Westminster, because the judgment is about the conformity of the United Kingdom, not just Northern Ireland, with the European convention on human rights. Ministers over here have to think about this, because it is an important human issue.

The hon. Member for Edinburgh West (Christine Jardine) has tabled a helpful amendment relating to the Hart inquiry, and I hope that the House will reach a point at which this issue can be resolved. I repeat to the Minister the pleas that we heard from my hon. Friend the Member for Pontypridd (Owen Smith), the hon. Member for North Down and others about ageing victims. I have met some of the victims, and they are no longer young people. Some of those affected have now passed away over the passage of time, so we have to bring the question of institutional abuse to a conclusion. We have to do what we can to implement the Hart judgment, and we cannot wait until August next year or beyond if the Secretary of State's ambitions do not come to fruition.

We must also look at what the Secretary of State can do here at Westminster. Again, she needs to show some urgency in trying to resolve the kinds of things that have held up the agenda in Northern Ireland in the past. For example, why is the historical enquiries unit not being set up? There is also the question of pensions for victims of the troubles. These are the kinds of things that can be, and should be, done here. The consultation has taken place, and we need to see definitive action now. We need to see a road map of how the Secretary of State will put urgency into these different processes.

The Secretary of State has said that the Bill deals with important issues, and that is true, but there are still issues of enormous importance that will not be affected by the legislation. There are things that the civil servants will not be able to resolve, but they will still affect the lives of the people living in different parts of Northern Ireland. One issue that I have raised before in the House is the benefits system. The Stormont Assembly was able to provide some mitigation against the impact of Government cuts to welfare spending. Ironically, those cuts are affecting my own constituency and those of Ministers here in England, but the protections afforded to people in Northern Ireland through Stormont are already beginning to expire, and they will have done so by next March. Nothing in the Bill will allow those

[Tony Lloyd]

mitigations to continue, even though they were consensually built in by the Stormont Assembly. That kind of decision needs to be made.

On a different level, we have heard today that coaching is now being cut back. That includes the coaching of young people through the Gaelic Athletic Association and the Irish Football Association. This might seem small in the bigger scheme of things, but these small things make a material difference to people's way of life. We also know that Harland and Wolff is looking for decisions about training programmes. Such programmes would enable the company not to import welders from the Baltic states because it would have the capacity to train people from the Belfast constituencies. That would make a huge difference to individual lifestyles there.

I also want to touch on the crucial question of the Northern Ireland health service, which is now in a very bad state. We know that it no longer has the ability to hit the targets that it has established for itself. For example, the target of seeing most people within nine weeks and none over 15 weeks is now being massively breached. There are people with spinal conditions who have waited more than 155 weeks to be seen in Northern Ireland, and that is simply unacceptable. There is a story of a young girl who needs a spinal correction to allow her to lead a normal life. She cannot wait 155 weeks for that kind of treatment and nor should she have to, so we need a real review of what the health service is doing. Looking at waiting lists across the piece, 1,500 people in England wait for over a year, but the figure for Northern Ireland is 64,000. I almost cannot find the right word to describe that situation. It is so grossly unfair as to challenge all our imaginations, and we simply cannot say that it is okay to wait for reform.

Several of us are wearing Macmillan Cancer Support badges today because we know the importance of cancer treatment. In Northern Ireland, the cancer targets that were established in 2009 have never been met and people are waiting months to be seen. We know that any delay in the first exchanges with doctors can delay treatment and that delayed treatment causes death. I therefore have to say to the Secretary of State that the failure to deal with health reform in Northern Ireland is causing premature deaths among the people of Northern Ireland, and that problem is just as important as seeing people on the Northern Ireland Policing Board—important though that is.

Nigel Mills (Amber Valley) (Con): I agree with the hon. Gentleman that we would all like to see action on those important issues. He has listed actions for probably about half the Northern Ireland Departments, but what solution should the Government adopt? Yes, we would all like to see the Assembly administered, but if we cannot get that, is he suggesting that we should have direct rule so that we can take such decisions, or does he have some creative solution?

Tony Lloyd: In the past, previous Northern Ireland Secretaries have taken specific action from Westminster—not direct rule, but specific action—in areas of great urgency, such as social care. Looking for specific actions now would show not only that we are taking this

constitutional crisis seriously, but that we are taking the human crisis seriously, too. I think that matters, and I hope that the Secretary of State will reflect long and hard on that. We have a few days between now and this Bill going through its stages in the House of Lords, so I hope that the Secretary of State can reflect in that time on what can be done—what ought to be done—to begin to consider some of the issues being raised.

Labour strongly supports the need to appoint people into the right official positions. That is certainly one of the reasons why the Bill has to go through the House today—I hope that no hon. Member would want to see it delayed—but we are worried about the operation of the new powers for civil servants. It must be made clear that they are not politicians and have no mandate to make new decisions. The Secretary of State said that at the Dispatch Box, and I respect her intentions and do not doubt that she meant what she said, but the letter of the law gives enormous power to civil servants, so we need transparency around their decision making and clear and binding guidance to ensure that there can be no excessive action.

In the end, the responsibility for the things that I have discussed—health in particular—should be with the Stormont Assembly and the Executive, but if that cannot happen, it will have to come to this House. I have spoken to the Secretary of State in private about this, but I do not think that I will be breaching her confidence to say that my worry lies with the length of time that is built into the Bill. When the original discussions took place across this Chamber some months back, we were talking about a fairly limited operation, but that has now expanded enormously, with the first knife coming at the end of March and the second in August. That is an awful long time. We have already had 650 days of no change, and we face half as much again if we reach that August deadline. That is not acceptable for the people of Northern Ireland; it is not acceptable constitutionally; and it is certainly not acceptable for the people who need better from this Government.

2.24 pm

Nigel Mills (Amber Valley) (Con): I am grateful to be called in this important debate and am happy to support this Bill. The measures within represent a sensible compromise, but this is like trying to find the least bad of all the really bad options. We would all agree that by far the best situation would be to have an Assembly and to have Ministers of the Executive in place taking such decisions, but that is not the situation that we are in, and it is not one, based on the dates set in this Bill, that I suspect we are going to see in the next six, eight or even 10 months. The question now is about what we should do here for the people of Northern Ireland to try to get important decisions taken to deliver public services as best as they can be delivered, to try to improve the economy in Northern Ireland, and to try to improve the lives of ordinary people.

There are no easy options here, and the most extreme would probably be to appoint direct rule Ministers from this Parliament to take such decisions. That would lead to sensitivities in the relationship with the Irish Republic and the nationalist community, which is sadly not represented in this House—at least not by any nationalist MPs. That is a radical decision that the Government are not keen to take. However, we could have been pursuing

other possibilities to try to get a bit nearer to a situation in which we could take some of the decisions that need to be taken. The Northern Ireland Affairs Committee published a report that discussed how we could at least have a shadow Assembly or allow the committees to meet just to get some local engagement and local scrutiny to allow some decisions to be taken from here that have some level of accountability in Northern Ireland.

Sammy Wilson: The hon. Gentleman is making some interesting suggestions as to how there could be some democratic accountability even in the absence of a functioning Executive. However, just as Sinn Féin has blocked the formation of the Assembly and the introduction of direct rule, it has also made it clear that it would not even accept that level of accountability. That is where the real problem lies. Sinn Féin—the boycotters—have been pandered to for far too long.

Nigel Mills: I accept what the right hon. Gentleman says and do not pretend that any of the solutions are easy. Such issues were tested by the Select Committee, but it would have at least been worth trying to see whether we could have some sort of cross-community committees or assemblies. Even if Sinn Féin boycotted them, hopefully the other parties in the Assembly would have been willing to attend. There is a real prize here. There are decisions that need to be taken that would be of great benefit to Northern Ireland, but they will not be taken, even with the powers we are discussing here. If we could have found a compromise that got at least some of those things moving forward, it would not in any way have been a perfect solution, but it would have been better than what we have here.

Mr Gregory Campbell: The hon. Gentleman is making some constructive suggestions, some of which have been made by some of us before. We have an education crisis at the moment, and many schools deplore the current funding position. Does he agree that if MLAs from across the divide in Northern Ireland were to convene in Stormont to discuss a way forward and to make representations to the permanent secretary, they may find that they have much in common and may eventually say, “Why aren’t we back in here taking the decisions, rather than letting one party block everyone else from doing things?”

Nigel Mills: That was roughly what I was alluding to in my response to the previous intervention. If we can find some way of having cross-community meetings and engagement and some sort of agreement that can then allow a decision to be taken here, that would be real progress. However, there would still need to be some Minister in this Parliament to take such decisions with the cover of that level of consent or agreement from Northern Ireland. The Bill does not provide for that.

I am pretty torn about what I would have had as my priority for this Bill. We want decisions to be taken, but we are so far from when the Executive last met that it is unlikely that most of the decisions that we want to have taken will have had any clear steer from the Executive. We therefore need some level of political decision making here when we cannot rely on previous guidance, and we

would all want such things to be done by Ministers with some level of accountability and some public scrutiny, not behind closed doors.

My other concern about the Bill is whether Parliament has gone too far. We are now giving huge power to civil servants, and huge power to the Secretary of State to issue guidance that those civil servants have to follow. We are in danger of allowing a situation that we would never normally allow in England. We would all be up in arms if the Government introduced such a Bill for our constituents in the rest of the UK, saying, “We don’t really want to have Parliament scrutinising and deciding all these things. We are going to give the Secretary of State far more power to issue directions to the civil service to take really important decisions.” We would say it was completely unacceptable and undemocratic, that it weakened Parliament and that there was no public scrutiny or public accountability. We would never agree to it.

With this Bill, in effect, we have been forced to find a compromise between those two extremes of wanting decisions but not wanting to have too much power in the hands of civil servants. We have found a compromise: the Secretary of State has to issue certain guidance and the civil servants have to have regard to it. We all know what “have regard to” means. It means that civil servants have to do it unless there is very good reason not to do it.

I am probably in the same place as the Government, and I reluctantly accept that the only way to balance those competing objectives is to have this halfway fudge of advancing a little further, of pushing at the boundaries of what civil servants can decide. We get there by having guidance from an elected Secretary of State. She can encourage, advise and guide civil servants to do certain things, giving some cover from court cases. That is about as far as we can get without appointing direct rule Ministers.

Parliament should be careful to make sure the Bill contains all the protections we want to see. We may or may not have much time to debate the amendments in Committee, but some of the amendments would be helpful, because there is nothing in the Bill, for example, to stop the Secretary of State revising the perfectly reasonable and sensible draft guidance she has published to stick in some important decisions she would like to see taken. At no point in the next six, eight or 10 months—however long this period lasts—would any of us, including the Secretary of State, want to be in a situation where difficult, conflicting, controversial decisions are directed through such guidance because there is no other way of making them.

None of us would like to see hospitals being closed in Northern Ireland through guidance issued by a Secretary of State with no public scrutiny. Such things could be done through guidance, and those decisions could arguably be in the public interest if civil servants felt they were consistent with the best delivery of health services. We could see all manner of difficult things being done, consistent with this Bill, that we would not normally allow.

It would be a constructive step forward if there were a provision saying that, if the Secretary of State wanted to change the guidance she had already published, the new guidance had to be published in draft so it could be

[Nigel Mills]

scrutinised by the Select Committee to make sure it contained nothing to which this House would not have agreed in advance of this Bill.

The Bill does not say what happens at the end of March or August, whatever period we end up with. Are we saying that this really is the last chance and that, if an Executive cannot be formed by the end of March or August, there has to be an election? We have stretched the wording of the Northern Ireland Act 1998, on the Secretary of State's duty to propose an election date, for some 350 days. If we get beyond the period for which we are legislating, we cannot stretch it any further. There would have to be an election pretty much forthwith to give the people of Northern Ireland a chance to choose one or more different parties that may be more constructive in their discussions.

I would have liked the Bill to make clear the intentions of this Government and this House. The Northern Ireland Act was agreed between the parties and legislated for by this House, and the consequence of an Executive not being formed is that an election date should be proposed. We do not yet have an election date, which is the right call. An election probably would not have made any great difference over the past few months, as the same two parties would have been put back in the same position, but surely we cannot let this continue forever.

If we get to the end of March or August, is it the Government's policy that there would then be an election and, as everyone probably thought was the case, we revert to keep trying elections until something else happens? What happens if that still fails? Would we say, "After the election there will be a period for talks, and if you cannot form an Executive by the deadline, it has to be direct rule"? Is that the Government's plan, or do they plan to limp through until the end of March or August and revert to the position we have been in for the past 350 days?

We are trying to give certainty to the civil service and to the people of Northern Ireland about the position. It would be good to have some certainty on the consequences if no deal can be reached.

My final comments are on appointments. It has to be right that we cannot have important bodies in Northern Ireland and elsewhere not meeting and not functioning because we have not been able to appoint people to them. It makes sense to find a way to make consensual appointments with which all sides of the debate are happy, but those decisions are meant to be taken on a cross-community and cross-party basis in Northern Ireland, and they now have to be taken—I accept with consultation—by the Secretary of State in Westminster. Allowing some form of public scrutiny on the most senior proposed appointments would be helpful in giving confidence that the right people for those jobs are being appointed. Allowing pre-appointment hearings by the Select Committee for key appointments would be a positive step in showing the people of Northern Ireland that the right people are being entrusted with those important functions.

There are ways to improve the Bill but, in the current situation, it is a sensible compromise and it is the best way to achieve the competing objectives. I happily support Second Reading.

2.36 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I echo the comments of both Front Benchers on the Shankill bombing. I was 13 at the time, but I remember the incident vividly. I particularly remember the children who were killed, one of whom was also 13, which is one reason why it sticks out. My thoughts and the thoughts of my colleagues are with all those affected by the bombing and the associated attacks that followed.

I reiterate once again that we are extremely disappointed that it has come to this. We accept, rather reluctantly, that the Bill has become necessary amid the current legislative vacuum in Northern Ireland. I have just attended my first British-Irish Parliamentary Assembly, and I found it an extremely useful, enjoyable and sociable event. I met new people from across the UK and the Crown dependencies to discuss the important issues we face together.

Brexit, as would be imagined, was the main topic of conversation. That being said, some of the conversations about Stormont and the restoration of the Executive were rather frustrating. Many people seem to accept that meaningful talks will not resume until after Brexit, which is ultimately why we are debating this Bill today and why we reluctantly support it. However, on behalf of the SNP, I urge the Secretary of State and all parties to get back round the table with a sense of purpose and urgency. Given the importance of the European Union to the Good Friday agreement, it is imperative that Northern Ireland's collective voice, the voice of its elected Assembly, is heard on Brexit.

Anna Soubry (Broxtowe) (Con): Does the hon. Gentleman share my concern that, apart from the hon. Member for North Down (Lady Hermon), we do not hear the voice of the majority of people in Northern Ireland on Brexit in this Chamber? The majority of people in Northern Ireland—now the overwhelming majority, according to new polling—voted for us to stay in the European Union. Does it trouble the hon. Member for Paisley and Renfrewshire North (Gavin Newlands), like it troubles me, that we never hear their voice?

Gavin Newlands: I wholeheartedly agree with the right hon. Lady. Sinn Féin's decision not to use their voice is a matter for them. However, only last week the Prime Minister turned down a request to meet the four major parties that advocated a vote to remain in the European Union—Sinn Féin, the Social Democratic and Labour party, the Alliance party and the Greens.

Mr Gregory Campbell: On the parties getting round the table to try to reach agreement, does the hon. Gentleman agree that what the people of Northern Ireland and the people in this House need to hear from each and every one of the parties is two words: "We're ready"?

Gavin Newlands: From the conversations I had in the past couple of days at BIPA, I can say that some have that desire to get back to the table. That came from all parties I spoke to—people from either community and from none. That is what I heard, but I also heard resignation that it might not happen.

Anna Soubry: It is important that we make the record clear: just as among Conservative and Labour voters there is division, so one cannot say that it is Sinn Féin that represents remainers. Many Unionists voted to remain, and no doubt many republicans voted to leave. The point is that their voice is not being heard in this Chamber.

Gavin Newlands: I am grateful to the right hon. Lady for making that point, as I had not intended to portray it. I have spoken to several Unionists who voted remain, so she makes a valid point.

Nigel Dodds (Belfast North) (DUP) *rose—*

Sir Jeffrey M. Donaldson *rose—*

Gavin Newlands: I am going to make some progress, and then I will come back to the right hon. Members.

The people of Northern Ireland have spent too long in limbo. As we have heard from both Front Benchers, key decisions have to be made and functionality must be restored. The people of Northern Ireland deserve better than this. The Scottish National party, like most Members of this House, firmly believes that new talks must be established immediately to restore the Executive and Assembly. The Secretary of State has to come off the bench on this and be much more proactive, not in legislative terms—we see that today—but in leadership. Along with Irish Government counterparts, she should be working night and day to initiate a new round of inclusive talks. With the UK Government totally distracted by Brexit and internal party infighting, I say again that an independent mediator could and, if no early progress is made, should be brought in, so that progress can be made for the sake of good governance in Northern Ireland.

Nothing must be done to undermine the Good Friday agreement, so this piece of legislation must be temporary. Given the five-month extension the Government have built into the Bill, and from conversations I have had with Members from all communities, it seems to me that there is consensus that Stormont may not get back up and running until September, following the council elections and the marching season. That is almost another full year from now, and for me and many other Members of this House that is a matter of real regret.

There is general consensus, on all sides, that this Bill has, sadly, become necessary, but there are also concerns that having to legislate at all is potentially a slippery slope and a situation that must not be allowed to drift or be extended beyond what is absolutely necessary; a political vacuum must not become the new normal in Northern Ireland. I am relieved that the Government have conceded that their Henry VIII powers in clause 4 were not justifiable, and have heeded the concerns of the House of Lords report and tabled amendments so that the affirmative procedure is used instead.

Amid ongoing austerity, the absence of decision making is straining Northern Irish public services. Decisions are urgently required to provide direction and funding to vital services. As we have heard, current conditions are placing particular pressures on health and education, which are among the most important services a Government can deliver. The collapse of the Executive and the subsequent failure to deal with the situation has also

placed great stress on the civil service in Northern Ireland. Direct rule can never be countenanced, but as the shambolic Brexit process is a central reason for the ongoing crisis, the UK Government have a responsibility to ensure talks progress swiftly. The chaos within the UK Government must not be used as an excuse for the lacklustre attempts since February to re-establish political institutions in Northern Ireland. After all, this is not just about public services and appointments; it is about protecting and maintaining the peace process.

I do not want to be accused of scaremongering or of attaching more significance to this than it warrants, but yesterday the first report of the Independent Reporting Commission was published and, although there were clearly parts we can all welcome, the commission is clearly concerned about the impact of the ongoing political impasse. The report praises all those in the public, voluntary and community sectors who are working to tackle paramilitarism, but it says that the absence of political leadership has been a significant impediment to that task. It also notes that in the absence of an Assembly, new powers, such as unexplained wealth orders, cannot be introduced, and that any change in the current regime for managing paramilitary prisoners cannot be considered in the absence of a Justice Minister. I sincerely hope that in reading that report the Secretary of State has been given a renewed sense of urgency on talks.

I turn back to Brexit, as it is wreaking havoc on every aspect of politics in these islands. The broader instability caused by Brexit is a central reason why it has proven so difficult to restore the devolved institutions in Northern Ireland. There are many reasons why the Executive and the Assembly collapsed, but it is Brexit, the elephant in the room, that is prolonging the concerning political vacuum. I remind colleagues across the House that March is quickly approaching and we still have no confirmation of plans to extend the period for withdrawal. The threat of a new border becomes closer by the minute.

Northern Ireland is the central conversation in the Brexit talks, so it is vital that its voice is heard. As we have heard so eloquently, in June 2016 Northern Ireland voted by 56% to remain in the European Union, as 62% of Scots did. The Government continue to try to ignore Scotland—will they also ignore the people of Northern Ireland? If the UK Government plough on with a no-deal hard Brexit, they will wreak further havoc on the businesses, public services and entire economies of all within the UK. That is nothing short of economic vandalism of the highest order.

As we have seen from reports, Northern Ireland will be hit hardest by a disastrous no-deal scenario. This month, business leaders in Northern Ireland have warned that a no deal must be avoided at all costs. According to the Government's own figures, crashing out would shrink the Northern Irish economy by 12%. The Director of CBI Northern Ireland has warned that this would be the equivalent of another financial crisis. This would be a dramatic hit to GDP inflicted upon the people of Northern Ireland despite their vote to remain.

We in the SNP want to see stability, and strong and inclusive economic growth in Northern Ireland. We want to see Northern Ireland grow, so that public services, businesses, families and individuals can prosper. After all, not only is a prosperous Northern Ireland

[Gavin Newlands]

good for all who live there, but it is in the interests of Scotland, and indeed of England, Wales and our friends across the European Union. The twin threats of a new border and massive economic damage can be easily removed if the UK pursues a policy of staying within the European single market and customs union; there would be no need for new economic borders across land or at sea. Trade and relationships, business or personal, would continue to flourish between Northern Ireland and the Republic of Ireland, and beyond.

In a blatant attempt to wreck any agreed backstop in Northern Ireland, the European Research Group cynically tabled reckless amendments to this legislation. The hon. Member for Wycombe (Mr Baker) subsequently withdrew them on Monday, saying that it would not be in the “public interest” to attach them to emergency programming. Perhaps for the first time I find myself in agreement with him and his ERG colleagues, but I would go further and suggest to him that his group and its entirely regressive aims are not in the public interest, and the less we hear from them, the better.

I remind Members that in December last year the UK Government agreed the need for a backstop in the first phase of negotiations with the EU, so they must stay true to their word.

Karen Bradley: I am listening carefully to what the hon. Gentleman is saying, but I wanted to make a point about the amendments tabled by my hon. Friend the Member for Wycombe. He withdrew those amendments because he recognised the necessity of this Bill for the people of Northern Ireland. I thank him for having done so, because it has meant that the people of Northern Ireland, who need their public services to continue to be delivered, will be able to have that, as this Bill will not now be affected by amendments that would have served to wreck it.

Gavin Newlands: I appreciate the intervention from the Secretary of State, whom I am sure had to urge the hon. Member for Wycombe to withdraw the amendments for that reason. The simple fact is that they should never have been tabled in the first place. In order to protect the Good Friday agreement, Northern Ireland must achieve a special relationship with the EU. The SNP will never support wrecking amendments designed to undermine the backstop and, thus, undermine the Good Friday agreement. Just last week, the First Minister of Scotland said:

“we fully support the Good Friday Agreement and the maintenance of an invisible border. And so the Scottish Government will do nothing to stand in the way of Northern Ireland achieving a special relationship to the EU, if that is what is required.”

Sir Jeffrey M. Donaldson: Like the right hon. Member for Broxtowe (Anna Soubry), a majority of my constituents voted for Brexit. They do have a voice here, and I am that voice.

On the backstop, the hon. Gentleman spoke a lot about the need for economic growth in Northern Ireland, and prosperity is a key part of the peace process, so does he understand our concern that the backstop, which would create a border in the Irish sea and a customs barrier between Northern Ireland and its single

biggest market—a market that produces more business for us than the European Union states and the rest of the world combined—would not be a good idea for the benefit of our economy?

Gavin Newlands: I disagree with the right hon. Gentleman. It is clear to most people in this Chamber that the answer is for all UK countries to remain in the single market and customs union, which would take away the need for any border in the Irish sea. I should add that my constituents voted two to one to remain, and they certainly have a voice in this Chamber, too.

Many Members from different parties will agree that the best option across the UK is, as I just said, continued membership of the customs union and single market, which would resolve the need for any economic borders or increased regulation. This policy, which the Scottish National party has proposed for a long time, would also act to protect jobs and livelihoods in Northern Ireland, as well as in Scotland and right across the UK. It is the only political and economic position and policy that makes sense and is achievable.

The UK must give Northern Ireland and the restoration of its Assembly the attention that it deserves and requires. The delays in the establishment of effective talks can no longer be accepted. The Government must get round the table and help to restore the Northern Irish Executive and Assembly to full functionality. The institutions of the Good Friday agreement must be championed and restored by all in this House.

Madam Deputy Speaker (Dame Rosie Winterton): I have now to announce the result of the Division deferred from yesterday. In respect of the question relating to electricity and gas, the Ayes were 304 and the Noes were 203, so the Ayes have it.

[*The Division list is published at the end of today's debates.*]

2.51 pm

Dr Andrew Murrison (South West Wiltshire) (Con): It is a pleasure to speak in this Second Reading debate. May I start by expressing my admiration of and gratitude for the Secretary of State's energy and perspicacity in trying to achieve a settlement in Northern Ireland? Whatever regrets we have about the situation in which we find ourselves, we are all united in our admiration for the energy that the Secretary of State has applied to this process. I sympathise with her, because in the actions she is taking she is trying to sail between Scylla and Charybdis: on the one hand, she must do nothing that would impede the restoration of proper democracy and the devolved settlement in Northern Ireland; on the other, she must do what she knows to be best for the people of Northern Ireland. I shall comment largely on my perception of Northern Ireland lagging well behind where it should be, and increasingly so. I shall express in unequivocal terms my fears about what that might mean in 10 months' time, if we are no further on.

On Monday, I had the great pleasure of visiting Belfast with members of the Northern Ireland Affairs Committee. For the first time—to my very great shame—I visited the Royal Victoria Hospital, where I talked to deeply committed and dedicated professionals who are right at the top of their game and who work there doing

their very best for the population of Northern Ireland. I must say to the Secretary of State that I came away deeply depressed, because it is clear that Northern Ireland is not getting what it deserves. In comparison with the population of the rest of the United Kingdom, it is lagging significantly behind on key healthcare indicators. We heard that morning from service users, particularly in the fields of mental health and cancer care—key healthcare areas. Were their experiences to be replicated in our constituencies, we would be very upset indeed. The reasons are complicated, but we are left to conclude that the absence for nearly two years now of Ministers capable of taking decisions is a significant part of the piece.

We are now to complicate another 10 months of potential delay, with no clear solution following that. We could call another election but, as has been alluded to already, without good will on the part of both the principal parties in this matter, it is likely as not that we would get pretty much the same outcome. I have detected no particular enthusiasm or appetite for an Irish language Act, which is the biggest roadblock to the process. I get a lot of people asking, “Why don’t I have the same healthcare expectations as people over the other side of the Irish sea?”, but I do not get angst expressed to me about the inclusion of an Irish language Act. It is self-evident that the vast majority of people in Northern Ireland simply want to get on with their lives. They want to have expectations across a range of public sector functions that at least approximate those that exist in Great Britain. It is a failure for all involved if they do not achieve that sort of approximation. We have a devolved settlement, so there will always be difference—of course there will—and I guess we should celebrate that, but the people of the United Kingdom have a legitimate expectation that, broadly speaking, outcomes will be similar right across the piece. That is not the case in Northern Ireland, and it is getting worse. We have to work out a way to deal with that.

I welcome the Bill, but it should have been introduced to the House well before now—incidentally, that would have given us more time to consider it—because I am afraid that the situation we are currently in was predictable. We have simply lost time. In so far as it is a straightforward, simple Bill that will achieve the outcomes that the Government want, I very much welcome it, although I would have gone much further. The need to go much further is in the guidance. I hope the Secretary of State has some sense from the House that we are likely to support her in the development of the guidance in the months ahead.

I assume that the guidance is the same as that which was given in draft form to the helpful Northern Ireland Office officials who briefed the Northern Ireland Affairs Committee a few days ago. Getting hold of a copy today was quite difficult, but if it is more or less the same, I have been through it and must say that it is cast in extremely anodyne terms. It refers to decisions made by the Executive who have now folded, and to the draft programme for government and its 12 exciting outcomes, which are of course not outcomes at all but aspirations cast in the most anodyne terms imaginable.

In the weeks and months ahead, the Secretary of State will be faced more and more with Northern Ireland slipping backwards compared with the rest of the United Kingdom, unless some fairly significant policy decisions

are made. I do not know the extent to which, on the basis of this Bill, it is safe for the Northern Ireland civil service to make some of those decisions, because some of them are really quite complicated, but they need to be made if we are to see key public services restored to the level at which they should be.

Sammy Wilson: Does the hon. Gentleman share my concern not only about the policies that the civil servants will not implement—indeed, the Bill would not give them the powers to implement them anyhow—but that civil servants may even avoid the day-to-day functions of government, because the Bill does not instruct them to do anything? It simply says that it does not prevent them from doing anything. Given the inertia, caution, procrastination and lack of decision making that we have seen so far in the Northern Ireland civil service, there is no guarantee that any decisions will be made, even with the Bill.

Dr Murrison: With respect to the right hon. Gentleman, he is a little harsh on the Northern Ireland civil service, because of course civil servants will act as civil servants always do. They are not politicians, they do not do policy and they are acutely aware, all the time, of legal challenge. I take my hat off to David Sterling and his people for doing what they have managed to do since January or March 2017, but the fact is that key decisions have to be made. We have already heard about the distinction between policy and decision making; some of the decisions are policy, but some are simply nuts-and-bolts decision making. I fear that there will come a point when the line will be crossed, and the Secretary of State may very well come back here to seek further guidance from this House on what she can legitimately do to prevent the backsliding to which I have referred and hopefully start making progress on some of these key public service areas.

Reading through the guidance, I am heartened because it seems to give the Secretary of State really quite a lot of scope. She will have heard—and, I suspect, will continue to hear in the balance of this debate—a great deal of support from across the House for her being pretty proactive in issuing guidance to the civil service so that it can do what is necessary to advance the day-to-day living experience of the people of Northern Ireland. In particular, I note the enjoiner in the guidance that “particular weight” must be given to the avoidance of

“serious detriment to the public interest, public health and wellbeing”.

In response to the point made by the right hon. Member for East Antrim (Sammy Wilson) a few moments ago, I will reflect briefly on one example, which I mention as an exemplar more widely applicable to the whole piece. At the Royal Victoria Hospital on Monday, we heard from a group of cardiologists—people who are leaders in their field—how the inability to share data with the rest of the United Kingdom was proving to be an impediment because there was a failure of a particular decision that had to be made by a Minister. That has clear implications for healthcare in Northern Ireland, because if Northern Ireland cannot compare and contrast its performance and what it is doing with other parts of a similar healthcare service, it cannot really make improvements. That is just a small example of the kind of thing that we are talking about today

[Dr Murrison]

which I hope will be covered in the guidance. I urge the Minister to ensure that the guidance that she issues is much more specific than that laid out in the framework published today. I think that she will end up having to issue really quite a lot of guidance, and I urge her very strongly indeed to push the limits as far as she possibly can.

I was particularly taken with the remarks of the hon. Member for Rochdale (Tony Lloyd), who speaks for the Opposition. It is actually quite rare in this place that there is much in the way of consensus. Mercifully, reaching it tends to be easier in matters to do with Northern Ireland than in most public policy areas. The hon. Gentleman's remarks, which I very much welcome, were exceptionally positive in regard to our sense that the Secretary of State really will have to issue guidance that is as prescriptive as possible, within the scope of the Bill, in order to move things along in Northern Ireland. That is the sense that I got from the hon. Gentleman's remarks.

I do not wish to go on too much longer, but I want to mention another point. In the Brexit context—there is always a risk that a debate like this will be overtaken by the issue of the moment—a great deal is going on in Northern Ireland at the moment that is of a unique nature. I have mentioned healthcare, but much of the economy in Northern Ireland is pretty unusual and has a uniqueness that needs to be reflected by those who are currently dealing with Brexit. Of course, it is a perfect storm in a sense, because not only is there a uniqueness regarding the various sectors; there is also a lack of an Executive—of a body advocating specifically for Northern Ireland. Now, the Government will say, “Well, it’s for us to negotiate in Brussels”, which is perfectly true, but we know full well that Scotland and Wales are separately making their points to our interlocutors in Brussels. That is not the case for Northern Ireland.

Lady Hermon: In relation to Brexit and the Secretary of State's guidance following this legislation, would it not be helpful for the Secretary of State to look back at the letter signed—if my memory serves me correctly—on 13 August 2016, just months after the referendum, by both the then First Minister Arlene Foster and the then Deputy First Minister, the late Martin McGuinness? Would not that be helpful in showing the priorities that the then First Minister and Deputy First Minister felt were relevant in the Brexit negotiations?

Dr Murrison: I usually agree with the hon. Lady and I agree with her on that point. Of course, the general principle in these matters is that one relies on what has gone on before—the decisions of the Executive and so on. It would certainly be in that tradition and spirit to rely on the remarks of the First Minister and Deputy First Minister at that time, as a starter for 10.

The issue I have is exemplified by the farming and growing sector in Northern Ireland, which the hon. Member for North Down (Lady Hermon) will remember we have debated at some length in the Northern Ireland Affairs Committee. There are particular facets of Northern Ireland quite apart from the border that need to be considered in the context of Brexit. It is important for provision to be made to ensure that that happens. I am

not clear that it has happened to the extent to which I would like, and I ask the Secretary of State to reflect on that.

I also ask the Secretary of State to reflect on the Select Committee's report, “Devolution and democracy in Northern Ireland—dealing with the deficit”, which we published in May, and which made some helpful suggestions on how she might consult with the public and various bodies in the absence of an Executive. If this goes on and on, and she is led more and more to issue guidance and consider policy, it is helpful—particularly in the context of the Good Friday agreement, but in any event—to ensure that she has consulted as widely as possible.

If I feel a little disappointment about this Bill—a very concise piece of legislation, on which I congratulate the Secretary of State—it is because it has not really reflected in any meaningful sense the recommendations made in the Select Committee report, which is now just months old. I think that is a mistake, because some of the suggestions are pretty unobjectionable and would have helped matters along, particularly measures such as civic forums, which have been tried before quite successfully and which could give the Secretary of State the sort of confidence that she was doing things that had the support of the majority of the people of Northern Ireland. That is in no way to try to subvert the institutions set up by the GFA or to suggest that they are not going to be restored, but in the interregnum it is important to get some sense of what people want. Those sorts of innovative bodies are a possible solution in the context of Northern Ireland.

We all hope that the Executive will be restored sooner rather than later—I think that the Secretary of State is as confident as she possibly can be that this will all happen within the next 10 months—but Northern Ireland is a unique and special place, and sadly we cannot necessarily guarantee that that will be the case. We therefore need—this has been mentioned previously—some idea about what will then happen.

We have to work on the assumption that a further general election will result in nothing new. Sometimes when we throw the cards up in the air, they fall down in a way that may surprise and delight us—or otherwise—but our working assumption has to be that such a thing will not change very much, which is presumably why the Secretary of State has not called an election up to this point. We will then have to decide what to do. Although I welcome the Bill, we cannot continue to kick the can down the road. One way or another, sadly by force of circumstance, the Secretary of State may again have to start making some of the difficult, crunchy decisions that have been made in this place since 1998.

One thing is for sure: it is simply not acceptable for the people of Northern Ireland to continue to sustain the sub-optimal public services about which my Committee has heard evidence, despite all the hard work of those on the ground and all the effort to try to stop up the gap indefinitely. I sympathise with the Secretary of State in her dilemma and absolutely support her intention to get the Executive back up and running, but I sound a cautionary note and ask her to start thinking: what on earth do we do in 10 months' time, when we are back in the same place?

3.9 pm

Gavin Robinson (Belfast East) (DUP): It is a pleasure to follow the hon. Member for South West Wiltshire (Dr Murrison), the Chairman of the Northern Affairs Committee. In his response to the Bill, he was, as always, considered and thoughtful. He highlighted the lack of ambition that we would ultimately like to see for good governance and for democratic decision making in Northern Ireland.

At the commencement of these proceedings, the Secretary of State made an announcement of condolences to the noble Lord Caine. May I take this opportunity, personally and on behalf of my party colleagues, to extend our condolences to the noble Lord Caine and to his mother following such a bereavement?

There has been a lot of talk so far about the Bill, and there is at least one level of consensus: it is what it is. It is not ambitious. It does not deliver good governance in Northern Ireland. It does not compel decision making in Northern Ireland. It provides no legislative vehicle for issues that require legislation in Northern Ireland. We understand and accept the position that the Secretary of State finds herself in—the constitutional barrier that she is wrestling with—but she knows that we are of the view that this place should be taking a much more interventionist approach towards the affairs of Northern Ireland and that, in that sense, the Bill is an opportunity missed.

I do, however, want to convey my appreciation to the officials from the Northern Ireland Office who have engaged directly with me and with my hon. Friend the Member for Belfast South (Emma Little Pengeley) in our consideration of this Bill. I spent much more time with them than I had planned to, and I think they spent much more time with me than they wished to. I think it fair to say that, while we are where we are, it is not ultimately where they or we would wish to be in terms of how we see this Bill.

But one thing is certain: we should not be here. We should not be yet again considering how we deliver for Northern Ireland in this Chamber—it should be happening at Stormont. Although we have thus far today considered this issue only lightly, Sinn Féin Members need to end their boycott of good governance, of democracy and of participation at Stormont and here at Westminster. They refuse to allow the re-formation of an Executive; they refuse to see a meeting of the Northern Ireland Assembly; and they refuse to take their seats in this House. They have shown no sign that they recognise the concerns of the people of Northern Ireland. They show no sign that they are impacted by the lack of decisions being taken in Northern Ireland. They show no sign that they are concerned about people on ever-increasing waiting lists and ever-increasing housing lists, or about the extension of our mitigation on universal credit and welfare reform that needs to be renewed next year. They show no sign of concern whatsoever.

Sammy Wilson: Does my hon. Friend agree that it is not fair that those Members of the Northern Ireland Assembly who do want to address those issues on behalf of their constituents are being punished by the Sinn Féin lock-out at Stormont? Until it is grasped by the Northern Ireland Office and by the Secretary of State that the responsibility lies at the door of only one party, and unless either the system for establishing the

Executive of Northern Ireland is changed or it is made quite clear that sanctions will be imposed, this situation will continue, because there is no penalty on Sinn Féin.

Gavin Robinson: My right hon. Friend is entirely right. The majority of the 90 Assembly Members who have been elected to serve their constituents put themselves forward because they believe in public service, not stagnation. They are not like a puerile child participating in a game, not liking the rules, recognising they are not scoring goals, picking up the ball and walking off the pitch.

Sir Jeffrey M. Donaldson: Further to the point made by my right hon. Friend the Member for East Antrim (Sammy Wilson), in the discussions on the Bill with the Northern Ireland Office, we put forward a modest proposal that, to give some democratic accountability to this mechanism in Northern Ireland, the Assembly Members, on their reduced pay, should have a role in scrutinising the Departments that will exercise the decisions that fall subject to the Bill. The Northern Ireland Office told us that it was not possible to do this because Sinn Féin was unlikely to take part in such scrutiny mechanisms. Sinn Féin has a veto over even the most modest of proposals. How long are this Government going to allow Sinn Féin to veto democratic progress in Northern Ireland?

Gavin Robinson: That is an incredibly fair point to make, and I intend to address it later on. There has been a dereliction of duty. The opportunity to serve the people is not being taken by one party and one party alone. As it holds out for its purely partisan and narrow agenda, everyone else in Northern Ireland suffers.

No one should be under any illusion about our approach to these issues. In October last year, Arlene Foster, our party leader, indicated that she would seek the establishment of the Executive immediately and that if the Assembly created did not deal satisfactorily with the outstanding issues that had been raised as a stumbling block for progress, it should be brought down again in six months. She said, “Put me to the test.” She said, “Let us maturely and rationally reflect on the outstanding issues that you have; you can consider the outstanding issues that we have, and if we can’t resolve them, then bring it down—but at least try.” Before Arlene Foster sat down from making that speech, Sinn Féin had ruled it out. It had ruled out a restoration of the Executive, where Brexit and every public service that was of interest to the people of Northern Ireland could be considered.

As I reflect on these matters, standing here again to debate a Northern Ireland Bill that should not be necessary, I am reminded that the Secretary of State’s predecessor, the right hon. Member for Old Bexley and Sidcup (James Brokenshire), said in September 2017 that nine months without a Government to steer policy had left the country with “no political direction” and left critical public service reform wanting. He continued:

“In the continuing absence of devolution, the UK government retains ultimate responsibility for good governance and political stability in Northern Ireland as part of the United Kingdom and we will not shirk from the necessary measures to deliver that.”

That was only 13 months ago, yet here we are. He famously talked of a “glide path” to direct rule. Frustratingly, this is a never-ending holding pattern. It is not in the interests of democracy and not in the interests of good government.

[Gavin Robinson]

The Bill has been described—kindly—as a “limited measure”. It has been described by my constituency predecessor as

“a sticking plaster on a broken leg”.

It has been described as a poor substitute for democratically elected politicians in Northern Ireland making decisions that affect the people they serve. It is through that prism that we have to consider the Bill.

The Bill does not provide certainty. It contains no certainty on decisions. It does not provide compellability. There is no compulsion on civil servants to make decisions that impact the people of Northern Ireland—decisions that need movement—but on key policy areas, there is no compulsion to do so. There is no progress on the 200-plus decisions that have lain in abeyance among the range of Departments since the suspension of the Assembly.

Sammy Wilson: Is the worrying thing for my hon. Friend the fact that many of those 200 decisions are sitting there not because of the court decision, but because of the inertia that exists in the Northern Ireland civil service? The Bill will not make a blind bit of difference to the fact that some senior members of the civil service—not all—will not make a decision to get up in the morning if they think they might get some criticism for it.

Gavin Robinson: I am grateful to my right hon. Friend for his comment. I think it fair to say that there are a range of views on this issue, and some accord with the description that he has outlined. There are civil servants in the Northern Ireland civil service who have been incredibly courageous during the time that we have not had democratically accountable Ministers.

But there is the rub—the Bill relies solely on the willingness of a senior departmental official who is impervious to direction and impervious to the views of politically mandated, democratically elected representatives and who can decide whether or not they wish to proceed. The guidance is there, but if we go through that guidance fairly, I think we could decide that something is within the public interest or outwith it at our own discretion, and that is a fault.

Sir Mike Penning (Hemel Hempstead) (Con): I will expand more on this in my speech, but this is a critical point to do with the civil service. We can all criticise civil servants. There are good ones and bad ones. But, particularly in Northern Ireland—I experienced this when I was the Minister—the fear of judicial review in the civil service will not be addressed by the Bill. Bravery is fine, but if this Government do not back civil servants, there will still be fears, not about public opinion, but about whether they will be dragged through the courts, which we have seen so many times in the Province.

Gavin Robinson: That is a key consideration. The Bill does not insulate civil servants from the prospect of judicial review. We know from our experience in the courts in Northern Ireland, compared with England and Wales, that ultimately it is easier to progress a judicial review in Northern Ireland. Whether for unaccountable civil servants acting in the best interests of the country or democratically elected Ministers serving the people who elect them and the people of Northern Ireland, the challenges in the courts are still there.

The Bill seeks to replicate the understanding that was there prior to the Buick decision. I remember saying a year ago to the Minister of State that the Departments (Northern Ireland) Order 1999 empowers senior departmental officials to take decisions. Ultimately, it was considered by the courts, and the one fundamental ruling they made was that a decision of such regional significance that was controversial and/or significant should be considered by an Executive Committee. The Bill might seek to address that, but it does not absolve anyone from the legal requirement inserted through the Northern Ireland (St Andrews Agreement) Act 2006, which amended the Northern Ireland Act 1998, for consideration over and above the individual Department.

That was a significant safeguard injected into the legislative framework arising out of the Belfast agreement on controversial or significant decisions. In that sense, the Bill empowers civil servants to a greater level than a democratically elected and accountable Minister. That is difficult. That is my reading of clause 3(5), and it is constitutionally a troublesome step. I have to accept the position that the Northern Ireland Office has adopted, which is that it will not provide an overarching mechanism and it cannot empower officials to replace what would have been the Executive Committee, but the Bill is deficient in that regard. I am not sure that the Secretary of State or the Minister of State will be able to answer or provide any solace on that issue.

Some consideration has been given to clauses 1 and 2, on the timescales for the re-formation of an Executive. I will put on record clearly for the hon. Member for North Down (Lady Hermon), in response to the question that she raised, that never once during any of our discussions with departmental officials in the Northern Ireland Office was a date discussed. No date was discussed, and it is not politically driven. Timescales were discussed, but no specific date was ever discussed.

Lady Hermon: I am grateful to the hon. Gentleman for allowing me to follow up on that, since he referred to me. There was not a date agreed or discussed with Northern Ireland Office officials, but there was a timescale. I am not a member of the party, so I was not present at the meeting. Let all the people of Northern Ireland hear the timescales. Was it six months or nine months? What was the timescale?

Gavin Robinson: Those considerations are exactly the same ones that the hon. Lady will have had in the Northern Ireland Affairs Committee. The response that the Secretary of State gave to the hon. Lady was that the broad parameters were discussed by all parties. I am being honest and sincere in saying that no date was ever discussed.

Lady Hermon: What was the timescale?

Gavin Robinson: No date was ever discussed.

I see in the amendments tabled by the hon. Member for Amber Valley (Nigel Mills) an earnest desire on his part to get progress going in Northern Ireland. He does not want to see a lengthy delay. Let us not kid ourselves. I have spent a considerable part of this speech commenting on the Sinn Féin boycott that exists today and has existed for the last 18 months and that has frustrated the meeting of the Assembly, the formation of the Executive or Sinn Féin sitting in this House.

If the hon. Lady wants an answer to this question, Conor Murphy has been quite clear about Sinn Féin's position. When we met at the steps of Stormont in August this year and we asked, in the interests of everyone in Northern Ireland, for Sinn Féin to end its boycott, Conor Murphy's response was, "We envisage Ministers being appointed by April 2019."

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

Gavin Robinson: I will just finish this point, if I may.

It is clear that the intransigence, stagnation and unwillingness to resolve these issues has not only pertained for the last 18 months but is intended to continue. That is bad for Northern Ireland, for all the people of Northern Ireland, for the issues that remain outstanding and for the people we represent. I will give way one more time.

Lady Hermon: I am very grateful to the hon. Gentleman for allowing me to intervene again. I asked about the timescales that had been articulated by the hon. Gentleman and his DUP colleagues. I did not ask about Sinn Féin. To tweak the question slightly, can we give the people of Northern Ireland any confidence at all that the deadline mentioned in clause 1 of the Bill—26 March 2019—is realistic, or are you just going to talk your way through that deadline? Not you, Mr Deputy Speaker.

Mr Deputy Speaker (Sir Lindsay Hoyle): Don't worry, I recognise that. I am not going to enter into Northern Ireland politics.

I have 11 Members down to speak. If some Members are not going to speak, can they let me know? At least then I know what I am working to.

Gavin Robinson: I intend to speak, Mr Deputy Speaker, but you knew that anyhow.

I say respectfully to the hon. Lady—an honourable Lady in name and nature—that that is a fair question, but if she follows the logic of what I am saying, she will see that it is not one for us. We want to see the restoration of an Executive. We have indicated no red lines. We made an offer of an olive branch last August, and it was rejected in 35 minutes; it was not considered. We have the clearest of clear indications from Sinn Féin that it does not envisage having Ministers appointed until April 2019. It is a disgrace, and it bears no resemblance to the needs, the frustrations, the angst, the wishes or the aspiration of every single person who lives in Northern Ireland.

I have mentioned that this Bill lacks certainty. That is a product of the way in which it is framed, and the Secretary of State has sought to issue guidance. It is right that the civil service has been empowered to advance decisions that are couched within the public interest. However, I have no certainty whether a planning decision for the power plant envisaged in my constituency will be advanced by civil servants. Why is it necessary? Because some of our older power stations are coming offline. There is a need for this planning approval to be given so that the power station can form part of a capacity auction this autumn for future years. If it is not advanced, we will be in a difficult situation in Northern Ireland. The same can be said for the north-south interconnector. It is a necessary part of infrastructure that we support—we think it is imperative for the future

of our energy arrangements—yet there is no certainty that this Bill will advance a decision on the north-south interconnector.

My hon. Friend the Member for Belfast South raised the transport hub in the south of the city. It is an important project that has regional significance in that it connects every part of Northern Ireland to our city. It has significant public resource allocated to it, and it will be necessary for the future development and aspirational growth of Belfast city and Northern Ireland. Is there any certainty that this Bill will advance that decision? Regrettably, there is none. Professor Bengoa—

Emma Little Pengelly: Will my hon. Friend give way?

Gavin Robinson: You know I have to do so, Mr Deputy Speaker.

Emma Little Pengelly: I will be brief. My hon. Friend referred to the uncertainty about the transport hub in Belfast. Does he agree with me that senior civil servants should heed what has been said today by the Secretary of State? Given the consensus about this issue, there are clear indications that this is very much the type of decision that could be made and in fact, from my point of view, should be made under this guidance.

Gavin Robinson: Absolutely right. Mr Deputy Speaker, we gave time to my hon. Friend, but we have saved time on what I was about to say. This is an important point and such civil servants should take cognisance of their ability to make these decisions, and they should make these decisions.

Very helpfully and importantly, paragraph 10(c) of the guidance outlines that NICS departmental officials are encouraged to

"continue to advance preparatory work"

up to the point at which a ministerial decision would be required. That goes some way to addressing the point made by my right hon. Friend the Member for East Antrim (Sammy Wilson). No longer can a departmental official say, "I'm sorry, we can't advance that project or strategy, consider an alternative or engage with interested groups because we don't have a Minister"; they can, and I think that is crucial.

As a constituency representative for Belfast East, I look to the regional stadium development fund as a prime example. The Executive agreed that they would spend £36 million on stadium development. Strand 1 of that scheme said there would be £10 million for a football club in my constituency—Glentoran football club. Officials say they cannot advance it because they do not have a ministerial decision. Well, of course they can, because it is an Executive priority, it is agreed, the consultation has been issued, the consultation responses are back, the consultation responses have been appraised by officials and they know exactly the direction of travel. Preparatory work still needs to be concluded, particularly with the Irish Football Association on the funding matrix for such a development, and that work should continue.

Transparency needs to be at the heart of this Bill. I was therefore pleased to see in paragraph 15 of the guidance a requirement on departmental officials in Northern Ireland to report to the Secretary of State monthly on any decision that has been taken under

[Gavin Robinson]

the Bill. That is really important, and it goes to the heart of transparency of government. The notion that senior civil servants could take decisions and not tell the people or that they could fail to take decisions that we know remain outstanding is one that is well worth consideration. I am pleased to see that that is included in the guidance.

There is a whole other issue that should have featured as part of this Bill. I look to the Minister to see whether he can give any comfort on this issue at all. We have no legislative forum in Northern Ireland. This is the only legislative forum in this country that can legislate on behalf of Northern Ireland, and every week, Bills go through this place that could and should be extended to cover Northern Ireland: issues that are not controversial; issues that do not cause difficulty between political parties; and issues that are normal and run of the mill. It is important that they are progressed and that we in Northern Ireland do not lose the opportunity for legislative change. We do not have any certainty that the ad hoc procedures and ad hoc approach to the inclusion of Northern Ireland in England and Wales legislation and the extension of that legislation to Northern Ireland will take place. That leaves us in a ridiculous situation. We are asked to come here and vote on issues that affect the people of England and Wales and yet not get any progress for the constituents that send us here. It is not right.

The Under-Secretary of State for Health and Social Care, the hon. Member for Winchester (Steve Brine), had the courage to include Northern Ireland in non-branded medicines cost regulations back in March. He said that he sought a legislative consent motion, but there was no Northern Ireland Assembly. None the less, it was the right thing to do, and it was in the public interest to include Northern Ireland. Yesterday, the Civil Liability Bill should have included Northern Ireland. Animal welfare changes that have been brought forward by the Department for Environment, Food and Rural Affairs should include Northern Ireland. In Westminster Hall, in debate after debate, we ask Ministers whether the Government will extend the same provisions in the absence of an Assembly to cover Northern Ireland, and they say that they cannot because it is devolved. I invite the Minister, if he can provide comfort for us now or later in his summation, to outline the steps that we can achieve to make sure that there is certainty that, when a legislative vehicle gives the opportunity to extend something sensible to Northern Ireland, we seize that opportunity.

Nigel Dodds: My hon. Friend makes a very, very important point. The Bill really covers only the issue of Executive functions and decisions taken at administrative levels, so the whole area of legislation is left to one side—obviously. There is the issue not only of extending legislation for England and Wales to Northern Ireland, but of legislation that is sitting with Government Departments in Northern Ireland ready to go, which cannot be progressed. Earlier, somebody mentioned the unexplained wealth orders, for instance, to tackle paramilitary crime and criminal organised crime in Northern Ireland—a sensible measure that is supported by everybody and that should be progressed. The police want to see it happen; everybody in Northern Ireland wants to see it happen. Why can that not be progressed?

Gavin Robinson: Absolutely. The unexplained wealth orders are a key example of how we should have extension of those provisions for Northern Ireland.

I mentioned the courageous nature of some decisions, and I know that the right hon. Member for Hemel Hempstead (Sir Mike Penning) will agree with me that the Department of Health in Northern Ireland was incredibly courageous in making the changes required through regulation to allow for medicinal cannabis prescriptions. We wanted to see those English and Welsh regulations extended to Northern Ireland, and it has been done through another vehicle, and we are grateful for that.

Here is a key example of where it goes wrong. When the definition of co-ownership housing associations in Northern Ireland was not changed because we did not have an Assembly, but it was changed for England, Scotland and Wales, the derogation offered by the Treasury stopped. That means that if somebody does not take the opportunity to change that definitional issue now for Northern Ireland, our co-ownership schemes will not be able to use financial transaction capital tax, and it will not have the budget to provide the social houses that are required or the social mechanism through which somebody can purchase a home for the future. That is a disgrace.

Sir Jeffrey M. Donaldson *rose—*

Gavin Robinson: I will give way one final time, Mr Deputy Speaker, so as not to encourage your ire.

Sir Jeffrey M. Donaldson: To assist my colleagues, I have withdrawn from the list of those wishing to speak in this debate, but I want to intervene on the subject of housing. In Lambeg, which is in Lisburn in my constituency, and which is famous for its drums and has some very nice housing, some former Ministry of Defence homes are available for transfer, free of charge, to a Northern Ireland housing association. That housing would provide much-needed accommodation for young couples, first-time buyers and so on. That transfer cannot be concluded because the Department needs ministerial approval. The houses are falling into disrepair. The transfer would benefit the community, and particularly young people in my constituency, but it is not happening. Is not that the kind of decision we want made, so that our constituents benefit?

Gavin Robinson: That is an important point to make, and that matter should be progressed.

I have a final, broad point about the participation of Members of the Legislative Assembly. They have been elected to serve their people and wish to do so, and MLAs are required for good governance in Northern Ireland. There are many decisions that could be taken by civil servants, but there is no direction on what those decisions should be. The only way that civil servants can get a true appreciation of what politicians who have been elected to serve the people wish the direction of travel to be is to ask them—to include a participative process, and to encourage politicians to come in, share their views, and shape policy proposals and decisions for the future. The Bill does not take the opportunity to do that. We have mentioned the historical institutional abuse inquiry. That is a classic example of where elected MLAs could be engaged in discussions on how that matter is progressed.

The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) referred to the Independent Reporting Commission, which published a report yesterday. How sad is it that, 20 years after the Belfast agreement, we still have an independent reporting commission on paramilitary activity? I have been in this House for only three years, and in that time, I have had a constituent murdered by the IRA; that is the Provisional IRA, not a dissident group. Another constituent—a serving prison officer—was blown up by dissident republicans, through an under-car booby trap bomb. He died of his injuries a week later.

People come to my constituency office every week because of the pressure that they face from paramilitaries in my community—loyalist paramilitaries; paramilitaries who intimidate young families out of their homes; paramilitaries who lend money and extort a return; and paramilitaries who sell drugs and destroy individuals and their communities. The Independent Reporting Commission report pleads for political direction and political involvement, and for the participation of the people who have been elected to serve our society and want to do so. That is the prize in restoring the Executive. That is what we want. That is what the people of Northern Ireland deserve, and though the Bill does not deliver that, it extends the time and opportunity for delivering that. It is an opportunity that we cannot afford to miss.

Several hon. Members *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): We have eight speeches to come, and about an hour to play with, so if speeches could be around seven minutes, that would be very helpful.

3.43 pm

Sir Mike Penning (Hemel Hempstead) (Con): As one of two former Northern Ireland Ministers on the Government Benches, let me say that I know how difficult the ministerial team has found it to get to this position with the Bill. The Bill is far from perfect, and it is very easy for us on the Government Back Benches—and for those on other Benches, and for the shadow Secretary of State and the shadow Minister—to tell everybody what should have happened. It would be very easy to criticise—and there was a bit of criticism from the shadow Secretary of State—but the Secretary of State is dancing on the head of a pin, because without a devolved Administration in Northern Ireland, the whole area around the Northern Ireland agreement is in a difficult position.

Nobody in this House—nobody who really understands the Northern Ireland political position—would dream of having a situation in which civil servants were empowered by the Bill to progress things in a way that people in any other part of the United Kingdom would find completely undemocratic, and that would never be passed by this House. To perhaps not dance on the head of a pin, this is as close as we will get to direct rule without direct rule.

Some of the political persuasions in Northern Ireland want that to happen. They want crisis. For their own political beliefs, mostly around a united Ireland, they want to make the whole thing collapse. We are very

close to that. We cannot have a situation in which the Province is brought to its knees because one group of people want one thing and another group cannot accept that.

David Simpson: Does the right hon. Gentleman agree that it is time that we had a degree of honesty from Sinn Féin—if that is possible—about whether they really want an Assembly back, and if they do, is it only on their terms?

Sir Mike Penning: That intervention is spot on, in many ways. It cannot be on one group's terms. The Good Friday agreement is specific that it must involve the groups coming together.

In the time I was a Northern Ireland Minister, I met people from all parts of the Province, from all political persuasions and faiths, many of them together in the boxing rings and around rugby. Not once was the Irish language raised with me during my time in the Province. It may have been raised with the Secretary of State, but it certainly was not raised with me. Myriad things were raised, including the difficult situation of the historical investigations, the health service, bridges, roads and lack of infrastructure—all being blocked because one group in the Assembly had a veto. I like to use the word “veto” because I think the public understand it better. To me, that is fundamentally wrong.

We have to ask today whether Sinn Féin want to be part of the process. If not, they should come out and say so. If they do not want the Assembly, Administration and Ministers in place, they should say so. If they do want the Assembly to sit—although it is difficult to see how it could, considering the previous comments by Sinn Féin's political leaders—they should get into the room, sit down at the table and thrash it out like their predecessors did.

I dealt with the late Martin McGuinness. I never thought that I would get on with him. We were miles apart politically, but he was actually quite pragmatic. He wanted better things for his community—like some of the parties in the House who do not want to be part of the United Kingdom, but come here, thrash things out and are part of it. That is why I have always found the fact that Sinn Féin does not come here, take part and argue its case fundamentally wrong and undemocratic to its constituents.

Lady Hermon *rose*—

Sir Mike Penning: I will not give way to the great Lady, simply because I know so many other colleagues wish to speak in the debate.

The Bill worries me. I worry how amendable it is, which could impose things on Northern Ireland that are devolved matters. I accept that the Assembly is the right place. In a perfect world, I would like to see no abortion, but we do not live in a perfect world. We have abortion legislation here, and I was on the Opposition Front Bench during the passage of the Human Fertilisation and Embryology Act 2008—a really difficult Bill—and we had a long debate about abortion. I personally think that a woman's choice is important and we should allow abortion, but I would like to reduce the length of time in which the foetus can be aborted. However, it would be fundamentally dangerous to impose a decision made

[*Sir Mike Penning*]

here on Northern Ireland when it is a devolved matter. I personally think that it should happen in Northern Ireland, but that is for the politicians who were duly elected there to deal with. If the amendment is passed today, it will cause chaos and division in Northern Ireland, and I shall vote against it if it is selected.

I have to say to those on the Front Bench that I have told my Whips that if that amendment were to be in the Bill, that is one reason why I would not be voting for the Bill later. But there is another reason, which is just as important. A whole group of veterans made Northern Ireland safer than it was when we went in. Many Members of this place have served in Her Majesty's armed forces and been decorated for it. I find inconceivable the way that a British Conservative Government are dealing with British ex-servicemen. Years and years after we served and after the investigations have taken place, we are being treated like we were terrorists. That is the way we feel.

I first went to Northern Ireland in 1975, and Captain Robert Nairac, who sadly passed away there—we think, although we still do not know the exact facts of what happened to Robert—was my captain. I am surrounded by people saying to me, “Why are you”—this Government, this House—“not protecting me, rather than letting me be dragged back to a court in Northern Ireland for something that was finished years ago and of which I was found not guilty?” That form of double jeopardy is fundamentally wrong and it should be covered in this Bill. The Bill is concise and capable of containing that protection. I raised this matter at business questions last week, and the Leader of the House, in good faith, told me to go and speak to the Ministry of Defence. It has nothing to do with the Ministry of Defence; it is to do with the Northern Ireland Office and the Prime Minister, and that is the most important thing.

Emma Little Pengelly: As has been mentioned a number of times in this House, this week marks the 25th anniversary of the Shankill bomb. The person responsible for that was convicted in a court of law, but was released under the terms of the Good Friday agreement after serving just seven years for the murder of nine innocent civilians, including two children. That is absolutely appalling. Does the right hon. Gentleman agree that it is grotesque that Sinn Féin, who defended that and fought for early release of those murderers from prison, is now going after those soldiers who were in Northern Ireland to defend, to protect and to do their job?

Sir Mike Penning: I completely agree with the hon. Lady. Sinn Féin see their people who were doing those atrocities as combatants. They were part of their army; that is why they called them what they did. But they do not look at our veterans in the same way; actually, I think they look at them with derision. I served with Catholics from Belfast in the Army, and they could not go home—certainly, if they did, they could not tell anyone what they were doing. When I was in basic training, many of them stayed with me, with us, because they felt that they could not go back, even though they were Unionists and they wanted to serve in the British Army. Many people from the south served in the British Army. We have police officers from the Republic now

who are serving in the police force in Northern Ireland. That is the sort of thing we had, but we still do not have peace.

What peace do we have in Northern Ireland? We have touched on this, and on the murders of prison officers. When I was the Minister there, David Black was shot with a weapon that most people in Northern Ireland know was an AK47, from the Gaddafi era, that was supposed to have been placed out of use and out of everything. He was shot on the M1 going to work. What sort of peace is that?

Anna Soubry: My right hon. Friend makes a powerful point about the pursuit of people who should clearly not be pursued as they have been through a process that has long been done with. Does he agree that that matter should actually be being determined by the Attorney General for Northern Ireland? It is a clear and blatant abuse of process that old criminal lawyers will understand. Does he also agree that it is not good enough that the covenant has not been fully extended through the entirety of Northern Ireland?

Sir Mike Penning: Perhaps unusually, I agree with my right hon. Friend on nearly everything she says apart from her point about the Attorney General. British soldiers who were there to keep the peace—that is what I was sent to do—were sent by the British Government and so, in my opinion, the only Attorney General who should look at it is the Attorney General here. We were sent there not by Northern Ireland Ministers or Attorney Generals, but by those who were here. My Prime Minister at the time sent the troops. I went in '74; there were lots before me and lots after us. It cannot be right—it cannot—that this Bill ignores what was given by so many to protect the Province.

Lady Hermon *rose*—

Sir Mike Penning: I will not give way, because the Deputy Speaker has already told me off once, but I will conclude.

I fundamentally think I was sent to this place to do a job—to protect my constituents and look after them, after they have looked after us. If this House is not willing to protect veterans who served in Northern Ireland, I am afraid I cannot support the Bill.

3.55 pm

Owen Smith (Pontypridd) (Lab): This is the eighth or ninth time since devolution collapsed in Northern Ireland in January 2017 that we have had so-called emergency legislation, and the Bill is arguably the most important, wide-ranging piece of all that emergency legislation. As the Minister heard, there will of course be support for it, because it is necessary to facilitate the further good governance of public services in Northern Ireland, but it is a profoundly unsatisfactory process, both in general and in particular today—the way in which we are going about delivering legislation for Northern Ireland, and the way in which this piece of legislation has been brought forward.

In the first instance, I would say that the notion that the Bill is a piece of emergency legislation is in itself questionable. Of course it deals with some important matters, notably the appointment of people to the Policing Board and other boards in Northern Ireland, but Members

ought to know that the Policing Board has been without its political members since March 2017. It has now been without its independent members for almost six months. If that is such an emergency, the Government seem slightly slow to respond. Equally, I would say that we all understand how the Buick ruling has undermined the status of civil servants and their security when taking important decisions, but that too was some months ago now, and I believe that that could have been dealt with in rather shorter order.

However, the really important point is not the question of the emergency, but the nature of the substance of the issues that we are dealing with today, because as several Members have suggested, the proposed changes are profound. It is everything short, if you like, of direct rule, but it gets as close to direct rule as we could have without calling it as much.

The guidance has been mentioned several times today. I think it was remiss of the Secretary of State to say that that guidance had been placed in the Library of the House, because it had not. It had been published online on the NIO website, alongside the legislation, but it was not referred to specifically in either the legislation or the notes to the legislation, so hon. Members such as myself who would have liked to be able to read that, as far as I am aware were unable to do so, unless we knew that it was on the website, which was not true in my case at least. I know that some people on the Front Bench and elsewhere, and perhaps the Chair of the Select Committee, and certainly some of the other political parties who were consulted, will have been given the guidance, but we were not given the guidance.

The Minister of State, Northern Ireland Office (Mr Shailesh Vara): Will the hon. Gentleman give way?

Owen Smith: I would be delighted to give way to allow the Minister to explain.

Mr Vara: The guidance to the civil service was deposited in the Library on Monday, and it is also available today on the gov.uk website, from which other people in this Chamber were able to take copies. So, from our point of view, it was deposited on Monday. I hope that the hon. Gentleman will take that at face value, and perhaps seek to retract some of the accusations that he has made in this direction.

Owen Smith: All I can say is that I went personally to the Library and asked the staff, and asked them again, and asked them to check; indeed, I also went to the Table Office and the Vote Office, and none of the people responsible in those offices said that they had a copy of the guidance. We then learned that it had been provided to other people, but only through the NIO website, from which I gather it was given to the Opposition Front-Bench team last week. I do not think that is satisfactory, not least because the substance of the guidance is so important—the issues that the legislation deals and does not deal with, the way in which the Secretary of State is offering guidance to civil servants, and some of the misunderstanding as to how that guidance will be provided on an ongoing basis are incredibly important.

I asked the Secretary of State earlier whether she could give me a specific example of a decision that might or might not be made by the Northern Irish civil

service departments in the light of this guidance, and she could not do so. I suspect that that is because anyone who reads the guidance, as I now have, can see that you could drive a coach and horses through it. There are any number of instances that one could choose to identify in which it appears that decisions might be made in the public interest, or in order to improve wellbeing or economic performance in Northern Ireland, and, equally, there are many instances in which one might choose to interpret the legislation as inhibiting such decisions and actions.

The crucial distinction seems to involve the question of policy. However, I put it to the Minister that even if Northern Ireland civil servants cannot amend policy on an ongoing basis, one would assume that, as a corollary, they now have the capacity to make operational decisions that could be of enormous significance to citizens in Northern Ireland, relating to, perhaps, the closure of a hospital, school or some other vital facility.

The hon. Member for South West Wiltshire (Dr Murrison) implied, at least, that the Secretary of State would have to provide further guidance in respect of those operational decisions that might be undertaken, but according to my reading of the legislation, that is not the case. My understanding is that the Secretary of State will publish, on a monthly basis, some reference to the decisions that have, potentially, been made, or, rather, civil servants will report to her on the decisions that they have made under the guidance, but there is no obligation on her to provide the House with details of any decisions that she is instructing civil servants to make—or objecting to their making—on behalf of the people of Northern Ireland.

That brings me to the principal point that I wish to make. We seem to be taking a very big step in further strengthening the hand of Northern Ireland civil servants to make important decisions. We have had practically no opportunity to scrutinise the guidance and to understand fully what it means—what its implications are not just for Northern Ireland, but for the devolved settlements across these islands. It seems to me that this is another example of the Government's rushing through Northern Ireland legislation, characterising it as absolutely vital and urgent when in reality it deserves further scrutiny.

Lady Hermon: Let me remind the hon. Gentleman of a significant point that was made, in a very interesting speech, by the hon. Member for Belfast East (Gavin Robinson)—to whom, of course, I apologise for addressing him earlier as “you” instead of “the hon. Member”. *[Laughter.]* The significant point in that excellent speech was the indication given by a very senior Sinn Féin member that Sinn Féin had no intention whatsoever of abiding by the timescale and the deadline of 26 March next year. What would the hon. Gentleman and his party colleagues do if Sinn Féin drove through that deadline?

Owen Smith: I am not sure that that intervention is entirely pertinent to the point that I was making. However, I will say in response to it that what I heard was a reference to Conor Murphy's having said that he did not think Ministers would be in place before April 2019, which is broadly in line with the mysterious deadline that the Secretary of State has specified in clause 1.

[Owen Smith]

My view is that no one party in Northern Ireland is blameless in respect of the impasse in which we currently find ourselves. I think that all parties need to get round the table, and that, crucially, the Governments on both sides of the Irish border need to do more to make this a more dynamic process. Torpor, drift and lassitude have characterised the approach of our Government, in particular, to an impasse that has lasted for nearly two years. If this is such an emergency, I think that the real emergency has been the lack of drive and dynamism. We heard from my hon. Friend the Member for Rochdale (Tony Lloyd) about some of the ideas advanced previously by him and by me about an independent chair, potentially the Prime Minister—maybe not the current Prime Minister, but a Prime Minister—who would have a greater influence in these matters. There are myriad ways in which the Government could be trying to drive this forward, but they are not doing so, and that causes me grave regret.

I shall conclude by making three brief points. This Bill essentially allows civil servants in Northern Ireland to take a very wide-ranging set of decisions and to be given legal and political cover by the Northern Ireland Office to do so, but it does not apparently allow decisions to be taken about the Hart inquiry recommendations on victims of historical institutional abuse, and that is morally indefensible. Hart reported just after the Assembly collapsed, but the inquiry was established by the Assembly and is widely supported across the Assembly. David Sterling, head of the Northern Ireland civil service, has said in terms that he already has the legislation on the books in order to deliver for those victims, and it is a disgrace that this legislation is not going to deal with their case. It should do, and there is no excuse for it not doing so.

Secondly, there are 500 victims of the troubles who have been gravely injured mentally or physically, as a result of no fault of their own in the vast majority of cases. They deserve a victims pension. It is clear that the compensation paid to individuals in the past is insufficient given that those people are living longer, thankfully, than was ever imagined. It is vital that the Government put in place a pension for victims.

Lastly, there is nothing in this Bill that allows for the people of Northern Ireland to have a greater voice than that represented through the DUP on the question of Brexit. The most important issue facing Northern Ireland is the prospect that the Good Friday agreement is in jeopardy right now, as a result of the reckless way in which Northern Ireland is being treated in the Brexit process. It is essential that we get the Assembly back, but if the Assembly cannot deal with it, Ministers in the NIO need to start speaking up, and I say to them, “We need to hear your voices on behalf of the people of Northern Ireland on Brexit, and if you do not speak up, you are letting the people of Northern Ireland down.”

4.6 pm

Vicky Ford (Chelmsford) (Con): I will try to be brief, but this is a subject that I hold close to my heart. Let me start by saying how much I wish that we were not here. As someone who grew up in Northern Ireland and was born in Omagh at the beginning of the troubles, I spent my childhood knowing what it was like to live at a time of violence within the United Kingdom. This year

marks 20 years since the Omagh bombing and 20 years since the Good Friday agreement, and the peace that we have today is precious, and also very fragile as the hon. Member for Belfast East (Gavin Robinson) reminded us.

I have said before in this Chamber that we should not jeopardise the Good Friday agreement. We should not jeopardise it with a hard border between Northern Ireland and southern Ireland. We also should not jeopardise the right to self-determination that the people of Northern Ireland made with their clear decision that they wished to be part of the United Kingdom and part of our precious Union here. It is always difficult for someone like me who is no longer living in Northern Ireland but is watching from afar to form a view, but I think that it has partly been having Stormont and having local decision making that has meant that the Good Friday agreement has lasted for so long. Local decision making is key to holding this whole situation together. So that is why I wish we were not here: I wish the Stormont Assembly were meeting and we were not put in the position of trying to pass legislation in this place.

I was back over in Northern Ireland last month, and time and again people outside politics were telling me how frustrated they were by the current situation—not only by the lack of decision making in Stormont, but by what that is doing for key decisions that affect everyday lives. They mentioned many projects—local transport projects, health projects and a particularly beautiful education project. In Omagh, on the site of the old Army barracks, there is a £140 million investment to build the Strule schools project, which will bring all six secondary schools in Omagh on to one site, so instead of the Catholic and Protestant children being in different schools where they never meet, they will still have their own school ethos but they will meet and be together. That will be such a powerful sight, but when I drove past it, the gates were there but there was nothing behind them because the project continues to be delayed. We need to ensure that the civil servants in Northern Ireland can get on with making the key decisions, and we cannot wait forever. That is why I will support Ministers in ensuring that they can get local decision making going.

I want to talk a bit about the subject of abortion, which I know will come up again and again today. I have spoken about it in the Chamber before, and it is an emotional issue on which people have strong personal views. I support the right to choose, and that is something that I believe in very strongly, but I also feel very sensitive about people in one part of the world telling people in another part of the world what they should do on this issue. It is an issue that should be determined locally.

When I spoke about this last time, it was on the eve of the High Court judgment on human rights. I pointed out that if part of the UK were found not to be upholding key human rights, we in this place would have to act. When I was back over in Northern Ireland, I had the opportunity to listen to the testimony of a mother who had had the most hideous experience of being forced to carry a baby to term, even though the baby was never going to live and actually died in the womb.

It is worth having another read of the High Court judgment, because on the one hand it says that we are in breach of our human rights in key areas such as rape, incest and foetal fatal abnormality, but on the other

hand the judgment does not stand formally because the Court ruled that the Northern Ireland Human Rights Commission did not have the legal power to bring a case in its own name. As I understand it, that is a failure of the legislation that was passed here under the then Labour Government. The language was not clear enough in the Bill that established the Northern Ireland Human Rights Commission to give the commission the power to bring such cases in its own name. That issue needs to be corrected, and I am told that that would put the Northern Ireland Human Rights Commission on a level playing field with its equivalents in other parts of the United Kingdom. If that had already been the case, that legal judgment would have been binding, which would have helped to facilitate the local changes that are needed to ensure that the women of Northern Ireland do not have their human rights breached.

There are many more things that I would like to say. I believe that it is still worth fighting for frictionless trade across the Northern Irish-Irish border and across the Irish sea and the English channel. By finding a solution that keeps the whole Union together, we will find a relationship that works for our ongoing relationship with Europe as well. I will support the Bill this evening, but with a heavy heart, because I wish that we did not have to be here.

4.13 pm

Emma Little Pengelly (Belfast South) (DUP): I will try to be relatively brief, because my hon. Friend the Member for Belfast East (Gavin Robinson) has made a fantastic speech in which he articulated many of the issues that I wanted to touch on. I am also conscious that my hon. Friend the Member for Strangford (Jim Shannon), who is sitting behind me, is keen to speak and to have sufficient time to articulate his issues, and I do not want to disappoint him in that regard.

I want to talk about the specifics of this legislation. I echo the words of my hon. Friend the Member for Belfast East in thanking the team at the Northern Ireland Office and the ministerial team for all their work and for the help they have given to me and the Democratic Unionist party team to enable us to understand better the issues in the Bill. They also gave us the space to raise our concerns and issues, some of which I will touch on today.

As already articulated, this Bill is not a perfect solution. In fact, I would go so far as to say that it is far from a perfect solution, because it is so limited in what it can actually do and in the powers that it gives to senior civil servants. The context of course is that that is also difficult and troubling, because giving such powers has at its heart a democratic deficit that goes to the centre of British constitutional democracy. I will touch on that again later, not least because it is almost unprecedented in decision making in any part of our United Kingdom.

Throughout the process, from the first suggestion of this approach, the ministerial team in the Northern Ireland Office will be aware that DUP Members have expressed disappointment over the ambition of the proposals. That disappointment arose not because the Secretary of State was keen to ensure that some decisions can happen in Northern Ireland, but because putting Northern Ireland back into a pre-Buick but post-collapse position is insufficient. The legislation gives only limited scope for decision making by senior civil servants, about which the Secretary of State was frank and clear, but I

am grateful that there are some exceptions, although they are small, covering planning and big investment decisions when they are non-controversial and enjoy a broad consensus and when decisions are clearly in the public interest. I put it on the record again that I welcome the Secretary of State's clarity that a decision like that on the transport hub, which is of regional significance and critical to Northern Ireland's economy, can be made under the terms in the legislation.

However, I share the sentiments of the hon. Member for Chelmsford (Vicky Ford) that it is extremely disappointing that we are where we are. This is not where any of us want to be. I do not want to go into great detail, but it is worth reminding ourselves of how we have reached this point. My DUP colleagues have already articulated our frustration, because we want to get back into government to work and to deliver for the people of Northern Ireland. My colleagues who are Members of the Legislative Assembly were elected to do that job, but they cannot. They, like Members of every other party, are frustrated from entering the Northern Ireland Assembly and the Northern Ireland Executive by one party, but one of the frustrating things about the process thus far has been the tendency by many to look at all the parties in Northern Ireland and say, "You're all as bad as each other. You're all holding back progress. Why don't you just get on with it and get back into government?"

Bob Stewart (Beckenham) (Con): I was here for most of the first part of the debate, but I had to be away to attend a Committee. I just want to agree with the hon. Lady. Only one party is stopping Stormont reconvening, and it is Sinn Féin. It is in Sinn Féin's interest to screw up—I use that phrase advisedly—the whole idea of Northern Ireland being self-governing, and it will continue to do that. I suspect that we will still be here arguing like this next year. I wish that the situation were not like this, because Northern Ireland is a great place. One party—Sinn Féin—is ruining what should be happening.

Emma Little Pengelly: I thank and agree with the hon. Gentleman.

I came in to work for and with Government back in 2007 on the restoration of the Northern Ireland Assembly. I was an adviser in the office of the First Minister, and I worked closely not only with our DUP team, but with the Sinn Féin team. Back in 2007, that was challenging, because the office of the First Minister and Deputy First Minister is a joint office. Part of my job was to advise the First Minister and try to get agreement on a range of issues to be signed off by the Ministers in the relevant Department. What did that mean in practice? It meant that every letter and every policy—everything that went out of the Department—had to be agreed between the DUP and Sinn Féin. I was one of the people charged with seeking those agreements for ministerial sign off.

I say this today not because of any blind hatred or opposition to Sinn Féin, because we worked the system, and we worked it hard, to try to deliver on behalf of everyone in Northern Ireland. We had to make very difficult compromises, decisions and agreements to make devolution work in order to try to stabilise the peace.

It was therefore particularly disappointing when the collapse happened, and I recognise all those people across all parties, including Sinn Féin, with whom we

[Emma Little Pengelly]

worked to try to make Northern Ireland work. It is in that context that everyone here, including on the Labour Benches, should be clear about who is causing there to be no government in Northern Ireland today. We would go back into government tomorrow morning. We are willing to turn up, and we are not asking for anything. One party is saying to every other party in Northern Ireland, “You are not going into government unless we get our demands.” That is blackmailing not just the other parties in Northern Ireland but the people of Northern Ireland who want to see issues addressed such as health, health transformation, education, necessary infrastructure and the fantastic projects happening on the ground to foster good relations—those things cannot happen.

In the main, the Bill gives unaccountable senior civil servants the power to make some decisions, and it has been acknowledged that most of them will be routine, non-controversial, low-level decisions. As my right hon. Friend the Member for East Antrim (Sammy Wilson) rightly said, the vast majority of the 200 decisions that have been listed are not controversial, but they cannot be taken under the terms of this Bill. That is why, right from the outset of this process, we expressed disappointment, because the time has now come that, if Sinn Féin will not move on and if they want to boycott the Northern Ireland Assembly, they should allow those who want to work to work. There need to be ministerial decisions on a whole range of important issues.

New clause 7 has received some coverage and has caused some controversy because of the two issues relating to Northern Ireland. I echo the comments of many on both sides of the House that we recognise these issues are of deep concern to many people in Northern Ireland. These issues are of deep concern to many people in my constituency. We have heard the experiences of women, particularly in relation to life-limiting conditions and fatal foetal abnormalities. We have listened to their stories and experiences, and they are incredibly difficult. I challenge anyone not to feel empathy for the very challenging circumstances in which those women find themselves.

I spoke on behalf of the DUP in the Northern Ireland Assembly just prior to the collapse on a report we commissioned, and I urged people to wait, to let us see the report and to approach the situation with compassion and care. That report has been received, and I honestly believe that, if the Northern Ireland Assembly were re-established, the report would be debated, considered and decided on where it rightly should be dealt with. The only thing holding that up is the lack of a Northern Ireland Assembly, and there would be no impediment to the Assembly getting back to work tomorrow if Sinn Féin dropped their red line.

Yes, there are some concerns about the Bill, and I conclude by addressing some specific issues for Northern Ireland. The historical institutional abuse inquiry has been mentioned, and I have frequently met victims and victims’ groups over the past seven to eight years. I have put on the record, and wish to say again, that we in the Democratic Unionist party are hugely sympathetic to what those people experienced, particularly as children, in those institutions. That is an example of an issue that needs to be addressed. A huge amount of work needs to happen on a possible redress scheme—a support scheme—

and who would be eligible for it and what mechanism could be used to introduce it. But that can happen at the moment, in preparedness for a decision to be made; my understanding is that under the terms of this Bill and guidance that is the type of decision that cannot be made.

In the absence of such decisions, if there is no restoration of the Assembly, I urge the Secretary of State and her team: be a little braver, step up and make the decision to say, “It has gone on long enough.” Victims, those suffering, those in need and those sitting on waiting lists need decisions, and they need to be ministerial decisions. Although that needs to happen now and in a couple of months’ time, it needed to happen yesterday—it needed to happen a year ago. This is now urgent across such a wide range of issues.

Briefly, I wish to touch on the issue of the definition of a “victim”. I mentioned in an intervention that this week marks the 25th anniversary of the Shankill bomb, an incident that demonstrates so acutely the grotesque nature of the definition of “victim” in Northern Ireland. Under that definition, which is holding up issues such as the victim’s pension and other support, the nine innocent victims of that atrocity—that IRA act of terrorism—are gauged to be the same as the IRA bomber who blew himself up and killed himself planting that bomb on that day. That is grotesque and appalling. People right across all the political parties, here and in Northern Ireland, have a number of issues they are really concerned about and care deeply about. I recognise that many care deeply about the Irish language Act, but there are many other issues to address, such as the one I mentioned. What a wrong to turn around and say to the families of those who were murdered and injured on that day, “That bomber is treated the same under victims’ schemes and victim support as the people he went out to murder.”

Connected to that is the point relating to our veterans. We do need our covenant—we need full implementation of the covenant. Northern Ireland has 3% of the UK’s population, but we contribute 7% to the Army, which is vastly higher in terms of proportion across the United Kingdom, and we do deal with the legacy. When people come back, they have done their duty and have seen some terrible things, not because they chose to go there, but because that was their job and duty. We therefore have a responsibility to do what we can to support them. We need the full implementation of the armed forces covenant in Northern Ireland. We also need to address the issue of the disproportionate and grotesque attempts to pursue soldiers and police officers who did their duty, stood up to protect and were only there with a gun in that situation because they were placed there to protect people. We need to get that addressed urgently, and with that I will conclude.

Jim Shannon (Strangford) (DUP) *rose*—

Paul Girvan (South Antrim) (DUP) *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): May I just say to the two gentleman that we need to bring on the Front Benchers just before quarter to?

4.28 pm

Jim Shannon: Thank you for giving me the opportunity to make a comment. First, let me thank the Secretary of State for introducing this legislation. We know that the people of the Province have been held to ransom by the

wiles and machinations of an obstinate, intransigent and downright petulant Sinn Féin for too long. Other Members have said that and I want to reiterate it. It seems Sinn Féin is happy enough to be the party of absenteeism at home as well as in the UK, happy to take the Queen's notes and not legislate, and happy to leave our country tottering on the brink. It is about time that we in this place reminded Sinn Féin that if it does not and will not do its job in Northern Ireland or here, we and the British Government will do that job for it.

My personal opinion is that we should be implementing direct rule in this legislation if an Assembly Executive are not formed within the next six months. I believe it is time we did that. For too long, we have pandered to Sinn Féin and gotten nowhere, except for in Northern Ireland Departments that are afraid to allocate money. I want to make some comments about that. Clause 3(4) states:

"The absence of Northern Ireland Ministers is not to be treated as having prevented any senior officer of a Northern Ireland department from exercising functions of the department". Subsection (5) makes reference to something "not to be treated as having prevented the exercise of that function".

That all sounds right and proper, but the fact of the matter is that, although it gives permanent secretaries some function in terms of where they are, it does not go far enough. The difficulty for me came when I read the guidance on decision making. Although the principle of the legislation is to ensure that the decisions that should be taken are taken, the framework for decisions leaves a lot to be desired. The guidance says that

"the absence of Northern Ireland Ministers does not prevent a senior officer of a NI Department from exercising a function of the department if the officer is satisfied that it is in the public interest to exercise the function".

Surely that translates into, "If an official wishes to stick their neck out, this will not stop him or her." How many officials are prepared to do that? I suspect that there are very few. It is all very well, but where does the Bill say that decisions must be made unless there is a reason not to make them? We all know the issues clearly. It is important to encourage permanent secretaries to make decisions that have been in the pipeline for too long.

This morning, the Northern Ireland Affairs Committee heard about the need to recruit some 600 police officers before the end of the year. There are some plans to try to do that to bring the figures up. We also have to address paramilitarism. The Police Service of Northern Ireland is clear about what it is doing and wants to do. I am happy with the PSNI's commitment, but will the Secretary of State say how the Bill addresses it?

Last week, I met the Unison representatives of the health workers at the Ulster hospital in Belfast. They are as annoyed as I am that in Northern Ireland we cannot access some of the drugs that we can access on the mainland. Compared with some parts of the United Kingdom, we have second-class access to cancer care in Northern Ireland. For some people, there is a backstop down the Irish sea when it comes to healthcare for those in certain parts of the mainland compared with us in Northern Ireland. I express great concern about that. Why is it that agency staff cost the health service in Northern Ireland £150 million? I suggest that that is lazy management. It is not cost-effective to spend £150 million this year on agency staff when the staff could be employed full time at a much lower cost.

What about the pay for nurses—the 6.5% over three years for the nurses? There is a backstop down the Irish sea when it comes to the nurses in Northern Ireland getting their 6.5%. Perhaps the Secretary of State will listen to this question, if that is possible: when will the nurses in Northern Ireland get their 6.5% pay increase? Will the changes in this legislation make that happen? We have been very involved with community pharmacies and we understand the issues clearly. We need to help the permanent secretary to enable the changes to take place.

Let me refer to the food-processing grant scheme and the lack of an appropriate scheme. I had a meeting with the Minister of State on this matter, which affects three of the largest employers in my constituency. When I attempted to engage the permanent secretary on the issue, I was given the following response—I quote the Minister of State, who is sitting there writing furiously:

"You have asked for a reconsideration of a decision to restrict the availability of grant to SMEs in Northern Ireland. If the measure was to be extended beyond the SME sector and the available evidence, that would require a direct Ministerial intervention. There are no plans to launch this new scheme in the absence of a DAERA Minister."

Will the permanent secretaries be able to legislate on the scheme to enable three of my large local business to take advantage of a processing grant scheme that is available on the mainland? It is available in Scotland, Wales and England, but it is not available in Northern Ireland.

On fishing, Brexit will bring us some access to our own waters again, which is good news, but we also need fishing harbours in Portavogie, Ardglass and Kilkeel that can take up the opportunities and make sure that they happen. For that to happen, we need someone in the Department of Agriculture, Environment and Rural Affairs and the permanent secretary to be responsible, take those decisions and ensure that we get the second slipway at Portavogie, the large scheme at Kilkeel and the improvements needed at Ardglass, which are currently on hold.

We will always talk about our own constituencies, as I have done, but I just want to plug a project in my constituency that is still sitting in the system—the Ballynahinch bypass. Why are we unable to get progress? The bypass is ready to go and the plans are in action, including the acquisition of land, but we are unable to move the scheme forward. A Northern Ireland Water sewerage scheme for new builds is also on hold in Saintfield in my constituency. There are lots of new builds in Newtownards and Comber, and we may have to upgrade those systems as well, so I am very conscious of that issue.

I will soon draw my remarks to a conclusion, because I want to ensure that my hon. Friend the Member for South Antrim (Paul Girvan) has the opportunity to speak. Just before I do, I will mention the education system. Many schools across my constituency have not been able to step forward as our allocation of pupils increases. We are looking into having a new build for Glastry College, or perhaps an amalgamation of Glastry College and Movilla High School. We will have to see where that goes, but we need someone in place to make the decision. We also need someone in place to make the decisions about children's road safety outside both Grey Abbey Primary School and Abbey Primary School in Newtownards. These are real bread and butter issues for people who want to see change.

[Jim Shannon]

We are frustrated with a system that unfortunately does not bring accountability. With respect to the Secretary of State and the Minister of State, who are both sitting on the Government Front Bench, this legislation does not deliver the accountability that I want to see. I challenge the Government to show that it will deliver on the education and bypasses that we need, and on nurses' pay. We want to see accountability and responsible action from the Ministers and the Department.

I agree with the spirit of the Bill, but it is not forceful enough and will mean that decisions can be avoided. The people of the Province have lived in limbo for far too long. We deserve better; and the DUP deserves and demands better.

4.36 pm

Paul Girvan (South Antrim) (DUP): It is with great sadness that we are here today, debating yet another Bill that should not have to be brought to this House. Unfortunately, we are in this position because of the intransigence of one party, as has been outlined by many speakers. Sinn Féin had the opportunity to go into an Assembly with us; it will not. I am not necessarily saying that we should be dealing with talks. I think that we should recall the Assembly, and that those who are willing and want to be there should be there and take part in business. That might bring about a need to change the way in which the Assembly is set up, but—let's be honest—we can move things whenever we have to.

This legislation is about allowing civil servants to make decisions, although many such decisions have been challenged. I appreciate that this comes on the back of the Buick ruling, associated with the Mallusk incinerator site—I use the term “incinerator” because that is what it is—and because of that, we have ended up with many civil servants looking for reasons not to make decisions, instead of for reasons to make them. Unfortunately, the people of Northern Ireland suffer as a result.

It is vital that we move forward positively. We do not want to go back to where we were in the past, as has been mentioned by previous speakers. We have moved on quite a bit in the last 20 years; we do not want to go back, nor do we want to be held to ransom by the implementers of some of the troubles or those who brought about some of the atrocities in our Province.

There are difficulties associated with some of these decisions. Many are simple, straightforward and uncontroversial—many of which are associated with major infrastructure. The difficulty is that people have attempted to put something in this Bill that is very controversial to people of Northern Ireland, and we should not be trying to muddy the waters on that matter. I appreciate that it is a difficult situation, and that many people have suffered because they are having a baby who may be born with a life-limiting condition. I understand and appreciate that, but we should not have to attach it to this Bill. If we get an Assembly up and running, these decisions should be made there. These items should not be made red lines before entering into a Government; they should be debated on the Floor of a Northern Ireland Assembly and addressed democratically through that process.

We missed another opportunity in not including something associated with the past—the way that the military have been hounded in relation to what happened

when they were trying to bring about peace in Northern Ireland. They were there as custodians of the British Government to ensure that we were able to sleep in our beds at night.

Mr Gregory Campbell: My hon. Friend refers to our esteemed and brave members of the military. There is a lot of talk about heroes of the peace process—does he agree that they are the real, unsung heroes of the peace process?

Paul Girvan: I have to agree with my hon. Friend—that is 100% right. I am from a family who have been affected directly. Many members of my family served in Northern Ireland. Unfortunately we suffered as a consequence of that and are still suffering today.

We have missed a shot in moving these matters forward. However, I do appreciate the work that has gone into trying to bring forward something that will potentially provide an opportunity for some decisions to be made. Not that many weeks ago, we passed a pay rise for the teachers. There was an excuse that that cannot be passed across to Northern Ireland, but we will get a Barnett consequential in the next Budget should we have a mechanism to pass that pay rise on. I believe that this Bill will give civil servants and permanent secretaries the opportunity to make those decisions and pass on those pay rises, which are long overdue.

We have had a long debate on this matter. I hope and pray that this will be the last time that we have to bring to this House such a piece of legislation that would normally be addressed in the Northern Ireland Assembly. Let us hope and pray that we have that Assembly up and running, making decisions, in the near future.

4.42 pm

Stephen Pound (Ealing North) (Lab): During the course of this afternoon, two common threads have emerged that have run through all of our discourse. One of those is the unfailing courtesy and respect with which Members have addressed each other across the Chamber. This has been an occasion not for people trying to score parochial or party political points but to try, really try, actually to achieve what is best for those we care the most for: the people of Northern Ireland; the people of this United Kingdom. The second thread is the sadness that we are here at all, as has been expressed so eloquently by so many Members, and the feeling that we have somehow failed as politicians and as legislators because we have had to bring this Bill before us.

The opening comments by the Secretary of State will have engendered great sympathy from across the House and, I should imagine, outside it. She took a huge number of interventions, and she spoke entirely honestly and from her heart. The conclusion that I drew from her words was that if there were any other way of proceeding, we would take it—if there were any other possible mechanism, that is the mechanism we would seek—but we are in a situation where it is simply impossible to continue, and not just because of the great long list of concerns that have been expressed.

If anyone thinks that there is any shortage of urgency about addressing those concerns in Northern Ireland, they should have a look at the briefing paper put out by

the House of Commons Library, which lists page after page of long-outstanding issues. We know all about the A5 and the York Street interchange; we know about nurses' pay and the NHS. We know about all these issues, but we cannot do anything about them. There is the issue of dormant bank accounts. There are things that would be so good for the people of Northern Ireland. We must somehow break this logjam and move forward. Of course, in an ideal world, we would have an Executive and an Assembly, but we are not there yet. We have to do something now.

We should pay credit to David Sterling, the head of the Northern Ireland civil service. There are some pretty tough jobs in the civil service, but his has to be one of the toughest. He has said on the record that he needs to be given legislation, to give "greater clarity and certainty" to decisions, not just because of the decision of Mrs Justice Keegan in the Mallusk case, but for the whole operation of the Northern Ireland civil service. We are asking them to carry the ball when we are not prepared to give them cover.

The hon. Member for South West Wiltshire (Dr Murrison) referred to the Secretary of State as sailing a tight and narrow course between Scylla and Charybdis. He may have been piling Pelion on Ossa when he made that statement, because I think we tend to know that, but that is exactly it—the Secretary of State has been walking on eggshells. What we have here is not an attempt to give a blank cheque and carte blanche to the Northern Ireland civil service, but an attempt not to restrain them and constrain them in such a way that they can do nothing. There will be an element of accountability. There will always be judicial review, and there will always be very active local Members in Northern Ireland who will not be silent if matters are failing to be raised.

The shadow Secretary of State, my hon. Friend the Member for Rochdale (Tony Lloyd), referred to a poverty of ambition. I think, in all sincerity, that we could be more ambitious. At the moment, we are firefighting; we are responding to crisis. I do not see that we are laying out alternatives and ways in which we can move forward. The hon. Member for Amber Valley (Nigel Mills) asked, "What can we do best?", and that is the question we must all ask ourselves. At the moment, we are providing cover, and we are allowing the civil service to act, but we are not solving the problem or resolving it in any way whatsoever.

I think the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) spoke for us all when he said that the Bill is accepted reluctantly. I think we all accept it, but with great reluctance. In the intervention from the hon. Member for East Londonderry (Mr Campbell), he referred to two words that echo throughout Northern Ireland. I have to say, there are two words I have always associated with it in the past—the first is "No" and the second is "Surrender". I am glad we have parked that and moved on. Now the two words are, "We're ready!" and I am delighted to hear that.

The hon. Member for Belfast East (Gavin Robinson), whose constituency I have had the enormous pleasure of visiting with him, called for a more interventionist approach. He is absolutely right, and I agree with that. It must be so desperately frustrating that the community groups and organisations he works with are being starved of funds and resources and starved of that accountability

and link to legislation. He is doing everything he can. If only we could do more to help him. Sadly, the words that I remember from him are,

"we are where we are."

That is the tragedy, but we have to get from where we are to somewhere forward.

I had the great honour of shadowing the right hon. Member for Hemel Hempstead (Sir Mike Penning) when he was a Minister. He is one of eight Ministers I have shadowed over the years; I do not know whether the fact that they all sought promotion immediately afterwards has anything to do with me. He spoke from a position of knowledge. He is held in great affection in the House, and we wish him well in everything he does.

My hon. Friend the Member for Pontypridd (Owen Smith) talked about torpor, drift and lassitude, which sounds a bit like a firm of solicitors in Swansea. I know exactly what he means—torpor, drift and lassitude are, in some ways, the characteristics that are seen from outside.

The hon. Member for Chelmsford (Vicky Ford) spoke from an Omagh background. I welcome her to our regular sessions here on this subject. We are always looking for new input. Her comments were very emotionally grounded, and we all respected them.

The hon. Member for Belfast South (Emma Little Pengelly), in a typically excellent and elegant speech, referred to the democratic deficit. She also talked about an unaccountable civil service. I am not entirely sure that the civil service is unaccountable. I think it does operate in daylight, and there is transparency. The main point she made—this is one thing that none of us must ever forget from this afternoon's deliberations—was about the implementation of the Hart report. We simply cannot allow the Hart inquiry report to lie on the table. It is too important. She spoke with such passion that I challenge anyone not to bend their every sinew to try to achieve the implementation of that report.

I have to say that I have never heard the hon. Member for Strangford (Jim Shannon) speak faster. I have a terrible feeling that a new category in the Olympics has recently been introduced—speed talking. I am very fond of the hon. Gentleman, and did he not quite rightly say that this is about bread and butter? This is indeed about bread and butter.

I think the hon. Member for South Antrim (Paul Girvan) spoke for all of us when he said—let this be the coda of this debate—that we do not want to be going back. We do not want to go back, we will not go back, we cannot go back: Northern Ireland deserves better. What we do this afternoon is not going to resolve the problem, but it will be a small step on the way and will allow some element of normality. Above all, however, we must never, ever go back.

5.50 pm

The Minister of State, Northern Ireland Office (Mr Shailesh Vara): May I start on a rather sad note? I extend my condolences and sympathies to Lord Caine, who is known affectionately to all of us as Jonathan Caine. Jonathan is a friend of mine and I have known him for many years. I think all of us in the House would agree that, as far as Northern Ireland issues are concerned, Jonathan is the fount of all knowledge and the one we go to because he knows all the answers. At this difficult time, we extend our sympathies to him and his family.

[Mr Shailesh Vara]

The intention of the Bill is to create a time-bound period for intensive efforts to restart political dialogue, which might enable the Northern Ireland political parties to form an Executive at any time, as well as to support essential decision making during that period and to ensure that key public appointments can be made until an Executive are in place.

Bob Stewart: Will the Minister give way?

Mr Vara: I will give way this time, but I am mindful of my limited time.

Bob Stewart: The Secretary of State mentioned that she was going to get the parties together. Have Ministers seen one small glimmer of hope that Sinn Féin will actually come to the table and start helping everyone to govern in Northern Ireland?

Mr Vara: There have been occasions when Sinn Féin representatives have turned up at meetings. I very much hope that my hon. Friend will take it on board that the last time we had direct rule it was for five years, and the time before that it was for 25 years. We owe it to ourselves, but more importantly to the people of Northern Ireland, that no stone is left unturned. We are bringing in this Bill to ensure that we can have some space and time during which to get those talks up and running again to try to get the Assembly functioning for the benefit of the people of Northern Ireland.

We have heard from a number of speakers, and I wish to thank all of them. If at all possible given the time constraint, I wish to make brief comments about all the speeches. The shadow Secretary of State, the hon. Member for Rochdale (Tony Lloyd), made a very thoughtful speech. May I say that we very much welcome his broad support for the measures we are introducing? He was critical of the time periods, but I would simply say that we must have the time periods we feel are necessary to try to get the flexibility we may need if the talks reach a particular stage. As I say, it is so important that we get a functioning Assembly. He also mentioned the case of Sarah Ewart. He will understand that there is a long-standing convention in the House that it is inappropriate to make comments about ongoing cases, and I hope he will take that on board.

My hon. Friend the Member for Amber Valley (Nigel Mills) raised concerns about the guidance given to the Northern Ireland civil service. I say to him and to others that we very much welcome comments from people—especially those, like him, who are on the Select Committee, but also others—who wish to make a contribution.

The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) urged the Secretary of State to work night and day to try to get the Assembly up and running. I can assure him that that is precisely what she has been doing since the day she became Secretary of State, and I can also assure him that she will continue to do that. We welcome the support that he and his party are giving to this measure.

The Chairman of the Northern Ireland Affairs Committee, my hon. Friend the Member for South West Wiltshire (Dr Murrison), gave a very detailed speech, rightly highlighting the lack of decisions in

Northern Ireland in the absence of Ministers and the impact that that is having on the ordinary citizen. That is why it is so important that we pass this Bill to allow the facility to try to get the Assembly up and running. Again, he made reference to the guidance given to the Northern Ireland civil service, and I say the same to him that I said to my hon. Friend the Member for Amber Valley that we would welcome any comments that he may have.

The hon. Member for Belfast East (Gavin Robinson) gave a learned speech in which he praised, quite rightly, the civil service in Northern Ireland. May I add my praise to the wonderful work of David Sterling and his team—all the permanent secretaries and the thousands of civil servants who have worked to keep Northern Ireland going for the past 20 or so months? He rightly pointed out the transparency of decisions, and will have noted that that is provided for, which is important. He specifically asked about ongoing legislation in this Chamber. I can confirm to him that this Government will continue to take steps to introduce and extend legislation to Northern Ireland following careful consideration on a case-by-case basis. We have done so to date, balancing the public interest need with our respect of the devolution settlement and fully restoring the devolved institutions in Northern Ireland.

The speech of my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) clearly reflected his experience of Northern Ireland. He spoke of the need for determination to get the Assembly up and running again. The hon. Member for Pontypridd (Owen Smith) gave a characteristically feisty speech. I have to say that, although there have been various comments and reservations about the Bill, I was somewhat disappointed that he could not bring himself to give broad support for what we are doing, but instead concentrated his entire speech on being critical. That is matter of regret for the whole House when we seek to get the best for the people of Northern Ireland.

My hon. Friend the Member for Chelmsford (Vicky Ford) gave a passionate speech full of feeling. She spoke about the importance of the Good Friday agreement. I agree with her entirely on that importance, and on the fact that we wish we were not in this place right now and that we were not having to pass this legislation, but, as has already been said, we are where we are.

The hon. Member for Belfast South (Emma Little Pngelly) also made the point that this is not where we want to be, but we are here and therefore it is necessary to get this Bill through, and it is good to have the broad support of the House. She spoke of the need for ministerial decisions. We recognise that there should be ministerial decisions, as those decisions are vital to the people of Northern Ireland. That is why this Bill allows us the opportunity to try to get the parties to think again around that table and to get the Assembly running.

The hon. Member for Strangford (Jim Shannon) gave a detailed speech. Again, I note his concerns and reservations, but, broadly, he agreed with the spirit of this Bill and that is welcome. The hon. Member for South Antrim (Paul Girvan) rightly spoke about the issues that really are for a devolved Assembly to take. That is why, as I have said, it is important that the whole House is united in trying to get the parties to make sure that the Assembly is functioning.

The UK Government would have very much preferred it if the parties had reached an accommodation and formed an Executive by now. In the absence of such a development, action must be taken. This is to ensure that we can have the protection of the delivery of public services by giving the Northern Ireland civil service certainty to take decisions in the absence of an Executive and also to keep key bodies and offices functioning properly by ensuring that appointments can be made to them.

This really is an important Bill, and we introduce it with reluctance, but we are doing so with the best of intent to get the best for the people of Northern Ireland. I therefore urge that this Bill be read a Second time.

Question put and agreed to.

Bill accordingly read a Second time.

Peter Dowd (Bootle) (Lab): On a point of order, Madam Deputy Speaker. During Prime Minister's questions, the Prime Minister asserted that the respected Oxford economist and professor, Simon Wren-Lewis, said, in reference to Labour's manifesto, "the numbers did not add up".

However, Professor Wren-Lewis disputes the accuracy of those remarks. He issued the following comments this afternoon, and I would like to be clear that these are the professor's words, not mine:

"Apparently the Prime Minister quoted me saying about Labour's 2017 manifesto 'the numbers did not add up' In fact I said 'Let us suppose the IFS was correct' and examined consequences. I have never taken a view on whether they did/didn't add up. If that is what she said, she"—

he goes on to use a word that I am unable to use, regarding the incongruous relationship between the Prime Minister's comments and the truth. I just repeat that those are the professor's words, not mine.

Would it be appropriate for the Prime Minister to come back to this House to correct the record and apologise to the renowned professor in question? May I seek your guidance, Madam Deputy Speaker, on the best course of action?

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Gentleman for his point of order. As he knows, and as Mr Speaker always says when dealing with such points of order, what Ministers say at the Dispatch Box is not a matter for the Chair. I am quite sure that whatever the Prime Minister said today, she said in good faith, but the hon. Gentleman wishes to bring another version of that to the attention of the House, the Prime Minister and her Ministers. By raising this point of order, he has succeeded in doing that.

As for when the Prime Minister will come back to the House, I am quite sure that, in the normal course of events, she will be back here soon—certainly by next Wednesday, when of course the hon. Gentleman and his colleagues will have the opportunity to ask her about this directly, and I am sure that he will take that opportunity.

Simon Hoare (North Dorset) (Con): Further to that point of order, Madam Deputy Speaker. During Prime Minister's questions today, the Leader of the Opposition asserted that the number of those on zero-hours contracts was going up. In actual fact, the figure is going down. Is there an opportunity to draw that fact to the attention of the House?

Madam Deputy Speaker: First of all, that was not further to the point of order. Just as the Chair has no responsibility or control over what Ministers say in the House, so they have no responsibility or control over what the Leader of the Opposition says in the House. I say the same to the hon. Gentleman as I said earlier: facts are being disputed, and I am quite sure that he will question the Leader of the Opposition closely the next time he has the opportunity to do so.

Vicky Ford (Chelmsford) (Con): Further to that point of order, Madam Deputy Speaker. I, too, raise the point that the Leader of the Opposition claimed today that record numbers of people were on zero-hours contracts. That is false according to the House of Commons Library, which makes it very clear that the number has dropped from 903,000 to 780,000. How does one clarify the matter, in order to ensure that the Library remains a trusted source of data?

Madam Deputy Speaker: The hon. Lady makes a very important point, because we all rely on the Library to give us balanced—

Michael Fabricant (Lichfield) (Con): Jeremy doesn't.

Madam Deputy Speaker: Do not interrupt me. We rely on the Library to give us balanced and entirely impartial information, but once again, once a Member of this House has information in his or her hand, the way that they present it, and the arguments that they make with it, is a matter for them. The hon. Lady asked how she can draw this matter to the attention of the world in general; she has just done so most effectively.

Would anyone else like to continue Prime Minister's questions? We have a very important Bill in front of us, and I do not wish to take any further time out of the limited amount left for it.

Northern Ireland (Executive Formation and Exercise of Functions) Bill

Considered in Committee (Order, this day)

[DAME ELEANOR LAING *in the Chair*]

Clause 1

EXTENSION OF PERIOD FOR EXECUTIVE FORMATION

5.5 pm

Nigel Mills: I beg to move amendment 15, page 1, line 16, at end insert—

‘(4A) If the period mentioned in section 16(A)(3) of the Northern Ireland Act 1998, as modified by subsection (1), ends without the Ministerial offices having been filled section 32 of the Northern Ireland Act 1998 has effect as if for subsection (3) there were substituted—

(3) The Secretary of State shall within 7 calendar days of the end of the period mentioned in in section 16(A)(3) set a date for the poll for the election of the next Northern Ireland Assembly. The date set shall be no later than 3 calendar months after the end of the period mentioned in section 16(A)(3).’

This amendment would require elections in Northern Ireland to be called if Ministerial offices are not filled by 26 March 2019.

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): With this it will be convenient to discuss the following:

Clause stand part.

Amendment 1, in clause 2, page 2, line 20, leave out paragraph (b).

This amendment would prevent the Secretary of State from extending the deadline for appointment of Northern Ireland Ministers without the approval of Parliament.

Clause 2 stand part.

Amendment 22, in clause 3, page 3, line 2, at end insert—

‘(1A) In the absence of Northern Ireland Ministers, senior officers of Northern Ireland departments, giving due regard to advice from the Northern Ireland Commissioner for Victims and Survivors, shall prepare a scheme to provide a pension to those who are regarded as seriously-injured arising from an incident associated from the conflict in Northern Ireland.’

This amendment would in the absence of Ministers create a duty for a scheme to be created to provide financial support for those people who have suffered life-limiting injuries and impairment due to incidents related to the Northern Ireland conflict.

Amendment 21, page 3, line 5, at end insert

‘and must also make a formal statement before each House of Parliament following the publication of such guidance.’

This amendment would require the Secretary of State to make a statement to Parliament on any guidance issued to Northern Ireland Departments on the exercise of their functions in the absence of Northern Ireland Ministers.

Amendment 2, page 3, line 7, at end insert—

‘(3A) The guidance must direct departments to take action on the following areas—

- (a) implementing the recommendations of the Historical Institutional Abuse Inquiry (the Hart Report),
- (b) instigating any research, consultations or planning required for post-Brexit policy,
- (c) designing and implementing devolved post-Brexit functions in relation to Northern Ireland fishing and agriculture that would normally fall to the Northern Ireland Executive,

- (d) taking decisions on infrastructure planning and projects that will benefit Northern Ireland.’

This amendment highlights four key areas where guidance must be issued.

Amendment 17, page 3, line 7, at end insert

‘which must include guidance to meet the requirements of section (Guidance on exercise of departmental functions: credit unions).’

This amendment is linked to NC4 with the intention of requiring Northern Ireland Departments, in the continued absence of Northern Ireland Ministers, to promote credit unions in Northern Ireland.

Amendment 18, page 3, line 7, at end insert

‘which must include guidance to meet the requirements of section (Guidance on exercise of departmental functions: energy co-operatives).’

This amendment is linked to NC5 with the intention of requiring Northern Ireland Departments, in the continued absence of Northern Ireland Ministers, to promote energy co-operatives in Northern Ireland.

Amendment 19, page 3, line 7, at end insert

‘which must include guidance to meet the requirements of section (Guidance on exercise of departmental functions: housing co-operatives).’

This amendment is linked to NC6 with the intention of requiring the Northern Ireland Department for Communities, in the continued absence of Northern Ireland Ministers, to promote housing co-operatives in Northern Ireland.

Amendment 3, page 3, line 34, after ‘Assembly’ insert ‘and Members of Parliament’.

This amendment would require the Secretary of State to have regard to representations from MPs as well as MLAs before publishing guidance.

Amendment 4, page 3, line 34, at end insert—

‘(9A) If the Secretary of State wishes to revise or amend the guidance, they must write to the Northern Ireland Affairs Committee at least 30 sitting days before the revised guidance is issued to seek its views on the proposed changes.’

This amendment would require the Secretary of State to consult the Northern Ireland Affairs Committee before changing the guidance.

Amendment 5, page 3, line 38, at end insert—

“‘Northern Ireland Affairs Committee” means the Northern Ireland Affairs Committee of the House of Commons and—

- (a) if the name of that Committee is changed, is to be treated as a reference to that Committee by its new name, and
- (b) if the functions of that Committee (or substantially corresponding functions) become functions of a different Committee of the House of Commons, is to be treated as a reference to the Committee by which those functions are exercisable.’

This amendment defines the Northern Ireland Affairs Committee of the House of Commons for the purpose of Clause 3.

Clause 3 stand part.

Government amendment 23.

Amendment 6, in clause 4, page 4, line 26, at end insert

‘, publish the advice received and write to the Northern Ireland Affairs Committee to notify the Committee of the appointment decision prior to the appointment being made.’

This amendment requires the relevant Minister of the Crown to notify the Northern Ireland Affairs Committee of the House of Commons before exercising an appointment function in relation to a specified office.

Amendment 16, page 4, line 26, at end insert—

‘(5A) Before exercising an appointment function in reliance on subsection (1) in relation to a role with an annual salary of £100,000 or more the relevant Minister of the Crown must refer their recommendation for the appointment to the Northern Ireland Affairs Committee of the House of Commons for a pre-appointment scrutiny hearing.

(5B) The Minister of the Crown may not proceed with the appointment referred to in subsection (5A) for a period of 30 calendar days from the date of referral to the Northern Ireland Affairs Committee of the House of Commons.

(5C) Any reference in this Act to the Northern Ireland Affairs Committee of the House of Commons—

- (a) if the name of that Committee is changed, is to be treated as a reference to that Committee by its new name, and
- (b) if the functions of that Committee (or substantially corresponding functions) become functions of a different Committee of the House of Commons, is to be treated as a reference to the Committee by which those functions are exercisable.

(5D) Any question arising under sub-paragraph (5C) is to be determined by the Speaker of the House of Commons.’

This amendment would require the more highly-paid public appointments to be subject to scrutiny by the Northern Ireland Affairs Select Committee of the House of Commons.

Clause 4 stand part.

Amendment 7, in clause 5, page 4, line 36, at end insert

‘, publish the advice received and write to the Northern Ireland Affairs Committee to notify the Committee of the appointment decision prior to the appointment being made.’

This amendment requires the relevant Minister of the Crown to notify the Northern Ireland Affairs Committee of the House of Commons before exercising an appointment function which normally require consultation with, or the consent of, Northern Ireland Ministers.

Clause 5 stand part.

Amendment 8, in clause 6, page 5, line 7, at end insert

‘, publish the advice received and write to the Northern Ireland Affairs Committee to notify the Committee of the appointment decision prior to the appointment being made.’

This amendment requires the Secretary of State to notify the Northern Ireland Affairs Committee of the House of Commons before exercising an appointment function which is normally exercisable by Northern Ireland Ministers acting jointly with the Secretary of State.

Clause 6 stand part.

Amendment 9, in clause 7, page 5, line 34, at end insert—

“Northern Ireland Affairs Committee” means the Northern Ireland Affairs Committee of the House of Commons and—

- (a) if the name of that Committee is changed, is to be treated as a reference to that Committee by its new name, and
- (b) if the functions of that Committee (or substantially corresponding functions) become functions of a different Committee of the House of Commons, is to be treated as a reference to the Committee by which those functions are exercisable.’

This amendment defines the Northern Ireland Affairs Committee of the House of Commons for the purposes of Clauses 4 to 6.

Government amendment 24.

Clauses 7 to 10 stand part.

New clause 4—*Guidance on exercise of departmental functions: credit unions*—

‘(1) The guidance published under section 3(2) must include guidance on credit unions.

(2) Guidance under this section includes, but is not limited to, guidance to —

- (a) senior officers of the Department for Communities in the exercise of the functions in relation to—
 - (i) promoting and protecting the interests of children, older people, people with disabilities, and other socially excluded groups, and
 - (ii) providing emergency financial assistance; and
- (b) senior officers of the Department of the Economy in the exercise of the functions in relation to—
 - (i) business regulation including consumer affairs services,
 - (ii) mutuals policy, legislation and operations, and
 - (iii) the social economy.

(3) Guidance under this section must include the promotion of credit unions in Northern Ireland to combat organised crime, to reduce financial exclusion, to assist the social inclusion of marginalised groups and to promote financial well-being in all parts of Northern Ireland.’

The intention of this new clause is to require Northern Ireland Departments, in the continued absence of Northern Ireland Ministers, to promote credit unions in Northern Ireland.

New clause 5—*Guidance on exercise of departmental functions: energy co-operatives*—

‘(1) The guidance published under section 3(2) must include guidance on energy co-operatives.

(2) Guidance under this section includes, but is not limited to, guidance to —

- (a) senior officers of the Department of the Economy in the exercise of their functions in relation to—
 - (i) energy policy and legislation;
 - (ii) sustainable energy, including energy efficiency measures;
 - (iii) assistance to the gas and electricity industries;
 - (iv) Renewable Heat Incentive Scheme and associated costs;
 - (v) the social economy; and
 - (vi) making certain payments to the Department of Business, Energy and Industry Strategy; and
- (b) senior officers of the Department for Infrastructure in the exercise of their functions in relation to energy matters.

(3) Guidance under this section must include the promotion of energy co-operatives in Northern Ireland to combat fuel poverty and to encourage the safe, sustainable, affordable and efficient production and consumption of energy in all parts of Northern Ireland.’

The intention of this new clause is to require Northern Ireland Departments, in the continued absence of Northern Ireland Ministers, to promote energy co-operatives in Northern Ireland.

New clause 6—*Guidance on exercise of departmental functions: housing co-operatives*—

‘(1) The guidance published under section 3(2) must include guidance on housing co-operatives.

(2) Guidance under this section includes, but is not limited to, guidance to senior officers of the Department for Communities in the exercise of their functions in relation to—

- (a) loans for certain home improvement loans;
- (b) housing led regeneration;
- (c) regulation of the NI Housing Association sector;
- (d) urban regeneration including services such as property maintenance and events;
- (e) community and voluntary sector;
- (f) grants to district councils in support of local services and transferred functions;
- (g) built heritage; and
- (h) grants and grants-in-aid.

(3) Guidance under this section must include the promotion of housing co-operatives in Northern Ireland to combat poverty, family breakdown and social exclusion and to encourage the provision safe, sustainable, affordable and energy-efficient homes in all parts of Northern Ireland.'

The intention of this new clause is to require the Northern Ireland Department for Communities, in the continued absence of Northern Ireland Ministers, to promote housing co-operatives in Northern Ireland.

New clause 7—Equal rights for people of Northern Ireland (No. 2)—

'(1) In the absence of Northern Ireland Ministers to address the matters identified by recent, current and future court proceedings in relation to the human rights of the people of Northern Ireland, the Secretary of State must issue guidance to senior officers of all Northern Ireland departments which will specify how to exercise their functions in relation to—

- (a) the incompatibility of the human rights of the people of Northern Ireland with the continued enforcement of sections 58 and 59 of the Offences against the Person Act 1861 with the Human Rights Act 1998, and
- (b) the incompatibility of the human rights of the people of Northern Ireland with the continued enforcement of section 13(e) of the Matrimonial Causes (Northern Ireland) Order 1978

where they pertain to the provision and management of public services in Northern Ireland.

(2) The Secretary of State shall report guidance under this section on a quarterly basis to the House of Commons and set out her plans to address the impact of the absence of Northern Ireland Ministers on human rights obligations within three months of the day on which this Act is passed.'

This new clause would increase accountability of the Secretary of State and senior officers of Northern Ireland departments for their role in ensuring human rights compliance in Northern Ireland, in the absence of Northern Ireland Ministers, by requiring them to address incompatibilities between legislation applied in Northern Ireland and human rights obligations.

Nigel Mills: May I first apologise for being a little late for the wind-up speeches on Second Reading? I was sorry to miss the speech by the hon. Member for Ealing North (Stephen Pound), the shadow Minister, as his speeches are usually entertaining and informative.

Amendments 15 and 16 are efforts to probe the Government on the future direction of policy in certain areas and perhaps to improve the Bill, but I will not seek to press them to Divisions. Amendment 15 is an attempt to discover the Government's plan if—heaven forbid—we reach the end of the period for the formation of the Executive and we still do not have one. Effectively, what would happen in law without any further clarification is that we would default back to the present situation—the Secretary of State would have a duty to consider setting an election date. The present interpretation seems to be that she has no duty to call an election for any particular date. The House of Commons and the people of Northern Ireland have been very patient for the past 650 days—that was the count we heard earlier—in not pressing the Government to clarify the meaning of the words on considering the date for an election in the legislation of a decade ago.

We may fairly say that if we manage to get to late August 2019—I cannot calculate the number of days, but I suspect it will be well over 800 days since an election by that point—without a Government being formed, the only solution might well be to have another election and see whether the people of Northern Ireland

wished to express a different view from the one they expressed 650 days ago. If we get to that stage, I would argue that an election would be unavoidable unless we really believed that another few days would tip a deal over the line.

I also venture to suggest gently that having clarity in the law about the consequences for the parties if they cannot reach a deal by that point may be of some assistance in the negotiations. It is probably fair to say that the Northern Irish parties are not great respecters of deadlines. Indeed, deadlines in this process seem to come and go without provoking much action. If a deadline were set in law, it would be clear throughout the discussions that an election would be called if the parties could not reach an agreement by the end date of late March, or late August or somewhere in between that the Secretary of State sets.

Actually, whether to call an election would not be a matter for the Secretary of State's discretion: it would be a matter of law that the election had to be called unless she thought that she could get a new piece of legislation through Parliament to delay or remove that obligation. If a deal were about to be reached and some legislation here were needed to bring it about, I do not think that we would have any problem in agreeing to it. We would all be grateful to do anything we could to bring the Executive back. But a line would be drawn in the sand to make it clear that if the parties do not agree by a certain date, the Secretary of State has no option but to call an election to ask the people their opinion on resolving the situation.

I ask the Government to consider at least clarifying the consequences of the period for Executive formation lapsing without success and the Government's policy in that regard. Setting out clearly in a way that will not be ignored this time that an election would have to follow might offer some assistance in the negotiations.

My other proposed amendment, amendment 16, concerns the appointment of individuals to certain key bodies in Northern Ireland. Ideally, that would be a decision for the Northern Ireland Executive and the Assembly and there would be some cross-community involvement. It would be a joint decision, effectively. The Bill quite rightly takes the power to make those appointments, but effectively leaves the decision to the Secretary of State without the need for any real consultation with Parliament or the public on those decisions. I accept that we do not need to have that level of parliamentary involvement for every appointment that might be needed, but what I am trying to do through the amendment is ask whether for the most senior and important posts we could in some way have some parliamentary scrutiny of the individual whose appointment is recommended. This is not a novel process. Many Departments allow Select Committees to hold scrutiny hearings for proposed senior appointments, so it would merely replicate that process.

Attempting to get the amendment in order, I suggested that the definition of seniority could come with a salary of £100,000, but I would not be particularly committed to how we define the cut-off. However, if we were to have this process for sensitive appointments, I think that that level of salary would catch a new Chief Constable, if for some reason one was needed, or perhaps the chair of the Office of the Police Ombudsman for Northern Ireland.

For those very sensitive and senior posts for which there is cross-party concern about the individual who is appointed, having a parliamentary scrutiny process in which questions could be asked of the individual to discuss any past roles they have had or comments they have made and to seek their views on how they would carry out their burdensome responsibilities would give both Parliament and the people of Northern Ireland some comfort that the right person had been found and that they would discharge those responsibilities in a responsible manner.

Even if the Secretary of State is unwilling to accept what I have proposed, I urge her to give serious consideration to whether it would help those individuals to have the full confidence of Parliament and the trust of the public in discharging their roles if she allowed some public scrutiny and accountability in the process of appointing them.

Gavin Robinson: Does the hon. Gentleman realise that that is not what would happen if there were a functioning devolved Assembly and that putting some of those positions through that political prism brings some difficulties with it in the Northern Ireland context? If an appointment were rightly made to the Policing Board, it would be for the board to assess and judge any individual going for the Chief Constable role. With the police ombudsman, there is no public scrutiny role like that which we have seen through the process for US Supreme Court judges available at the moment. That role does not exist at the moment; it did not exist when the Assembly sat, so is it really the road we should go down on this interim basis?

Nigel Mills: I said that I was not necessarily fixed on how we define the roles, but we are not in a normal situation. We do not have the Executive or the Assembly to make those appointments; what we will end up with is a Secretary of State over here, with no accountability and no cross-community input, simply making that decision. I was suggesting that this would be a way to provide at least some scrutiny and accountability for these important appointments. The Bill to which we have just given a Second Reading actually specifies that the Secretary of State can effectively make those appointments herself. I accept that we cannot replicate every process that the Executive would have followed, but I am attempting at least to find some way to improve the situation over that which we have in the Bill.

Perhaps I can make a few remarks on the amendments tabled by the Chair of the Select Committee, my hon. Friend the Member for South West Wiltshire (Dr Murrison). It seems a bit discourteous to talk about his amendments before he has had a chance to discuss them, but this is my only chance so I guess I will do it anyway. Amendment 2 suggests some items that could be included in the Secretary of State's guidance to the civil servants on which we really ought to see them take some action. As I said on Second Reading, ideally what we would get from this process would be some decisions that could not be taken before now because there has been no ministerial direction.

In terms not only of the items that my hon. Friend has suggested in amendment 2 in relation to the Hart report, which we have discussed at some length, but of all the various Brexit-related issues, we need as a House to be assured that in the event that any important

decisions need to be taken as a consequence of wherever Brexit goes over the next few months, there is a process in place whereby decisions can be taken for Northern Ireland.

5.15 pm

We do not want to end up accidentally in the horrible position where this Parliament acts for England, the Welsh Assembly acts for Wales and the Scottish Parliament acts for Scotland, taking key decisions on what might be new policy areas, such as fishing or agriculture, but Northern Irelanders cannot have those decisions taken on a timely and sensible basis. We all need to understand that somebody somewhere has the power to take those decisions—to put in place whatever new arrangements need to be made—in good time, so that we are not rushing around at the end of March, trying to find a short fudge to get us over the line. It would help if the Government clarified either that all those important issues in amendment 2 can be covered by the existing guidance, as drafted in the Bill, or that some other mechanism will be in place to take those important decisions.

Stella Creasy (Walthamstow) (Lab/Co-op): I shall speak to new clause 7, which is about equal rights in Northern Ireland. I hope that Members across the House who have already supported the new clause will recognise that it is an incredibly reasonable request to put to the Secretary of State, about an incredibly important issue for the House, and indeed for many people in Northern Ireland.

I do not intend to speak for long, because many others wish to get in. I simply want to set out three important points about this reasonable new clause—first, how it respects devolution; secondly, why it addresses issues that cannot simply be left any longer; and thirdly, how we believe it has relevancy to this House and the obligations of Members of this House as part of the Good Friday agreement.

The new clause requests the Secretary of State's acts to be held to account because of what the Bill does—it recognises that since March 2017, we have not had an Assembly in Northern Ireland. [*Interruption.*] January 2017; I apologise to the Secretary of State. It has been too long for residents of Northern Ireland not to have a functioning Government, and it has an impact on their lives. The Bill recognises that resolving the dysfunctions behind that is far ahead of us at the moment, and so gives powers to the Secretary of State and to the civil servants to exercise the functions of Government. [*Interruption.*] It does give power to the Secretary of State because it gives her guidance powers; I believe those are quite powerful, and the new clause speaks to those powers.

For avoidance of doubt, the new clause would not create a new law in Northern Ireland, but it would recognise that there are thousands of people in Northern Ireland whose lives, right now, are affected by two key human rights issues; and they are indeed human rights issues, because they are issues on which our courts are currently discussing, ruling and indeed appealing. They refer in particular to a person's right to marry who they love, and also to the right of women to have bodily autonomy—to make the choice, if they so wish, not to continue with an unwanted pregnancy. Both of these have been subject to court action, because we recognise that in Northern Ireland they have different rules.

[*Stella Creasy*]

Let us talk about the consequences of those rules. When it comes to abortion, we know that right now in Northern Ireland, if you are raped, and you become pregnant as a result of that attack, and you seek a termination, you could face a longer prison sentence than your attacker. We know too that gay couples in Northern Ireland, when they step off the plane, no longer have their relationship respected in the way that any of us would wish our relationship to be respected. They do not have equal marriage in 2018.

Both of these sets of circumstances come about as a direct result of legislation that was written in this place. First and foremost, sections 58 and 59 of the Offences Against the Person Act 1861, and also, because of the Matrimonial Causes (Northern Ireland) Order 1978. So there is a relevancy for us in this House, because legislation written here is having a direct impact on the human rights of people in Northern Ireland today.

Layla Moran: Can the hon. Lady confirm something that Northern Ireland Amnesty told me, which is that, yes, powers are theoretically devolved to Northern Ireland, but there is no piece of human rights legislation that has been passed at Stormont; and actually, all changes to human rights law in Northern Ireland have been passed in this place?

Stella Creasy: I know that the hon. Lady also feels strongly about this issue. If I may, however, I shall now deal with—in particular—the human rights obligations that I believe we have in this place as a direct result of the Good Friday agreement.

There is a theoretical argument about what those pieces of legislation mean, and there is the human impact of what they mean for people in Northern Ireland.

Lady Hermon: Will the hon. Lady give way?

Stella Creasy: I will shortly, but I feel that the Committee wants to hear the figures that I am about to give.

A year and a half ago, the House voted to allow women from Northern Ireland to come to England and Wales and have abortions on the NHS. We now know that 28 women a week travel to this country for that very purpose. We also know that our own Supreme Court says that it is a cruel and degrading treatment of our own citizens to require them to travel. Many cannot travel. Many find that journey lonely, frightening and difficult, at the very time when they are at their most vulnerable. We also know that a year ago, 84 couples in Northern Ireland had to have civil partnerships because they could not have the basic equality of recognition before the law of their relationship as a marriage. That is the very human impact of those ancient pieces of legislation that we crafted in this place.

I will now happily give way to the hon. Member for North Down (Lady Hermon), because I want to hear from her.

Lady Hermon: I am very grateful to the hon. Lady. She will be well aware of the Supreme Court ruling in, I think, June this year which established—the majority of the judges made it quite clear—that the existing abortion legislation in Northern Ireland was “deeply unsatisfactory”

in relation to fatal foetal abnormality and sexual crime. The law in Northern Ireland will have to change. That was a ruling in the Supreme Court, our highest court in the United Kingdom. The hon. Lady made clear at the beginning of her speech that her new clause would not change the law in Northern Ireland, so if it is passed this evening, or even put to a vote, what exactly will be the consequence?

Stella Creasy: The hon. Lady has raised an important point. That court judgment in June 2018 held us all to account for what we were doing about human rights. It was simply because the Northern Ireland Human Rights Commission was not a direct victim of that policy that the policy could not be enacted. We learnt today that Sarah Ewart, an incredibly brave woman, is continuing the court process, because there is no other form of redress and remedy at present.

As the Government have previously said, these are matters on which the Assembly, were it to be functioning, should be able to act; but, as we said at the start, the Bill constitutes a recognition that the Assembly is not functioning, and is unlikely to be functioning soon. What, then—this is the human question—do women like Sarah Ewart do? What, then, do people who love each other do when their politicians fail them? What do the public do? The new clause asks that question in a way that none of us can ignore. It asks the Secretary of State to take on the responsibility of reporting on what she will do.

Simon Hoare (North Dorset) (Con): Will the hon. Lady give way?

Stella Creasy: I will happily give way, but I do want to make some progress, because I know that other Members want to speak.

Simon Hoare: Surely, in those circumstances, one just changes the politicians through the ballot box.

Stella Creasy: With respect, I wonder whether the hon. Gentleman has read the legislation on which we are voting today, because it constitutes a recognition that there will not be an election in Northern Ireland any time soon to make that possible. So I repeat my question to him: what do the women do who need that help now, who deserve that respect and equality when it comes to control over their own bodies, and who might be in that dreadful position that involves a fatal foetal abnormality? What do they do now?

What those women do now is look to this place to be able to assist them. They look to the Secretary of State, and to the piece of legislation that she is creating, and they can look to the new clause to hear the call from this place that we will not ignore them. We will hold ourselves to account, and will hold Secretaries of State to account, for the incompatibility in human rights that the continued existence of those two pieces of legislation represents in their lives. That is what this incredibly reasonable new clause does. It does not create a new law, but it does not shy away from recognising the impact of those existing laws either. In that sense, it is entirely within the spirit of the Good Friday agreement.

Twenty years ago, our predecessors in this House, alongside their colleagues from the Irish Government, swore to uphold the human rights of the Northern Irish

communities. They swore in the Good Friday agreement to make sure that there was an equivalency of rights. Every single month that passes, that promise comes into stark relief, because when we look at the Republic where same-sex marriage is legal and look at that historic referendum this year when abortion became legal in the Republic, we can see that that request not to have different rights is becoming tested.

The Good Friday agreement also required this House and UK politicians to act alongside their Irish counterparts, and that is what this new clause can do, while respecting our shared desire to see the Assembly up and running. So it is a very simple amendment, and I am sorry that it has come to this point and the Secretary of State does not feel able to accept it, and I am proud that it has cross-party support, because that respects and recognises that upholding human rights cannot be something we simply talk about doing abroad but do not recognise on our own doorstep.

I also think there has to be some honesty here. There are some Members of this House who do not believe that women anywhere should have bodily autonomy; there are some Members of this House who do not believe we should be able to marry the person we love. But I make a simple plea to those people: “Be honest with the people of Northern Ireland that your objection is that, and do not use devolution as a decoy for a denial of their human rights.”

Layla Moran: I say this to be helpful to others in the House. I went to Belfast recently—to Stormont—and I had not appreciated that same-sex marriage has majority support among MLAs and a huge amount of support in terms of public opinion. The reason why it did not pass is because there is a thing called the petition of concern which essentially acts as a veto, so to say that there is not support and the people of Northern Ireland should just change their politicians does not work in this case; it has to be us who take that leap for them.

Stella Creasy: I thank the hon. Lady for that intervention. Sadly, on both issues opinion polls show us that the politicians in Northern Ireland are behind the public consistently; indeed, they are behind their own supporters when it comes to both issues. *[Interruption.]* The right hon. Member for South Holland and The Deepings (Mr Hayes) is chuntering from a sedentary position; I understand that he has philosophical objections on some of the issues in this debate, but I hope he will have respect for the people of Northern Ireland and therefore agree that the case should be heard as to why the Secretary of State should be asked to protect their human rights and to be held to account for what is happening.

Mr John Hayes (South Holland and The Deepings) (Con) *rose*—

Stella Creasy: I happily give way.

Mr Hayes: That means I will not have to chunter from a sedentary position, so I am grateful to the hon. Lady. Just to be clear about public opinion in Northern Ireland, the latest polling, which was authoritative—it was not a rogue poll—shows that the overwhelming majority of Northern Irish women favour the status quo, and interestingly that was broken down by age and

younger Northern Irish women are no more in favour of changing to the position the hon. Lady wants than older ladies.

Stella Creasy: I am fascinated by the poll the right hon. Gentleman cites. Let me give him the direct data from the Amnesty International poll taken this year, which says that 65% of people in Northern Ireland think abortion should be decriminalised and 66% think Westminster should act in the absence of the Assembly. Let me also cite for him the Sky News poll of 2018 that shows that 76% of people in Northern Ireland support equal marriage. I say to him gently again that I understand that he has philosophical objections on some of these issues, whether from religious or moral conscience, and I respect that, but it is not enough to say this is about devolution on that basis. He needs to be honest with this House that his objection is about conscience, because there is not a devolution objection to this new clause. The new clause respects devolution, but it also asks us to respect human rights.

Ten years ago we had the opportunity to change things for women in Northern Ireland and that did not happen, and as a result we know from studies that 10,000 women have either had to travel to England to have an abortion or have taken pills bought online. If we reject this new clause, are we really trying to say that 10 MPs matter more than those 10,000 women whose lives have in the last 10 years been affected by our failure to act?

Anna Soubry: Will the hon. Lady also make it very clear that the rather barbaric and antiquated laws that exist in Northern Ireland are not even effective, because all they mean is that, as she said, about 28 women every week have to come over to England and Wales? So the laws are not working in any event, and this just makes them even more barbaric because women have to travel to exercise the same rights that my constituents have.

Stella Creasy: I share the passion of the right hon. Member for Broxtowe (Anna Soubry) on this matter and increasingly on many other things. She is absolutely right. Stopping safe, legal abortion does not stop abortions happening; it just stops safe abortions happening, as we have seen from the women taking pills who have been unable to seek help from their doctors in Northern Ireland. Stopping same-sex marriage does not stop people of the same sex falling in love with each other; it just stops them having the equal respect and dignity that comes from being able to marry who they love and say it proudly. It is a simple right that all of us in this Chamber would want and that all of us seek for our constituents.

However, I recognise that those are matters for the Assembly, and that is why I want to remind Members here that this new clause respects that process because it looks at the legislation before us today and asks who, in the absence of a functioning Assembly, can be the champion of the human rights of the people of Northern Ireland. It asks who can address the incompatibilities that these court proceedings are identifying, and who can ensure that we do not spend another 10, 20 or 30 years hearing the stories of shame, of hurt and of the rights abuses of the people of Northern Ireland, and simply shrugging our shoulders because politicians cannot get their act together to have an Assembly.

5.30 pm

The answer is sitting opposite us, in the role of the Secretary of State. If the Secretary of State cannot stand up for the human rights of the people of Northern Ireland in the circumstances, and if she cannot account to us as a House about the impact of legislation written in this place on the lives of the people of Northern Ireland, who can? This is not about the Assembly. It is not about us directly. It is about the Secretary of State, and the new clause would simply ensure that that role cannot be avoided.

The people of Northern Ireland need to hear now that their rights are not going to be the casualty of the chaos that we are seeing right now in Northern Ireland. The people of Northern Ireland, who need their rights to be protected, need to know now that they will find friends across this House. We have already seen that in the numbers of people signing the new clause, and I hope, given that it does not set out a new law but recognises accountability and responsibility, that it will find favour across the House. The people of Northern Ireland, whose rights have been such a political football for so long, need and deserve nothing less from all of us.

Fiona Bruce: I rise to speak against new clause 7 on the basis that it is clearly inappropriate. It goes far beyond the Government's narrow, specific intention, in framing this emergency Bill, of ensuring that the administrative functions should keep working efficiently in Northern Ireland in the absence of an Executive there. Their intention was not to go further and to influence key devolved policy matters that should be more properly decided by that Executive. The very fact that this is an emergency Bill is a cause of great concern. Many colleagues have said to me that on such important and sensitive issues—

Heidi Allen (South Cambridgeshire) (Con): It is very kind of my hon. Friend to give way. On the subject of emergency Bills, what could be more of an emergency than the women of Northern Ireland wondering, right here and right now, what on earth they have to put themselves through in order to have the choice to have an abortion without having to travel to England? For me, that is a pretty big emergency, too.

Fiona Bruce: I absolutely agree that this is an issue that requires the greatest of care and that needs to be addressed with considerable compassion. It therefore deserves more time to be considered by the Members of this House than it has been given in this emergency debate. That is the point that I wanted to make. The proposer of the new clause might say that it does not interfere with devolution, but it clearly has the potential to undermine devolution, touching as it does on the key devolved issues of abortion and marriage.

Jim Shannon: Not only does the new clause go against the will of a great many of us in this House, but it also goes against the will of 60% of the people of Northern Ireland—women who say that they do not want any change. That is what the people of Northern Ireland are saying, so why should this House make it any different?

Fiona Bruce: The hon. Gentleman makes a pertinent point, which I shall refer to further.

I think the hon. Member for Walthamstow (Stella Creasy) said that the powers of guidance that the Bill gives to the Secretary of State are powerful. Indeed, I believe that they are; the guidance given to the Secretary of State is far reaching. The guidance cannot and should not change the law, but it could well encourage officials and citizens to believe that it does, and it may well change behaviour. I therefore exhort the Secretary of State to ensure that if new clause 7 is passed—I will certainly vote against it—none of the guidance she provides in any way encourages officials to effect any policy changes. Indeed, I seek her reassurance today that she will specifically guard against that happening.

Dr Sarah Wollaston (Totnes) (Con): My hon. Friend appears to be arguing for the continuation of a human rights border down the Irish sea.

Fiona Bruce: What I am arguing—reluctantly, I need to repeat many of the points I made in the Chamber yesterday—is that this key issue does merit reconsideration, but reconsideration in the right legislative chamber, namely the Northern Ireland Assembly. Elected officials there should be making such decisions while accountable to the people they represent.

Huw Merriman (Bexhill and Battle) (Con): My hon. Friend is being generous in giving way. The recent Supreme Court decision requested that lawmakers take action where our law is incompatible with treaties that involve requirements on the UK Parliament. Even if it was just a matter for Northern Ireland, it has been almost two years since democracy has been in action there, so it is surely for this House to take note of such things.

Fiona Bruce: I am happy to address such points. I accept that several justices set out their thoughts on abortion legislation in Northern Ireland in a narrow set of circumstances in the Supreme Court decision earlier this year. However, those views cannot be extrapolated into a case for arguing that human rights are being curtailed in every circumstance in Northern Ireland. We must be clear that the Supreme Court did not make a binding declaration of the incompatibility of Northern Ireland abortion law with human rights. New clause 7 should not use that declaration to justify this proposal.

Diana Johnson: Will the hon. Lady give way?

Fiona Bruce: No. I have taken several interventions, and I will, if I may, proceed.

New clause 7 goes much further even than the non-binding comments made by the judges in the Supreme Court case—a case of serious foetal abnormality. As I say, I am mindful of what a difficult situation that is and fully agree that it merits further attention for the women who may be affected by it, but that must happen in the right legislative chamber.

Anna Soubry: Will my hon. Friend give way?

Fiona Bruce: No, I will continue, if I may.

New clause 7, which refers to the decriminalisation of sections 58 and 59 of the Offences Against the Person Act 1861, goes much further than even the obiter dicta

statements of the Supreme Court judges. It goes much further than referring just to foetal abnormality and seeks much broader changes than the narrow circumstances to which the judges referred, which is a further reason why it should be opposed.

Anna Soubry: Will my hon. Friend give way?

Fiona Bruce: I have said no, and I am going to continue. I have taken many interventions, and many others want to speak.

Even in situations where there is a declaration of incompatibility, the Human Rights Act 1998 is clear that legislatures are not required to change the law. That is for legislators to decide, and in this case that means the Northern Ireland Executive. It has also been argued that the Government should change the law because of wider international human rights obligations that the UK has signed up to—specifically recommendations from a February 2018 report by a UN Committee on the Elimination of Discrimination Against Women—CEDAW. Professor Mark Hill QC has written a long opinion on the CEDAW report, and he argues cogently that there is no requirement to act on the basis of the report because there is no right to abortion under the relevant convention and because the committee does not have the power to stipulate that the UK should make any resolutions.

Members are being asked to support new clause 7 on the basis of pressing human rights concerns, but those concerns rest principally on a failure properly to understand what a declaration of incompatibility means. Such a declaration carries no imperative to change the law, especially when the subject is within the margin of appreciation, as is the case with abortion.

Baroness Hale acknowledged at paragraph 39 of the Supreme Court's Northern Ireland abortion law judgment in June that the democratically expressed will of the people is important, and we must not forget the key vote by the Northern Ireland Assembly in 2016 not to change abortion law.

My right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) mentioned some statistics, and so did the hon. Member for Walthamstow. I remind the Committee of a ComRes poll released just last week showing that the following percentages of people say that changes to abortion law should be a decision for the people of Northern Ireland and their elected representatives, not Westminster: 64% of Northern Irish people, 66% of Northern Irish women and 70% of 18 to 34-year-olds in Northern Ireland. We must respect that, we must respect the Assembly's 2016 decision and we must respect that many people in Northern Ireland do not want to see these changes, and they certainly do not want to see changes resulting from guidelines issued by a Secretary of State in Westminster, with all the implications that could involve.

New clause 7 must be rejected. I absolutely understand that this is a very sensitive topic but, even through a misapprehension or a misunderstanding, for civil servants to be seen as being given the power to influence this policy would be quite wrong. Out of respect for the people of Northern Ireland and their elected representatives, new clause 7 must be voted down.

Sir Jeffrey M. Donaldson: I welcome the opportunity to take part in this debate in Committee. Amendment 15, in the name of the hon. Member for Amber Valley (Nigel Mills), would require an election to be held when these special measures come to an end. For our part, the Democratic Unionist party has no fear of an election. We have just had a council by-election in Carrickfergus, which we won comfortably. We are not fearful of putting ourselves before the people.

If the hon. Gentleman were here, I would say that holding an election would not change the reality. If we have dialogue and cannot reach a political agreement, all an election will do is further polarise the community and make it even more difficult to reach a political agreement. *[Interruption.]* If Labour Members are so interested in elections in Northern Ireland, maybe one of them will explain why the Labour party does not contest elections there.

Labour Members want to change laws in Northern Ireland, and they want to tell the people of Northern Ireland what to do, but they do not have the courage of their convictions to put themselves before the people of Northern Ireland and seek election. A little quiet from that quarter is the order of the day. When they are ready to come before the people of Northern Ireland and put themselves forward, we will listen to the Labour party. With all due respect, at least the Conservative party—

Lyn Brown (West Ham) (Lab): On a point of order, Dame Rosie. I would be grateful for a more comradely debate, rather than the rant to which we are being subjected. Perhaps we need to take a moment to calm down.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): I thank the hon. Lady for her point of order, and I remind everybody that moderation in language and in debate is what we would like to see. This is a very important debate, and perhaps we need to take the temperature down a little.

Sir Jeffrey M. Donaldson: If we need to moderate debate because I have called on people to put themselves forward and seek a democratic mandate, I stand to be corrected, but the people of my constituency are looking at the Labour party. More than 60% of the people who voted in my constituency voted for my party at the general election. When I hear Labour Members tell me that they speak more for the people I represent than I do, I am entitled to say that they should put themselves forward in Lagan Valley at the next election. Seek a mandate. Take me on. I am more than happy to contest the Labour party in Lagan Valley. Let us see then whether I speak for the people of Lagan Valley or they do.

5.45 pm

I really believe that having an election for the sake of it does not get us beyond the current political impasse. Again, for the record, let me say that the DUP stands ready to engage in dialogue and to go into government. We are not preventing the people of Northern Ireland from being in government. We have an electoral mandate to be in government, but Sinn Féin—one party; itself alone—is preventing the people of Northern Ireland and my party from exercising the right given to us by the people to provide government for the people of Northern Ireland.

I say to the hon. Member for South West Wiltshire (Dr Murrison) that I am supportive of his amendment calling for the Secretary of State to have regard to representations from Members of Parliament, because that is not an unreasonable suggestion. Members of Parliament, not just on our Benches, but even those who do not take their seats, should have the opportunity to provide input and advice to the Government on this. I am bound to say, however, that that is not a substitute for what we would have liked to have seen: in the absence of a fully functioning Assembly, at the very least we would have liked its Members to have been given a scrutiny function. In the exercise of those powers, those Members could, thus, scrutinise the Government Departments that are to be the subject and beneficiary of this legislation. It is a matter of regret that the Government have resisted such a proposition because Sinn Féin is unlikely to take part. Yet again, Members of the Legislative Assembly will not have the opportunity to be involved and have a role in this process because one party, alone, declines to take part. When people talk about vetoes, we can talk about the petition of concern, but Sinn Féin does not need to exercise a petition of concern to refuse to take part in the function of government in Northern Ireland; it simply consults its illegal army council, gets instructions from Connolly House and refuses to be in government. That is the situation we are in at the moment, and it is a pretty dreadful one.

Let me turn to new clause 7, tabled by the hon. Member for Walthamstow (Stella Creasy). She says she respects the principle of devolution, yet some of the Members supporting the new clause have put forward Bills in this House of Commons that would have the effect of undermining devolution in Northern Ireland. Therefore, I take with some concern this notion that what is proposed is not about interfering with the devolution settlement, as I fear it does.

I also wish to deal with the suggestion that is integral to the new clause, which is that the reason we need to make this amendment to the Bill is the ruling of the Supreme Court. The Supreme Court did not rule that the law should change in Northern Ireland—that is absolutely the case. The hon. Member for North Down (Lady Hermon) is much more learned in the law than I am, but I have to say to her that I have consulted the Attorney General for Northern Ireland and he tells me clearly, in writing, that the Supreme Court judgment does not obligate the Northern Ireland Assembly to change the law.

Lady Hermon: The right hon. Gentleman is referring to a judgment where the majority of the Supreme Court, by four to three, dismissed the case on a technical point to do with the status and powers of the Northern Ireland Human Rights Commission. If he reads the judgment carefully, he will find—I will stand corrected if I am not right on this—that a majority of the judges, including Lord Kerr, described the abortion legislation in Northern Ireland in relation to fatal foetal abnormality and sexual crime as “deeply unsatisfactory”. Those are the words that were used. I plead with the right hon. Gentleman’s party to indicate what help and assistance is going to be given to those hundreds of women who feel that they have to leave their own country, Northern Ireland, to seek an abortion. Abortion is not compulsory;

it is an option. Women should have the choice in cases of rape, incest and fatal foetal abnormality. Will the hon. Gentleman’s party accept those circumstances for change?

Sir Jeffrey M. Donaldson: I respect what the hon. Lady said, but I point out to her that section 4(6) of the Human Rights Act 1998 is clear on the point of incompatibility. It states clearly:

“A declaration under this section (“a declaration of incompatibility”)...does not affect the validity, continuing operation or enforcement of the provision in respect of which it is given”.

That is the human rights law of this country. When the hon. Lady suggested in her intervention earlier that the Supreme Court judgment compelled the Northern Ireland Assembly to change the law, she was incorrect in her assertion. That opinion comes from the Attorney General for Northern Ireland and his respected advice on this subject.

On the question that the hon. Lady posed, in respect of fatal foetal abnormality, when a mother is expecting a child with a potentially life-limiting condition, I too have met Sarah Ewart, as has my hon. Friend the Member for Belfast East (Gavin Robinson), who is her Member of Parliament, and I have enormous respect for Sarah. As a result of her initiative, the Northern Ireland Executive commissioned a working group to examine this area of the law in Northern Ireland, and that working group brought forward proposals. Here is the irony: if Sinn Féin allowed Northern Ireland to have a Government, we would by now have addressed this area of the law.

Anna Soubry: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: Because we have a working group that was set up by the Executive and that has brought forward proposals, this area of the law would have been addressed by now.

Layla Moran: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: With respect to the hon. Member for North Down, the party that is preventing this issue from being addressed in Northern Ireland is not the Democratic Unionist party; it is Sinn Féin who are preventing the Executive from addressing the report of the working group, which has brought forward proposals in respect of mothers who are expectant with a child who may have a life-limiting condition, so let us get our facts straight.

Anna Soubry: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: In respect of the issue relating to sex crime, I agree with the hon. Member for North Down that we need to examine this area of the law in Northern Ireland, but the difficulty is that we cannot do it—not because the Democratic Unionist party is standing in the way of examining these sensitive issues, but because Sinn Féin are preventing the Northern Ireland Assembly and Executive from carrying out their function. That is the political reality of the situation in Northern Ireland.

Anna Soubry: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: That is why we are unable to examine the laws.

Layla Moran: Give way!

Sir Jeffrey M. Donaldson: In respect of the proposals before us, it is important that we consider carefully what we are doing. If we really are to be true to our commitment to respect the devolution principle—

Layla Moran: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: The hon. Member for Totnes (Dr Wollaston) referred earlier to a border in the Irish sea. Let me address that for a moment.

Anna Soubry: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: What is the point of devolution?

Layla Moran: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: It was this House that decided that Northern Ireland should have devolved responsibility for abortion and marriage. It was this House that decided to give to the Northern Ireland Assembly and Executive the power to legislate on these areas of life. That is the reality. The hon. Member for Walthamstow talked about the decisions of this House—

Anna Soubry: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: It was this House that decided that the Northern Ireland Assembly and Executive had the power to legislate on these areas of the law.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): Will the right hon. Gentleman give way?

Layla Moran: Will the right hon. Gentleman give way?

Sir Jeffrey M. Donaldson: In respect of—

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. I do not think that the right hon. Gentleman is going to give way, so rather than just shouting at him, I think that we should allow him to continue, because he will be well aware that a lot of other hon. Members want to contribute to the debate.

Sir Jeffrey M. Donaldson: I am very much aware of that, Dame Rosie. I have taken some interventions but there is a lot that we need to say and a lot that others want to say, and I respect that.

This issue is important because it is about the principle of devolution. If we truly respect the decisions of this House—which gave the power to the Northern Ireland people, through the Assembly and the Executive, to exercise the right to legislate on these areas of the law—please let us not talk about creating a border in the Irish sea, when we all voted to give Northern Ireland that power. Otherwise, what is the point of devolution? The point of devolution is that the people of Northern Ireland have the right to legislate for laws that affect their lives. It is the same in Scotland and in Wales. That is why we have devolution.

Members of this House say to me, a Member from Northern Ireland, that talking about having different laws in my part of the United Kingdom is somehow about creating a border in the Irish sea; it is not. It is about respecting the principle on which this House agreed—that Northern Ireland has the right to make its own laws in its own legislature as part of this United Kingdom. That is important.

We must respect the devolution principle, not breach it. I understand that this legislation is only about giving civil servants advice and direction; I am not suggesting that it is about changing the law. Nevertheless, we need to be careful because I rather suspect that the hon. Member for Walthamstow does not see this as the end game—not as an end in itself, but as a means to an end. Let us be honest with each other about that. I believe that the hon. Lady sees this measure as a means to an end in changing the law in Northern Ireland. All I am saying—I echo previous comments made today—is that most people in my constituency and in Northern Ireland believe that it is for the Northern Ireland Assembly and Executive to make those laws. My party will therefore vote against new clause 7 because it has the potential to undermine the principle of devolution. I say that without prejudice to the points made by the hon. Member for North Down, which I respect. We are not running away from the issues, court judgments or any of those things. What we are saying is that the proper place to deal with and discuss these matters is in the Northern Ireland Assembly.

In the most recent democratic vote on abortion law of any legislature in the United Kingdom, the Northern Ireland Assembly in 2016—only two years ago—voted by a majority to retain the existing law on abortion in Northern Ireland. Now, I accept that we need to examine the issues. In fact, we have looked at the whole question of life-limiting conditions and we have a working group report that we want to get back to.

Let me return to the core and central point of all this: I listened to the new president of Sinn Féin, Mary Lou McDonald, talking about equal rights, and I pointed out to her in a panel discussion that if the Assembly sat tomorrow and there was a vote on marriage, the Democratic Unionist party would not have enough seats on its own to table a petition of concern. I therefore challenged Sinn Féin that if it believed that this issue is such a pressing one, it should call the Assembly and get the Government up and running. If it believes that this is the priority—if Sinn Féin thinks that health, education, roads and housing should be secondary—it can list it as the first item of business. But it will not call the Assembly and it will not form an Executive. Sinn Féin will not give the people of Northern Ireland, through their elected representatives, the opportunity to address any of these issues.

That is the reality we are dealing with. We can trade arguments back and forward with each other on some of these very sensitive issues, but the reality is that my constituents do not have a Government this evening and are not getting decisions taken that need to be taken because one political party in Northern Ireland is denying not only equal rights but basic rights that impact on the daily lives of my constituents, whether it is their housing rights, their health rights or their education rights. All those rights—human rights—are being impacted. It would be good to hear some hon. Members refer to

[Sir Jeffrey M. Donaldson]

those human rights that are currently being denied by Sinn Féin, which refuses Northern Ireland the right to have a democratic Government.

6 pm

Dr Murrison: Rarely do we get such fine, sweeping oratory in a Bill Committee. That is probably one of the few advantages of fast-tracking legislation. I am afraid that I am going to turn the temperature down a couple of notches in speaking to my amendments 1 to 9, which are all far more prosaic than new clause 7. I will certainly not be able to match in any way, shape or form the oratory we have heard from my hon. Friend the Member for Congleton (Fiona Bruce), the hon. Member for Walthamstow (Stella Creasy), and the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson). These are nevertheless, I believe, important amendments to an important Bill. They deal with clauses 2, 3 and 4.

My amendment 1 is, as it were, amendment 20 in the name of the hon. Member for Rochdale (Tony Lloyd)—lite—that is, it does not delete clause 2 but simply, modestly removes a subsection. That subsection deals with the expediency of not seeking the House's approval to extend the provisions we are discussing in terms of the Executive. I tabled the amendment to explore with the Secretary of State what “expediency” might mean, because we are handing to her a range of quite important powers in unusual circumstances. That suggests to me that the Committee really needs to do its utmost to scrutinise what is going on. It does not seem to me that the word “expediency” should really creep into the lexicography at all. My point in tabling this simple and modest amendment is to probe the Secretary of State on the circumstances in which she would see fit to enact this extension without the prior approval of the House.

Amendment 2 is the guts of what I want to discuss. It really cuts to the chase in terms of the Bill, because it deals with guidance, which is the single most important part of the proposals before us. It seeks, for example, to be more prescriptive in the sort of guidance that I would like the Secretary of State to give to the Northern Ireland civil service. We discussed some of this on Second Reading. I believe that that would be an improvement, having gone through the draft guidance that has been published, of which, presumably, all right hon. and hon. Members who are interested in this matter have got copies from the Library. The amendment goes further and makes it more prescriptive.

The flagship issue is Hart. There is cross-party and cross-community support for the Hart report, and there really can be no excuse for not cracking on and doing this now. I very much hope that in the forthcoming guidance the Secretary of State will enable that process to be advanced. I have cited Hart as No. 1 in my list of things I seek her to be specific on, because it is obviously the No. 1, big ticket issue that people would like to see action on. People out there really cannot understand why action has not been taken.

Sir Mike Penning: I do not understand why Hart has not been done. There was huge courage within the Northern Ireland Health Department when we got medical cannabis for constituents in Northern Ireland when we were getting Billies and Alfies over here. People had the

will and they needed the confidence. Is my hon. Friend sure that this legislation will give them the confidence, because clearly they are frightened and something is holding them back? They have done it for medical cannabis, so surely they could do it for Hart.

Dr Murrison: My right hon. Friend makes a very good point, which elegantly exemplifies what I am going on about and brings me neatly on to—

Owen Smith: Will the hon. Gentleman give way?

Dr Murrison: Before I move neatly on, I shall give way to the hon. Gentleman.

Owen Smith: I have signed the hon. Gentleman's excellent amendment, but does he not understand from the legislation and, indeed, the answer we heard from the Secretary of State earlier that, in her view, this does not allow her to enact any of the recommendations made under the Hart review? Is he not deeply disappointed by that?

Dr Murrison: I am not really sure that that is the case. I refer the hon. Gentleman to the guidance, which I am sure he has now read. On the third page, the guidance states that particular weight must be given to any “serious detriment to the public interest, public health and wellbeing”.

That seems fairly clearcut to me. I think that the Secretary of State will have got the sense of the House today on her being proactive in the guidance that she is able to issue.

Emma Little Pengelly: Some of the concern is that this is actually not that straightforward. The terms of reference that set up the Hart inquiry clearly said that what came after the findings was not a matter for the chair of the inquiry. There are issues and decision points in those recommendations. To use a quick example, Hart recommends legal aid or separate legal representation for each of the people coming forward to a redress board. That has never been agreed. There would be a huge cost and, in my view, a lot of bureaucracy with that approach. There are decision points in the recommendations that, as I understand it in terms of the guidance, could not be made by a civil servant, because there is no consensus at this stage on those matters. That is the complication, and that is why the Secretary of State needs to step in and make those decisions.

Dr Murrison: I do understand that. One point I made on Second Reading was that I was slightly disappointed that the Bill does not advance pretty much any of the recommendations we made in our report on the democratic deficit, published in May. Had it done so, there would be scope now for even more consultation, using formal structures, which may have assisted the implementation to which the hon. Lady rightly refers.

My right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) mentioned cannabis, which leads me on to healthcare—a matter that is of particular importance to my Committee right now, since we were at the Royal Victoria Hospital on Monday, where we took evidence from a number of service users. It is very clear from the guidance, which cites public interest and public health, that this matter is preying on the mind of Ministers.

It is a crying shame that there is no proper cancer strategy in Northern Ireland right now. There is one published in 2008, so it is out of date. We have a situation where, to pick one condition at random, the outcomes for prostate cancer are far worse in Northern Ireland than in the rest of the country. This is pretty clear. If we do not have a cancer strategy and we believe that a cancer strategy will be of assistance in improving outcomes, of course outcomes will be worse if one is not in place. To get a cancer strategy, we need some form of direction to civil servants to get on with it and, furthermore, to implement it.

Jim Shannon: One thing we have discussed in the Select Committee is the scourge of diabetes. In Northern Ireland, we have the largest percentage of people with diabetes per head of population in the UK. We also have the largest proportion of type 1 child diabetics in the whole United Kingdom, with Scotland coming second. We need a strategy in place for that. We had a strategy before, which covered all the regions of the United Kingdom of Great Britain and Northern Ireland, but we cannot do that today because we do not have the wherewithal. Does the hon. Gentleman agree that we really need to see some action in the Health Department, to address all chronic diseases, including diabetes and cancer?

Dr Murrison: The hon. Gentleman is absolutely right. I do not want to labour the point, but I feel the need to briefly mention the fact that screening for cancer in Northern Ireland is frankly woeful—it is way behind. We cannot have a situation where there is faecal immunochemical testing in the rest of the UK, but it is denied to people in Northern Ireland, and they also cannot get HPV screening for cervical cancer. That is just not acceptable. But for these things to happen, we need some form of direction, however it comes, and that is a matter for Ministers and those who draft measures of the sort we are discussing and, of course, those who deal with the consequential of the guidance that we are dealing with.

Owen Smith: I make no apology for going back to the Hart inquiry, because there are hundreds of victims of historical sexual abuse in Northern Ireland who will be watching this debate and wondering whether action is likely to be taken by the Government as a result of this legislation. I think that we are still very unclear whether the Secretary of State interprets this legislation, as the hon. Gentleman and I do, as giving leeway to civil servants in Northern Ireland to undertake further action. Through him, may I urge the Secretary of State to intervene at some point before the close of the Committee this evening and clarify whether this will allow action on Hart?

Dr Murrison: The purpose of amendments tends to be to elicit such answers from Ministers, and it will be very interesting to hear from the Secretary of State how she would like to play this, because I am hoping that we will have some encouragement in that respect. Hon. Members have certainly given her every encouragement. I have been struck by how much encouragement to be proactive in the interests of the people of Northern Ireland there has been during this debate. I think that the Committee understands full well that a great deal

needs to be done, and it needs to be done fairly quickly on a number of important public policy issues, of which Hart is just one.

The guidance makes a great deal of the public finances and the economy in Northern Ireland. Goodness me, we could debate all day the economy in Northern Ireland and where that needs to go. One thing we have been particularly struck by as a Select Committee is of course farming and growing in Northern Ireland: horticulture is far more important there than in the rest of the United Kingdom. One of the recommendations we are very keen on is that there should be a proper farming strategy in Northern Ireland very soon. At the moment, it is having to compete with the Republic, where, if I am honest, the Government in Dublin have been really quite proactive and have placed farmers and growers north of the border at something of a competitive disadvantage, with or without Brexit.

Things need to be done, and fairly urgently, to improve productivity in Northern Ireland, while recognising the unusual nature of farming in Northern Ireland and recognising that farming in Northern Ireland is not the same as farming in the rest of the United Kingdom. In the main, we are not talking about East Anglian barley barons in Northern Ireland, but about small family farms. That is why the guidance, which I hope will preoccupy the Secretary of State in the weeks and months ahead, should produce a firm statement about what the civil service of Northern Ireland needs to do in relation to producing such a farming strategy. If we have no restoration of the Executive by the end of the year, we should certainly give some attention to that directly.

I will skip the rest of my amendments because they are simply to do with ensuring that there is added scrutiny of these measures and the guidance that flows from them, as well as with the appointment function to be exercised by this House, as cited in clause 4, and in particular—if I may make this suggestion—by my Committee.

Karin Smyth (Bristol South) (Lab): I would not of course challenge the Chair on the grouping of these amendments—that would be poor—but I would gently say that two hours for the range of amendments before us on a great many subjects is not sufficient. This is not satisfactory, and I hope that the Government will learn that we have a deep interest in the issues across Northern Ireland and will give us more time.

I have worked with the hon. Member for South West Wiltshire (Dr Murrison) on a number of health issues in England and Wales, and the points he raised in his amendments about health inequalities across Northern Ireland were well made. I particularly want to highlight amendment 22, especially in relation to pensions, in the name of the hon. Member for Edinburgh West (Christine Jardine). Such a measure is in the gift of the Secretary of State, and we certainly wish to see it progressed.

Most of my comments are going to be about new clause 7, and I will start with same-sex marriage. I was proud to be a co-sponsor of the Bill introduced by my hon. Friend the Member for St Helens North (Conor McGinn), and I was a witness of his speech last March, which was one of the best I have heard in this Chamber. I should say that, although I am pleased to be married, he beautifully encapsulated the equality point when he

[Karin Smyth]

told us the heartfelt response made by one of the people he was speaking to in south Armagh. The man said that, frankly, gay people had the right

“to be as miserable as the rest of us.”

With respect to the fact that people who love each other cannot build a happy life together as a married couple in Northern Ireland, he asked in that speech:

“Does anyone think that is fair? Does anyone think that is right? Does anyone think that can continue?”—[*Official Report*, 28 March 2018; Vol. 638, c. 791-792.]

6.15 pm

The will of this House was clear from our support. I am delighted that his endeavours were recognised this month: in the *PinkNews* awards, he was politician of the year, along with his friend Lord Hayward, who I am glad to see has joined us in the Gallery. That was much deserved; they were both very pretty in pink that night. They are not going to give up, and we on the Labour Benches are right with them.

Turning to women's reproductive rights, my hon. Friend the Member for Walthamstow (Stella Creasy) has already changed the Government's position with regard to facilitating women in Northern Ireland's access to abortion services in England and Wales. Civil servants are not informing women of their rights to those services, and are leaving it up to non-governmental organisations to tell women how to access that provision, which is still available to them. Not doing something is a political act and has consequences, and that needs to be recognised in the provisions of the Bill going through the House tonight. As an elected Member of this House who supported a measure in good faith, I find it unacceptable that civil servants in Belfast do not pass on that information because there was no law change in Northern Ireland, and that somehow that is considered acceptable.

Anna Soubry: When we went to Northern Ireland with Amnesty International, we learned that people cannot be given that information, because giving it is a criminal offence for which a person will be prosecuted, and they will face a lengthy prison sentence. One of the most concerning features of all this is the inability of people to get any form of advice.

Karin Smyth: I am grateful for that intervention. The right hon. Lady is of course right: the issue of advice, guidance and information is subject to some discussion, and that is not helpful in this situation.

Yesterday, my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) tested the will of the House on this issue after giving a superb and measured speech on a Bill seeking to decriminalise women in England, Wales and Northern Ireland. There was an attempt to divide women by suggesting we could not decriminalise in England and Wales because it would be anti-devolution. Fundamental to the politics of my hon. Friends the Members for Walthamstow and for Kingston upon Hull North, and the majority of women in this House—and in this country—is our belief in the internationalism of women's rights. Our solidarity with women across the world is important.

Women's reproductive rights are at the core of that internationalism and solidarity. It seems that the Government share our view. This year, they launched a

good flagship programme—I commend some of that work—from the Department for International Development called Work and Opportunities for Women. The objective is access to improved economic opportunities for women through business intervention in supply chains and economic development programmes. It is, after all, a Conservative programme, so its focus is interesting. It is about women's economic empowerment. That Government policy states that women's economic opportunities will be improved by, among other things,

“influencing the UK and global agenda on women's economic empowerment.”

The Government's supporting literature says:

“Sexual and reproductive health and rights...including the right to decide if and how many children to have, the right to live free from disease and the right to access confidential, high-quality health services which enable women to control their own bodies...are fundamental to women's economic empowerment.”

It goes on to say that the link between sexual and reproductive health and rights and women's economic empowerment

“is reflected in DFID's Economic Development Strategy... 2017...which includes a commitment to increase access to family planning as a vehicle for transforming women's economic opportunities.”

Those are the Government's own policies. It goes on to say that the Government support initiatives in this area in the DFID priority countries of Afghanistan, Bangladesh, Burma, the Democratic Republic of the Congo, Ethiopia, Ghana, India, Kenya, Kyrgyzstan, Liberia, Malawi, Mozambique, Nepal, Nigeria, Palestine, Pakistan, Rwanda, Sierra Leone, Somalia, Sudan, South Africa, South Sudan, Tajikistan, Tanzania, Uganda, Yemen, Zimbabwe and Zambia—28 countries. What rank hypocrisy by the UK Government in committing to increase access to family planning across the world but not in our own precious Union for our own people.

I am in no doubt that change is coming. The issue at heart is how much more suffering the Government are willing to inflict on women from Northern Ireland before it is achieved.

Wes Streeting (Ilford North) (Lab): My hon. Friend has brilliantly exposed the hypocrisy of our country on the international stage. She talks about the impetus for change in these islands. Is it not a complete absurdity—and would not much of the objection to new clause 7 this afternoon be laughable if it were not so serious—that Northern Ireland, especially following the referendum in the Republic of Ireland, will be the only place in Great Britain and Northern Ireland or on the island of Ireland where same-sex couples will not be allowed to get married and women will not be able to seek access to safe and legal abortion? It is time to end that anomaly.

Karin Smyth: I completely agree with my hon. Friend. Today, we have seen Sarah Ewart bravely take on the role of doing something about it.

The Government may kick the can down the road with the Bill, but nothing is standing still. As my hon. Friend said, the changing of its law by the Republic of Ireland will mean that, up to 12 weeks of pregnancy, women can take a train, make a short bus ride or even walk to a service. Yesterday's vote in this place is important.

I have listened carefully to the speeches today, including from the hon. Member for Belfast South (Emma Little Pengelly). I spent a day in Stormont recently as part of the British-Irish Parliamentary Assembly, taking evidence from all sides in the debate, and meeting the Attorney General, the director of medical services and other campaigners. Feelings on this issue are strong. We need to treat the issue with care and establish services respectfully. But we have experience of that. People in Northern have had and still have to manage much greater challenges. The new clause is helpful and respectful and would allow a process to take place. The Government would be well advised to respond as respectfully and to listen to the women who would rather be at home.

Karen Bradley: Before I speak to Government amendments 23 and 24, it is worth taking a moment to remind right hon. and hon. Members of the purpose of the Bill and why we are here today. Many were unable to be here for Second Reading, so I repeat that this is not a Bill that I wanted to introduce. I am doing so because we have to enable public services to continue to be delivered in Northern Ireland. We all want to see politicians in Northern Ireland come together, do the right thing and go back to Stormont to form an Executive. If an Executive were in place, so much that we have debated today would be a matter for its members to discuss and to take the decisions on behalf of the people who elected them. That is what is right for the people of Northern Ireland who have suffered for too long without a Government in Stormont. The time has come for their politicians to do the right thing.

I also repeat my earlier point that the Bill is limited. It will allow decisions to be taken by civil servants who have felt unable to do so since the Buick appeal was heard. We need to make sure that those civil servants can take those decisions, but this is not about their making major policy decisions or becoming lawmakers. This is about civil servants being able to deliver on key infrastructure decisions and other matters relating to the running of public services in Northern Ireland.

I do not want to make life any more difficult than it already is for our dedicated civil servants in the NICS, and being put in a position where they would have to take major policy decisions is something that no civil servant would want. They are incredibly dedicated and they work incredibly hard on behalf of the people of Northern Ireland.

We also need to make sure that there is no reason at all for the politicians in Northern Ireland not to come together, do the right thing and form a Government. I have been heartened by the words I have heard from the Members of the Democratic Unionist party about their determination to see an Executive reformed as soon as possible. I want to work with all the parties and with no impediments in place, which is why the Bill allows the reformation of an Executive without further legislation, to see that happen as soon as possible so that we can deal with these matters and to do so in the right place, in Stormont, where they can be dealt with by the politicians elected in Northern Ireland.

I remind hon. and right hon. Members that this is a time-limited Bill. It is not a permanent Bill and it does not change anything permanently. It allows a short period in which impediments to forming an Executive

are removed, in which the framework and conditions for the politicians to come together are put in the best place they can be, and in which decisions about running public services can continue to be made by civil servants in the way that is right for the people of Northern Ireland without their making major policy decisions, because we need the politicians to do that. In considering these amendments, it is important that we all remember the purpose of the Bill—why we are introducing it, why we are doing so in an emergency situation and not through the normal parliamentary procedures, and what the Government's intention is.

Let me go back to the Government amendments. I appreciate the hard work of the Delegated Powers and Regulatory Reform Committee in scrutinising the Bill so quickly, and I thank it for its report. I am grateful that the Committee acknowledges the potential need for regulations to be made as a matter of urgency in a way that is not possible through the draft affirmative procedure alone. Although my preferred option was to use the negative procedure to enable any such urgent cases to be addressed, I have taken on board the wider concerns expressed by the Committee and accept its recommendation. Amendment 23 therefore provides that additions to the table in clause 4 will be subject to the affirmative procedure. That will mean the draft affirmative procedure, unless the case requires urgent action in which case the made affirmative procedure will be used. I think that this strikes the right balance between scrutiny and the capacity to expedite regulations should it be necessary to do so. Amendment 24 is consequential on amendment 23 and removes a cross-reference that is no longer needed now that regulations under clause 4 are subject to the affirmative procedure.

Gareth Thomas (Harrow West) (Lab/Co-op): I recognise that intervening on a Secretary of State is quite an attractive prospect for many Back Benchers and that as a result there may not be time for me to catch your eye, Dame Rosie, to speak in support of new clauses 4, 5 and 6, which are tabled in my name. Will the Secretary of State therefore be willing to instruct her junior Minister to meet me to discuss the concerns of the Co-operative movement in Northern Ireland? I hope still to get in a brief word or two about those concerns, but if I do not I would like the opportunity to amplify them with the Minister in private.

Karen Bradley: I certainly intend to ensure that there is time for the hon. Gentleman to speak in support of his new clauses, but of course I think it would be a good idea for me or my Minister of State to meet him and representatives of the Co-operative movement. In the Northern Ireland Office, we make a point of meeting all stakeholders and organisations with concerns. I know how difficult it is for civic society and organisations to know where to turn at this time without Ministers in Stormont, and I meet many organisations regularly that feel frustrated that they do not have Ministers to whom they can turn, so of course we are happy to meet. I remind the hon. Gentleman, as I end up reminding many, many organisations, that most of the things that are raised with us are devolved matters, and that we do not have Executive powers. That point was made very clear in the Hughes judgment earlier this year, as I am sure the hon. Gentleman knows.

6.30 pm

Owen Smith: Is the Minister saying clearly that she is not anticipating or encouraging civil servants, under the guidance that we are passing here today, to act either to implement the Hart inquiry recommendations or to institute a pension for victims of the troubles?

Karen Bradley: I will come to the specific points that the hon. Gentleman raised, because they are the subject of amendments that have been tabled and I will try to address all those points, but I want to make myself clear. The hon. Gentleman may have missed my comments when I responded to an intervention from the hon. Member for North Down (Lady Hermon). The head of the Northern Ireland civil service has made it clear that he would like to consult on the Hart recommendations and do the work that would be required in any event, with or without Ministers, to prepare for what implementation of those recommendations and other matters might involve, and I have written to thank him for that decision.

Forgive me; what was the second point that the hon. Gentleman raised?

Owen Smith: Victims' pensions.

Karen Bradley: I will talk about that specifically, because obviously, although it is another devolved matter, we have spoken to the Victims' Commissioner about trying to ensure that some progress can be made. I assure the hon. Gentleman that I meet victims of the troubles, I meet victims of sexual abuse, I meet victims of all manner of things, and I meet campaigners for LGBT rights and all sorts of others, and I well understand the desire to get on and take action in this place. However, I very gently say to him—he will know this from his great experience as an adviser, particularly during the period of direct rule—that there is no direct rule-lite. There is no “just intervene a little bit here and a little bit there.” All of that is direct rule, and I do not want to be in direct rule because it is wrong for the people of Northern Ireland. While there is a chance of the parties coming together and doing the right thing in Stormont, that is the best thing for the people of Northern Ireland and I have to give them every opportunity to do that.

Tony Lloyd: May I press the Minister on the question of the victims of terrorism? There is a very strong interpretation that, as a legacy issue, that is the responsibility of the Secretary of State, not of the Stormont Assembly. I think she needs to make it absolutely clear why she will not follow that path, because that would be the quickest way, it would be legal, and it would do something for victims here and now, not in the indefinite future.

Karen Bradley: I appreciate that there is confusion around this matter. I asked for advice very early on in regard to what was reserved, what was devolved, and what had become a matter for this House as a result of the agreement of politicians in Northern Ireland. Let me be clear: many of the interventions that the Government have taken over the years have been as a result of the wishes and the agreement of the parties in Northern Ireland to ask Westminster to take action in certain areas, but victims' pensions is still a devolved matter. I want to see action in that area, and that is why I have spoken to the Victims' Commissioner.

Sir Mike Penning: One of the powers of this House and the Government relates to those who are becoming victims—the veterans. If an amendment were tabled in the other place that actually protected our veterans for their service, would the Government oppose that?

Karen Bradley: I know how passionately my right hon. Friend feels about this; and may I tell him that I feel passionately about it too? I want to see justice for our veterans. The veterans and the RUC who served in Northern Ireland were responsible for the fact that the peace process was able to start; it was because of their determination and bravery. I want to make sure that they are treated with the dignity that they should be afforded. I would like to work with my right hon. Friend to ensure that we can deliver that dignity in an appropriate way, but I have to caution him that, as I said earlier, this is a narrow Bill; it is a Bill to enable public services to continue to be run in Northern Ireland because that is necessary for the people of Northern Ireland. I do not think it is the correct vehicle for the kind of action that I know my right hon. Friend wants to see, and on which I want to work with him.

Let me now deal with the amendments tabled by my hon. Friend the Member for Amber Valley (Nigel Mills). I am sympathetic to the spirit of amendment 15, but it has technical flaws, and I therefore cannot accept it. First, it would remove an election duty by omitting the original provision that was agreed to in the St Andrews agreement and is part of the Northern Ireland Act 1998. Secondly, I think that the period of seven days is impractical. It could fall within a parliamentary recess, and I do not think that an Order in Council during a recess is exactly what the House would want to see.

Thirdly, the amendment does not allow for flexibility. We do not know what point we will reach. I want the politicians to come together and do the right thing as soon as possible, but I must ensure that there is the necessary flexibility to allow for a final short burst of talks if that is what is needed. I understand exactly why my hon. Friend tabled his amendment, but I think that imposing that degree of inflexibility on me, as Secretary of State, would not help the process of getting the Executive up and running again.

The UK Government respect the principle that Parliament should be able to scrutinise certain public appointments before they are made, especially significant appointments to organisations that hold the Government to account, but I do not think that the consequences of amendment 16 would follow the standard process for either United Kingdom or Northern Ireland appointments. The appointments listed in the Bill would not be subject to pre-appointment scrutiny in the Assembly or the Executive, and I think it would be inappropriate to introduce here a degree of pre-appointment scrutiny that does not exist at Stormont, and would not exist in Northern Ireland if Ministers were in place.

New clause 7 has been the subject of much debate. My respect for the hon. Member for Walthamstow (Stella Creasy) and her campaigning on this matter is immense: I know how hard she campaigns and how much she cares about it. Her hon. Friend the Member for St Helens North (Conor McGinn) is another doughty campaigner. I have put on the record, and I continue to believe, that change is needed in Northern Ireland in this regard, and that I support such change. However,

I do not think that it should be made through the Bill or the new clause. The point of the Bill is to allow politicians to come together and form an Executive in Northern Ireland. That is where these decisions should be made.

Conor McGinn (St Helens North) (Lab): The academic Paul Jennings, of Queen Mary University of London, has said that the new clause tabled by my hon. Friend the Member for Walthamstow (Stella Creasy) is

“scrupulous in avoiding issues of devolution and changing the Stormont Westminster relationship. It relates only to the Secretary of State for Northern Ireland, a Westminster actor, and compels the office to issue guidance on the issues of abortion and equal marriage to senior officials in Northern Ireland. In doing so, it refrains from interfering with the mandate of ministers in Northern Ireland.”

Karen Bradley: I understand all the points that the hon. Gentleman has made, but the new clause is flawed. It is flawed because the Bill does not allow the law to be changed. It does not make civil servants lawmakers. It asks them to work within the confines of the law as it exists today. We do not want to be in a position in which civil servants are changing the law. I am not, as Secretary of State, changing the law on any devolved matter in Northern Ireland; I am giving guidance to the civil servants to allow them to make decisions within the existing law.

Stella Creasy: I hear the Secretary of State say that, yet I see officials in the Northern Ireland Department of Health, in their response to the programme enabling women to come to England for abortions, doing exactly what she has just said she does not want civil servants to do. It is already happening. The Bill will confirm the power that they have to do that, because the Secretary of State is giving them powers in the absence of the Assembly. Will she at least recognise that she has a powerful role to play as a check and balance in that process, and that that is what the new clause is about?

Karen Bradley: Let me say very gently to the hon. Lady that I disagree with her interpretation of what the new clause would do. It would put the NICS in an impossible position, given that the guidance makes it clear that in exercising its functions, it must act at all times in accordance with the law. Let me stress again that the Bill cannot force Northern Ireland Departments to change the law as the new clause seeks to do.

Fiona Bruce: I welcome what my right hon. Friend is saying, but may I ask her to address the question I put to her during my speech: if new clause 7 is passed, will she be vigilant in ensuring that civil servants do nothing that changes the law through her guidance?

Karen Bradley: Civil servants will not be able to change the law: they do not have the power to change the law and we do not want them to have that power. That would put civil servants in an invidious position. It would be totally contrary to the rule of law and the way the independence of the civil service across the whole United Kingdom operates. This is not a precedent that we want to make. I well understand why Members want to see change in this area, and I have great sympathy with that, but this is not the way to do it.

Anna Soubry: Can my right hon. Friend reassure me on two things: first, that new clause 7 is a matter of conscience and we on this side of the House will not be whipped on it, and, secondly, that new clause 7 does not change the law or indeed give anybody the power to change the law? The notes are very clear: it is all about accountability to the Secretary of State so that she can look at human rights and make sure the guidance is there. It does not change the law; it is about guidance and accountability on human rights, and it is a matter of conscience.

Karen Bradley: I am reliably informed that this is a matter of conscience from the point of view of the party Whip on the Government side of the House. I know this is frustrating for my right hon. Friend, and I am not saying this with any pleasure, but am merely stating the facts: the amendment as drafted would not see a change in the law in Northern Ireland. This is a matter that needs to be legislated for in Northern Ireland, and therefore it would not change the situation in Northern Ireland. I add that this is a temporary measure; we need to get an Executive in Stormont, which is what this Bill seeks to achieve, so that they can make the decisions.

Sir William Cash (Stone) (Con): I am rather encouraged by the line my right hon. Friend is taking on this, because it is about guiding principles, and I have here outcome 12 of the guiding principles for Northern Ireland Departments:

“We give our children and young people the best start in life.”

Will my right hon. Friend bear that in mind, because she is completely right: it is not for civil servants to change the policy? She is completely right on that, and I am very glad to have the assurance she has given, but the best start in life is the key question.

Karen Bradley: I appreciate my hon. Friend's comments. I well understand that there is great strength of feeling in all parts of the House on this matter. I have considerable sympathy with much of what the hon. Members for Walthamstow and for St Helens North are trying to achieve, but I do not believe that this amendment achieves it, and I believe that the right thing to do is pass this Bill so we can get an Executive back and they can make the decisions in Northern Ireland for the people in Northern Ireland.

I am conscious of time and other Members wish to speak, but I want briefly to touch on a few other points, particularly those made by the Chair of the Select Committee. I know that in amendment 1 my hon. Friend the Member for South West Wiltshire (Dr Murrison) is concerned about the need for an extension and how it would work. Perhaps I can commit to consult with the Select Committee if I decide that having an extension is the right thing to do close to the deadline in order for the Select Committee to see my reasoning. I will work with the Select Committee on many of the amendments that my hon. Friend has put forward, because I appreciate that there is concern about scrutiny in Northern Ireland.

The question of the victims' pension has been raised, and the hon. Member for Edinburgh West (Christine Jardine) has an amendment on it. As I said to those on the Opposition Front Bench, this is a devolved matter, but I have been working with the Victims' Commissioner.

[Karen Bradley]

I want to see progress on this matter, and I want all the work that can be done to be done so that when Ministers are back in Stormont they are able to take those decisions.

I am going to conclude at this point, because a significant number of people wish to speak and I want to ensure that all right hon. and hon. Members who have tabled amendments have a chance to speak. I repeat that this Bill is necessary for the people of Northern Ireland so that their public services can continue, and I hope that Members will feel able to support it.

6.45 pm

Gareth Thomas: I am grateful to the Secretary of State for the comparative brevity of her remarks, and for her willingness to commit her Minister of State to meeting representatives of the Co-op movement and, more importantly, to meeting them directly herself. I strongly support new clause 7, and I pay tribute to my hon. Friend the Member for Walthamstow (Stella Creasy) for the way in which she spoke to it. I hope that the Committee will forgive me if I briefly touch on the reasons for tabling new clauses 4, 5 and 6, which are tabled in my name and those of a series of hon. Friends on this side of the House.

The new clauses relate to the interests of credit unions, housing co-operatives and energy co-operatives in Northern Ireland. Perhaps I should say at the outset that the largest number of bank branch closures has taken place since the political settlement in Northern Ireland broke down. The two eventualities are not directly related, but the need for a response to the situation clearly exists. Organisations such as credit unions and financial co-operatives have the potential to fill some of the gaps that those bank branch closures have caused. There are no major international banks headquartered in Northern Ireland, and the distance between the decisions that those international banks take and what happens in the communities of Northern Ireland is getting greater and greater.

The only banks that have a Northern Ireland perspective are the credit unions there, and they surely deserve more attention from the civil service in Northern Ireland than they are currently getting. The Secretary of State might not have direct powers in this regard, but she and the Minister of State will be people of considerable influence with the civil servants who do have powers under this legislation, and I hope that she will be willing to lobby on behalf of credit unions in Northern Ireland for a significant share of the financial inclusion pot that the Treasury has set aside. It is currently unallocated and amounts to some £55 million.

I also hope that Ministers will be willing to consider what they can do about the number of people taking on individual voluntary arrangements, causing debts to credit unions not to be paid. This is causing considerable problems for the credit unions. I would also like them to look at issues relating to the funding for energy co-operatives, which is due to run out in April next year, and at the lack of funding and access to land for housing co-operatives. I am grateful to Ministers for their willingness to meet representatives of the Co-operative movement, and on that note, I shall not press my new clauses to a Division.

Anna Soubry: I rise to speak in support of new clause 7, and I urge hon. Members on both sides of the House to support this really meek and mild amendment. It really should not be causing so much agitation, and I think we have to ask ourselves why it is doing so in certain quarters of the House. As many of us discovered when we went to Northern Ireland as guests of Amnesty International, the simple truth is that the laws in Northern Ireland are at best antiquated and at worst barbaric. God forbid that a member of any hon. Member's family who lived in Northern Ireland were to be raped, but if that woman then found herself to be pregnant, she would not be allowed to terminate her pregnancy even if she had been raped by a member of her own family. She would have no rights and no choice.

In this matter, I have never sought to impose my views on anybody else, but women and young children throughout Northern Ireland have none of the choices that our own constituents have. I met a woman there who was diagnosed with a foetal abnormality when she was 23 weeks pregnant. This was her third attempt to have a child through in vitro fertilisation, and she and her husband were distraught when they were told that their child would die either in the womb or within hours of being born. If they were my constituents, they would have had a choice. They would have been able to talk to their doctor and go through all the available options and, if they so chose, they could have had a termination. That woman was denied all that. She could not even come to England to terminate her pregnancy. She carried that child for 11 weeks as it grew within her womb, with people saying to her, "When is your baby due?" She had to tell them, "My baby is going to die in my womb or it will die within hours of it being delivered." She had to look at prams, cots and Moses baskets and know that she would never put her child, carried in her womb, into any of them. Her baby did die in the womb, 11 weeks after the diagnosis of a foetal abnormality, and she carried a dead baby for three days before she was finally induced. She gave birth to a baby girl who was decomposing.

Colleagues, right hon. and hon. Members, that is the situation that pertains in Northern Ireland, and new clause 7 seeks not to change that barbaric law, which we want to change—that is why many of us voted with the hon. Member for Kingston upon Hull North (Diana Johnson) yesterday—but to maintain the rights of our fellow citizens of this proud United Kingdom. It merely asks that their human rights are properly monitored and does nothing more than that. I urge Members to vote for new clause 7, and the hon. Member for St Helens North (Conor McGinn), who is not in his place, also urges and reminds colleagues that his Marriage (Same Sex Couples) (Northern Ireland) (No.2) Bill returns to this place on Friday. New clause 7 is a matter not just of conscience, but of decent humanity. It is about ensuring that everybody in the United Kingdom has these basic human rights.

Christine Jardine (Edinburgh West) (LD): I thank the Secretary of State for her comments about amendment 22 and simply urge her to continue to pursue the creation of pensions for the 500 people who are suffering from severe physical injuries as a result of the conflict.

I also rise to support new clause 7, and I will be brief because the situation is simple for me. I have defended and promoted devolution for a decade, but I never

thought it would be used as a means of abrogating responsibility for the human rights of anyone within the United Kingdom. It is astonishing that my daughter, who lives in Scotland, could perhaps take up a job in Northern Ireland and then lose the rights that she was born with in the United Kingdom. That cannot be acceptable to anyone in this House, but there are people within the UK who do not have the rights that those of us who sit here today enjoy. New clause 7 would help to put that right, and we should support it.

Simon Hoare (North Dorset) (Con): I had not intended to speak, but I listened to my right hon. Friend the Secretary of State and my right hon. Friend the Member for Broxtowe (Anna Soubry) and with great attention to the hon. Member for Walthamstow (Stella Creasy) who, as the Secretary of State said, argued her case with fluidity, passion and an exemplary understanding of the issues, referring back to the ten-minute rule Bill speech of the hon. Member for Kingston upon Hull North (Diana Johnson). Irrespective of what side of the abortion debate line one might find oneself falling, nobody will doubt the passion that the issue evokes or the concern that is expressed.

However, I do say—before anyone starts shouting at me, this may not be the right word to use—that there is a cruelty implicit in new clause 7. My right hon. Friend the Secretary of State said that the Bill's purpose is not to create new law and that civil servants are not empowered to create new law, the hon. Member for Walthamstow said that her intention is not to ride a coach and horses through or to undermine in any way either the Good Friday agreement or the legitimacy of the Northern Ireland Assembly, and my right hon. Friend the Member for Broxtowe—she is a friend—spoke convincingly and movingly. The cruelty of new clause 7 is that, if it is passed, it will raise a huge amount of hope—although not among everyone in the community of Northern Ireland—but it will not address or deliver on that hope. The cases that she cites would in no way be alleviated or resolved by new clause 7. Those who seek a termination will still have to travel to the mainland, but a huge amount of hope would be raised.

We understand, and the hon. Member for Walthamstow understands, the minutiae of new clause 7. And the Secretary of State, because she is advised by a phalanx of officials, understands what the new clause means in law.

Anna Soubry: I am standing up for what I believe.

Simon Hoare: Of course that is what this place is for, but my right hon. Friend, in essence, said that all the terrible cases she cited would in some way be stopped or resolved and that people would not have to go through any of these things.

Anna Soubry: I absolutely did not say that, although it is obviously something that many of us now seek to do. New clause 7 is the gentlest step forward so that the Secretary of State and her good officials can monitor human rights and see what is happening. This is important work. With great respect to my hon. Friend the Member for North Dorset (Simon Hoare), he was not here for the whole debate. He does not know, for example, that the situation in Northern Ireland is such that people cannot even be given basic advice at the moment, such as the onerous nature of the law. We are talking about

merely looking at the situation, monitoring it and helping the Secretary of State to fulfil her obligations: no false hopes for anyone.

Simon Hoare: My right hon. Friend does not have a unique understanding of what happens in Northern Ireland. Many of us will have been to Northern Ireland, will know people in Northern Ireland and will have heard a variety of experiences and views.

I think we know how the media and social media will deal with this. This will be “Abortion has now been made legal in Northern Ireland.” For many that will be a welcome thing, but for others it will be the worst thing imaginable. Whichever side of the argument we sit on, I am firmly convinced that expectations have been artificially inflated, but I am not convinced by the arguments of the hon. Member for Walthamstow that new clause 7 would not fundamentally undermine the very foundations of devolution, with ramifications for both Scotland and Wales. We should resist this new clause.

Emma Little Pengelly: I am aware that time is short, so I will make a couple of short points.

Following on from the previous speeches, I urge everyone in the Committee not to support new clause 7 for a number of good reasons. First, this is a hugely controversial issue. Regardless of what Members think of my views, they must objectively accept that this is a controversial issue in Northern Ireland. This amendment has been tagged on to a Bill during its accelerated passage through the House. The fact I am standing here with just a couple of minutes to make these points emphasises that this is the wrong way to do it. I urge Members, regardless of their views on the substantive issue, to reject new clause 7, so that we can have proper consideration of this issue in this House or in any other more appropriate Chamber.

Secondly, there is the devolution settlement. The termination of pregnancies is presented by some, including in the Committee, as a very black and white issue—we are either supporting women, or we are against women—but the reality is that court cases in every country in the world, including in relation to the European convention on human rights, have found this to be a complex issue that is rightly for democratic institutions in each jurisdiction.

In the UK, termination of pregnancy is very clearly a devolved issue. I accept that there are some complications in relation to the legal cases, and it may be, for the first time, on very narrow grounds of life-limiting conditions—fatal foetal abnormality, and rape and incest, potentially—that this is ruled to be a human rights issue under the European convention on human rights. If that happens, it becomes a more complex issue, not just for the UK, but for all signatories to that convention, because there will be horizontal impacts from that type of decision. But in the first instance the courts have recognised that this is rightly for the relevant democratic body, which in this case is clearly the Northern Ireland Assembly.

7 pm

The third issue I wish to raise is workability. As has been mentioned, new clause 7 attempts, through guidance, to change the law. As the Secretary of State has clearly said, guidance cannot do that. Any change in the law in Northern Ireland will require legislative

change, so this provision is asking the Secretary of State to ask officials to do something that is simply impossible in law. That would be explored in much more detail, and in adequate detail, if we had more time to scrutinise the new clause. That in itself proves to me that this is the inappropriate vehicle for this, regardless of the substantive issues involved. I urge everybody in this Chamber to consider this matter, give it the appropriate time at a later stage and reject new clause 7 now.

Nigel Mills: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

7.1 pm

Six hours having elapsed since the commencement of proceedings on the Business of the House motion, the proceedings were interrupted (Order, this day).

The Chair put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Order, this day).

Clauses 1 to 3 ordered to stand part of the Bill.

Clause 4

NI MINISTERIAL APPOINTMENT FUNCTIONS: SPECIFIED OFFICES

Amendment made: 23, page 4, line 21, leave out subsection (4) and insert—

“(4) A statutory instrument containing regulations under subsection (3) may not be made unless—

- (a) a draft of the instrument has been laid before and approved by a resolution of each House of Parliament, or
- (b) the regulations declare that the Secretary of State considers it to be expedient for the regulations to be made without the approval mentioned in paragraph (a).

(4A) Where regulations contain a declaration under subsection (4)(b)—

- (a) the instrument containing the regulations must be laid before Parliament after being made, and
- (b) if the instrument is not approved by a resolution of each House of Parliament before the end of the period of 28 days beginning with the day on which the instrument is made, the regulations cease to have effect (with the result that any entries that the regulations added to the table in subsection (2) are omitted).

(4B) Subsection (4A)(b)—

- (a) does not affect the validity of anything done as a result of the regulations before they ceased to have effect;
- (b) does not prevent the re-exercise of the regulation-making power under subsection (3) in the same way.

(4C) In calculating the period of 28 days mentioned in subsection (4A)(b), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.”—(*Karen Bradley.*)

This amendment makes the regulation-making power in Clause 4(3) of the Bill subject to the draft affirmative procedure or, in cases where the Secretary of State considers it expedient, the draft affirmative procedure.

Clause 4, as amended, ordered to stand part of the Bill.

Clauses 5 and 6 ordered to stand part of the Bill.

Clause 7

INTERPRETATION OF SECTIONS 4 TO 6

Amendment made: 24, page 5, line 45, leave out

“(whether alone or together with regulations under section 4)”.
—(*Karen Bradley.*)

This amendment is consequential on Amendment 23.

Clause 7, as amended, ordered to stand part of the Bill.

Clauses 8 to 10 ordered to stand part of the Bill.

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): I call Stella Creasy to move new clause 7 formally.

Stella Creasy I move new clause 7 formally. We love whom we love. We all want control over our bodies. Let us choose to give each other—

The First Deputy Chairman: We have done that bit.

New Clause 7

EQUAL RIGHTS FOR PEOPLE OF NORTHERN IRELAND (No. 2)

“(1) In the absence of Northern Ireland Ministers to address the matters identified by recent, current and future court proceedings in relation to the human rights of the people of Northern Ireland, the Secretary of State must issue guidance to senior officers of all Northern Ireland departments which will specify how to exercise their functions in relation to—

- (a) the incompatibility of the human rights of the people of Northern Ireland with the continued enforcement of sections 58 and 59 of the Offences against the Person Act 1861 with the Human Rights Act 1998, and
- (b) the incompatibility of the human rights of the people of Northern Ireland with the continued enforcement of section 13(e) of the Matrimonial Causes (Northern Ireland) Order 1978

where they pertain to the provision and management of public services in Northern Ireland.

(2) The Secretary of State shall report guidance under this section on a quarterly basis to the House of Commons and set out her plans to address the impact of the absence of Northern Ireland Ministers on human rights obligations within three months of the day on which this Act is passed.”—(*Stella Creasy.*)

This new clause would increase accountability of the Secretary of State and senior officers of Northern Ireland departments for their role in ensuring human rights compliance in Northern Ireland, in the absence of Northern Ireland Ministers, by requiring them to address incompatibilities between legislation applied in Northern Ireland and human rights obligations.

Brought up,

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

The House divided: Ayes 207, Noes 117.

Division No. 250]

[7.3 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Andrew, Stuart

Antoniazzi, Tonia
Atkins, Victoria
Bailey, Mr Adrian
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana

Blackman-Woods, Dr Roberta
Blomfield, Paul
Blunt, Crispin
Boles, Nick
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burt, rh Alistair
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Campbell, rh Mr Alan
Carden, Dan
Chapman, Jenny
Charalambous, Bambos
Clark, rh Greg
Clarke, rh Mr Kenneth
Coaker, Vernon
Collins, Damian
Cooper, Julie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creagh, Mary
Crouch, Tracey
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Debbonaire, Thangam
Dinenage, Caroline
Dodds, Anneliese
Doughty, Stephen
Duddridge, James
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Fabricant, Michael
Farrelly, Paul
Fitzpatrick, Jim
Foxcroft, Vicky
Freeman, George
Freer, Mike

Furniss, Gill
George, Ruth
Goldsmith, Zac
Goodman, Helen
Graham, Luke
Grant, Mrs Helen
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Griffith, Nia
Hall, Luke
Hanson, rh David
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Heapey, James
Hendrick, Sir Mark
Hill, Mike
Hobhouse, Wera
Hodgson, Mrs Sharon
Huq, Dr Rupa
James, Margot
Jardine, Christine
Johnson, Diana
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Sarah
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lammy, rh Mr David
Lee, Karen
Leslie, Mr Chris
Lloyd, Stephen
Lloyd, Tony
Loughton, Tim
Lucas, Caroline
Lucas, Ian C.
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Malthouse, Kit
Mann, John
Martin, Sandy
Masterton, Paul
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McFadden, rh Mr Pat
McInnes, Liz
McMahon, Jim
Mearns, Ian
Merriman, Huw
Miliband, rh Edward

Mills, Nigel
Milton, rh Anne
Moon, Mrs Madeleine
Moran, Layla
Mordaunt, rh Penny
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murrison, Dr Andrew
Nokes, rh Caroline
Norris, Alex
Onn, Melanie
Onwurah, Chi
Owen, Albert
Pennycook, Matthew
Penrose, John
Phillips, Jess
Platt, Jo
Pollard, Luke
Poulter, Dr Dan
Quince, Will
Rees, Christina
Reeves, Ellie
Reynolds, Jonathan
Rodda, Matt
Rudd, rh Amber
Russell-Moyle, Lloyd
Saville Roberts, Liz
Sherriff, Paula
Skidmore, Chris
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Henry
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen

Smyth, Karin
Snell, Gareth
Sobel, Alex
Soubry, rh Anna
Starmer, rh Keir
Stephenson, Andrew
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Tami, Mark
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Tomlinson, Justin
Tugendhat, Tom
Turley, Anna
Twigg, Derek
Twist, Liz
Umunna, Chuka
Vaizey, rh Mr Edward
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Whately, Helen
Whitehead, Dr Alan
Whitfield, Martin
Williams, Hywel
Williams, Dr Paul
Williamson, rh Gavin
Wilson, Phil
Wollaston, Dr Sarah
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:

Stella Creasy and
Conor McGinn

NOES

Aldous, Peter
Amess, Sir David
Bacon, Mr Richard
Baker, Mr Steve
Bellingham, Sir Henry
Blackman, Bob
Bone, Mr Peter
Brady, Sir Graham
Bridgen, Andrew
Brine, Steve
Bruce, Fiona
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Chishti, Rehman
Clark, Colin
Clarke, Mr Simon
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse

Crabb, rh Stephen
Davies, Chris
Davies, Glyn
Davies, Philip
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Double, Steve
Dowden, Oliver
Drax, Richard
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Eustice, George
Evans, Mr Nigel
Foster, Kevin
Francois, rh Mr Mark
Gale, Sir Roger
Girvan, Paul
Glen, John

Glendon, Mary	Onasanya, Fiona
Goodwill, rh Mr Robert	Paterson, rh Mr Owen
Grant, Bill	Penning, rh Sir Mike
Grayling, rh Chris	Prentis, Victoria
Green, Chris	Pritchard, Mark
Green, rh Damian	Pursglove, Tom
Hair, Kirstene	Redwood, rh John
Hands, rh Greg	Rees-Mogg, Mr Jacob
Harrison, Trudy	Robertson, Mr Laurence
Heald, rh Sir Oliver	Robinson, Gavin
Hendrick, Sir Mark	Robinson, Mary
Hollinrake, Kevin	Rosindell, Andrew
Hollobone, Mr Philip	Ross, Douglas
Holloway, Adam	Rutley, David
Howell, John	Selous, Andrew
Hughes, Eddie	Shannon, Jim
Jack, Mr Alister	Simpson, David
Javid, rh Sajid	Spelman, rh Dame Caroline
Jenrick, Robert	Stevenson, John
Johnson, Dr Caroline	Stewart, Bob
Jones, rh Mr David	Stewart, Rory
Jones, Mr Marcus	Streeter, Mr Gary
Kawczynski, Daniel	Stuart, Graham
Kerr, Stephen	Swayne, rh Sir Desmond
Lamont, John	Swire, rh Sir Hugo
Lefroy, Jeremy	Syms, Sir Robert
Leigh, Sir Edward	Thomas, Derek
Letwin, rh Sir Oliver	Thomson, Ross
Lewer, Andrew	Throup, Maggie
Liddell-Grainger, Mr Ian	Vickers, Martin
Little Pengelly, Emma	Walker, Mr Charles
Lord, Mr Jonathan	Wallace, rh Mr Ben
Main, Mrs Anne	Wheeler, Mrs Heather
Mann, Scott	Whittaker, Craig
Maskell, Rachael	Whittingdale, rh Mr John
Maynard, Paul	Wiggin, Bill
Mills, Nigel	Wilson, rh Sammy
Morris, James	Tellers for the Noes:
Murrison, Dr Andrew	Simon Hoare and
Offord, Dr Matthew	Michael Tomlinson

Question accordingly agreed to.

New clause 7 read a Second time, and added to the Bill.

The Deputy Speaker resumed the Chair.

Bill, as amended, reported.

Third Reading

Queen's consent signified.

Question put forthwith (Order, this day), That the Bill be now read the Third time.

The House divided: Ayes 344, Noes 26.

Division No. 251]

[7.18 pm

AYES

Abbott, rh Ms Diane	Aldous, Peter
Abrahams, Debbie	Allan, Lucy
Adams, Nigel	Allen, Heidi
Afolami, Bim	Allin-Khan, Dr Rosena

Amesbury, Mike	Crouch, Tracey
Andrew, Stuart	Cruddas, Jon
Antoniazzi, Tonia	Cunningham, Alex
Argar, Edward	Cunningham, Mr Jim
Atkins, Victoria	Daby, Janet
Badenoch, Mrs Kemi	Dakin, Nic
Bailey, Mr Adrian	Davey, rh Sir Edward
Baldwin, Harriett	David, Wayne
Baron, Mr John	Davies, David T. C.
Barron, rh Sir Kevin	Davies, Glyn
Bellingham, Sir Henry	Davies, Mims
Benn, rh Hilary	Debbonaire, Thangam
Benyon, rh Richard	Dinenage, Caroline
Beresford, Sir Paul	Djanogly, Mr Jonathan
Berger, Luciana	Docherty, Leo
Blackman-Woods, Dr Roberta	Dodds, Anneliese
Blomfield, Paul	Dorries, Ms Nadine
Blunt, Crispin	Doughty, Stephen
Boles, Nick	Dowden, Oliver
Bowie, Andrew	Doyle-Price, Jackie
Brabin, Tracy	Drax, Richard
Bradley, Ben	Drew, Dr David
Bradley, rh Karen	Duffield, Rosie
Bradshaw, rh Mr Ben	Duncan, rh Sir Alan
Brereton, Jack	Dunne, Mr Philip
Bridgen, Andrew	Eagle, Ms Angela
Brine, Steve	Eagle, Maria
Brokenshire, rh James	Efford, Clive
Brown, Lyn	Elliott, Julie
Brown, rh Mr Nicholas	Ellis, Michael
Bryant, Chris	Ellman, Dame Louise
Buck, Ms Karen	Elmore, Chris
Burden, Richard	Esterson, Bill
Burghart, Alex	Eustice, George
Burt, rh Alistair	Evennett, rh Sir David
Butler, Dawn	Fabricant, Michael
Byrne, rh Liam	Farrelly, Paul
Cairns, rh Alun	Field, rh Mark
Campbell, rh Mr Alan	Ford, Vicky
Carden, Dan	Foster, Kevin
Chalk, Alex	Foxcroft, Vicky
Chapman, Jenny	Francois, rh Mr Mark
Charalambous, Bambos	Frazer, Lucy
Chishti, Rehman	Freeman, George
Churchill, Jo	Freer, Mike
Clark, Colin	Furniss, Gill
Clark, rh Greg	Gale, Sir Roger
Clarke, rh Mr Kenneth	Garnier, Mark
Clarke, Mr Simon	Gauke, rh Mr David
Cleverly, James	George, Ruth
Coaker, Vernon	Ghani, Ms Nusrat
Collins, Damian	Gibb, rh Nick
Cooper, Julie	Goldsmith, Zac
Cooper, rh Yvette	Goodman, Helen
Corbyn, rh Jeremy	Goodwill, rh Mr Robert
Costa, Alberto	Graham, Luke
Cox, rh Mr Geoffrey	Graham, Richard
Coyle, Neil	Grant, Mrs Helen
Creagh, Mary	Green, rh Damian
Creasy, Stella	Green, Kate

Greening, rh Justine
Greenwood, Lilian
Grieve, rh Mr Dominic
Griffith, Nia
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Hanson, rh David
Harper, rh Mr Mark
Harrington, Richard
Harris, Carolyn
Harrison, Trudy
Hart, Simon
Hayes, Helen
Hayman, Sue
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hendrick, Sir Mark
Hill, Mike
Hobhouse, Wera
Hodgson, Mrs Sharon
Hollinrake, Kevin
Howell, John
Huddleston, Nigel
Huq, Dr Rupa
Hurd, rh Mr Nick
James, Margot
Jardine, Christine
Javid, rh Sajid
Jenkin, Sir Bernard
Jenrick, Robert
Johnson, Diana
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Mr Marcus
Jones, Sarah
Kawczynski, Daniel
Keegan, Gillian
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Knight, Julian
Kwarteng, Kwasi
Kyle, Peter
Laird, Lesley
Lake, Ben
Lammy, rh Mr David
Lancaster, rh Mark
Lee, Karen

Lee, Dr Phillip
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Lloyd, Stephen
Lloyd, Tony
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Lucas, Caroline
Lucas, Ian C.
Mackinlay, Craig
Maclean, Rachel
Madders, Justin
Mahmood, Mr Khalid
Mak, Alan
Malthouse, Kit
Mann, John
Martin, Sandy
Masterton, Paul
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McFadden, rh Mr Pat
McGinn, Conor
McInnes, Liz
McLoughlin, rh Sir Patrick
McMahon, Jim
Mearns, Ian
Menzies, Mark
Merriman, Huw
Metcalfe, Stephen
Miliband, rh Edward
Mills, Nigel
Milton, rh Anne
Moon, Mrs Madeleine
Moran, Layla
Mordaunt, rh Penny
Morgan, Stephen
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Murray, Ian
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norris, Alex
Onn, Melanie
Onwurah, Chi
Opperman, Guy
Owen, Albert
Paterson, rh Mr Owen
Pawsey, Mark
Pennycook, Matthew
Penrose, John

Perry, rh Claire
Phillips, Jess
Philp, Chris
Pincher, Christopher
Pollard, Luke
Poulter, Dr Dan
Pow, Rebecca
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Rees, Christina
Reynolds, Jonathan
Rodda, Matt
Rudd, rh Amber
Russell-Moyle, Lloyd
Sandbach, Antoinette
Saville Roberts, Liz
Scully, Paul
Seely, Mr Bob
Shapps, rh Grant
Sharma, Alok
Sherriff, Paula
Simpson, rh Mr Keith
Skidmore, Chris
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Henry
Smith, Jeff
Smith, rh Julian
Smith, Nick
Smith, Owen
Smith, Royston
Smyth, Karin
Snell, Gareth
Soames, rh Sir Nicholas
Sobel, Alex
Soubry, rh Anna
Spencer, Mark
Starmer, rh Keir
Stephenson, Andrew
Stevens, Jo
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stone, Jamie

Streeting, Wes
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Sweeney, Mr Paul
Swire, rh Sir Hugo
Tami, Mark
Thomas-Symonds, Nick
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tracey, Craig
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Turley, Anna
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vaz, Valerie
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Walker, Thelma
Wallace, rh Mr Ben
Warman, Matt
Watson, Tom
West, Catherine
Whately, Helen
Whitfield, Martin
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Hywel
Williams, Dr Paul
Williamson, rh Gavin
Wilson, Phil
Wollaston, Dr Sarah
Wood, Mike
Woodcock, John
Wright, rh Jeremy
Yasin, Mohammad
Zahawi, Nadhim
Zeichner, Daniel

Tellers for the Ayes:
Amanda Milling and
Rebecca Harris

NOES

Amess, Sir David
Blackman, Bob
Bone, Mr Peter
Campbell, Mr Gregory
Davies, Philip
Dodds, rh Nigel
Girvan, Paul
Glendon, Mary

Green, Chris
Hayes, rh Mr John
Hollobone, Mr Philip
Kerr, Stephen
Leigh, Sir Edward
Little Pengelly, Emma
Maskell, Rachael
Onasanya, Fiona

Penning, rh Sir Mike
Robertson, Mr Laurence
Robinson, Gavin
Rosindell, Andrew
Shannon, Jim
Simpson, David
Swayne, rh Sir Desmond

Thomson, Ross
Vickers, Martin
Wilson, rh Sammy

Tellers for the Noes:
Fiona Bruce and
Sir Jeffrey M. Donaldson

Question accordingly agreed to.

Bill read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EDUCATION

That the draft Higher Education (Transparency Condition and Financial Support) (England) Regulations 2018, which were laid before this House on 15 June, be approved.

LOCAL GOVERNMENT

That the draft West of England Combined Authority (Adult Education Functions) Order 2018, which was laid before this House on 23 July, be approved.

That the draft Cambridgeshire and Peterborough Combined Authority (Adult Education Functions) Order 2018, which was laid before this House on 23 July, be approved.—(*Mims Davies.*)

Question agreed to.

EUROPEAN UNION DOCUMENT

Motion made, and Question put forthwith (Standing Order No. 119(11)),

EXCHANGING DATA WITH NON-EU COUNTRIES

That this House takes note of European Union Document No. 5191/17, a Communication from the Commission to the European Parliament and Council on Exchanging and Protecting Data in a Globalised World, and an Unnumbered European Union proposal for provisions on Cross-border data flows and protection of personal data and privacy; welcomes the adequacy framework as an effective means of ensuring a free flow of data from the EU to third countries; and further notes that in the context of the UK leaving the EU it provides the right starting point.—(*Mims Davies.*)

Question agreed to.

PETITIONS

Kings Langley Green Belt

7.34 pm

Sir Mike Penning (Hemel Hempstead) (Con): It is a pleasure to speak this evening on behalf of the residents of the wonderful and beautiful village of Kings Langley in the green belt in Hertfordshire. I am all for housing. My constituency is desperately short of housing, but we must make sure that, at the same time as building new housing and new social housing, we protect the green environment that makes villages such as Kings Langley so beautiful, and in particular the farm land, including Wayside dairy farm, run brilliantly by my friend, Charlie Wray. I have been asked to present the following petition:

The petition of residents of Kings Langley,

Declares strong opposition to plans under consideration in Dacorum Borough Councils Local Plan 2017 that would mean the loss of valuable farmland and the demise of Wayside Dairy Farm and other local green areas.

The petitioners therefore request that the House of Commons urges the Government to protect the Green Belt in and around the village of Kings Langley.

And the petitioners remain, etc.

[P002270]

European Baccalaureate Qualification

7.35 pm

John Howell (Henley) (Con): This petition relates to the Europa School, which is a free school located in my constituency. It is a petition that has 2,469 signatures.

The petition of teachers at, parents of pupils at, or friends of the Europa School Culham, Oxfordshire,

Declares that in relation to the Europa School, the school currently offers children who attend the school a final qualification of the European Baccalaureate (EB). The ability of the school to offer this qualification has been extended by the Department of Education to 2021. However, uncertainty over the school's ability to offer the qualification after 2021 is causing difficulties for students and much uncertainty.

The petitioners therefore request that the House of Commons to ask the Department of Education to allow the Europa School in Culham, Oxfordshire, to offer to its students from 2021 the European Baccalaureate as an equivalent to A levels regardless of the status of the UK in respect of its membership of the European Union.

And the petitioners remain, etc.

[P002276]

Home Insulation

Motion made, and Question proposed, That this House do now adjourn.—(Mims Davies.)

7.37 pm

Sir Mark Hendrick (Preston) (Lab/Co-op): I rise to bring to the Government's attention their approach to detrimental home insulation issues. I am pleased to have secured the debate to talk about the terrible conditions suffered by some of my constituents who live in the Fishwick area of Preston. The source of their complaints is work first carried out between January and June 2013.

The work was a Government scheme aimed at improving the thermal efficiency of homes by providing wall insulation. The aim, of course, was to lower heating bills in properties where many people were likely to be suffering from fuel poverty. The Fishwick area is one of the poorer areas of the city of Preston and the success of this scheme should have been very important to improve the lives of these people. The funding for this scheme was secured in September 2012 from InterGen, the managing agent for the scheme was Anesco, and the contractor for the scheme was called Ecogen. In total, 387 properties in Fishwick had work carried out as part of this scheme.

As I said earlier, the work was completed in June 2013, and in October that year, tragically, Ecogen was liquidated. By December 2013, the complaints started to flood in. By January 2014, the complaints were referred to the managing agent, Anesco. By March 2014, the complaints were referred to Ofgem.

Between March and December 2014, Ofgem undertook an investigation into the scheme. In December 2014, Ofgem decided to issue an enforcement order to have the work rectified. By April 2015, independent surveys were carried out by the energy partnership with a view to rectifying the work. By August 2015 a second set of independent surveys were carried out and, at the same time, the entire scheme was referred to what was then the Department of Energy and Climate Change. This was complemented by the Bonfield review, which was launched in 2015 by DECC in the wake of the failure of the green deal. The purpose of the review was to examine and make recommendations about how consumers can be protected and advised when installing energy efficiency and renewable energy measures in their homes.

By this time, of course, it was clear that the residents of the 387 homes in the Fishwick area had been living in substandard conditions for three years, with properties suffering from damp, fungus and mushroom development on the walls at various times throughout the year. They were living in extreme humidity because of the way in which the cladding attached to the building had contained water and allowed it to accumulate for long periods inside the building. Quite apart from the humidity and smell being extremely uncomfortable for the residents, it was also a health hazard that resulted in complaints of illness from various residents of the properties.

On 5 February 2016, I was made aware of these problems for the first time at a public meeting held at the Sahara community centre in Fishwick, following which I emailed the right hon. Member for Hastings and Rye (Amber Rudd), who was then the Secretary of State at DECC, to ask her to make funding available as a matter of urgency as well as an emergency fund to deal with water ingress. I then received a response

from the noble Lord Bourne, who said in his letter of 17 March 2016 that in such cases complaints should be referred to a local citizens advice bureau or Ofgem. It is understandable that Ofgem should be involved, but how on earth can the citizens advice bureau help? It was clear from my letter to the Secretary of State and the attachment that the contractor, Ecogen, had been liquidated and it was therefore not just a simple case of going back to the contractor and getting them to put the work right. Special help was required to help put right the defective work.

As a result of my persistence, in early June 2016, I received an email from the National Energy Action fuel poverty charity that stated that a total pot of £2.5 million could be made available to Preston City Council to assist people trapped in the scheme if Preston City Council was prepared to take on the role of managing the remedial work. Unfortunately, the NEA had to contact me on the matter because it had yet to receive any response from the city council. I later found out that one of the council officers had sat on the letter from the NEA and not referred the matter to either the chief executive at the time, Lorraine Norris, or the councillors for the Fishwick ward. I believe that this was because the council officer concerned was reluctant to take on the role of managing the remedial work and therefore did not pass on the correspondence from the fuel poverty charity.

Jim Shannon (Strangford) (DUP): The hon. Gentleman is raising a specific point about his constituency, but I want to refer briefly if I may to Northern Ireland, where the fuel poverty figures have dropped by some 22%. That is in no small part due to the Northern Ireland sustainable energy programme, or NISEP, which ring-fences some 80% of funding specifically to help vulnerable and low-income families install efficiency measures in their homes. Does the hon. Gentleman agree that working alongside housing associations in Northern Ireland and with NISEP would be something the Minister could consider and an excellent way of ensuring that vulnerable people could install efficiency measures in their own homes and get the help to which he is referring?

Sir Mark Hendrick: I concur with the hon. Gentleman. Whether it is with Northern Ireland authorities or with our own Government, there is no reason why there should not be good co-operation and good insulation schemes. That is what I would have expected with these 387 houses in my constituency.

In the meantime, I requested a meeting with the Secretary of State on the matter, as a matter of urgency. Except for a very brief encounter in the House of Commons Tea Room, when the Secretary of State said that she was looking into the matter as she passed me by, she seemed uninterested in the case and reluctant to discuss the matter. She did, however, refer me to an official, who then assured me that Preston City Council was working with the NEA fuel poverty charity. However, what the Department did not know was that this was the case only because of my direct intervention and contact with the chief executive of Preston City Council at the time, because, as I said earlier, the council officer had sat on the letter from the NEA.

By July 2016, the chief executive was indicating that she needed extra funding in order to carry out surveys to get a "detailed picture of issues", so clearly the

[*Sir Mark Hendrick*]

£2.5 million was not enough to deal with the problems, and in fact was only to be targeted at those homes which had complained about the work—62 of the 387 homes. That did not take account of the fact that many of the other homes had problems, but because the residents thought that people in other properties were complaining on their behalf as well, they did not come forward and make their direct complaints. Therefore, the fact that work was to be carried out on the 62 properties only, neglected all the work that needed to be carried out on the other affected properties, whose residents, for a variety of reasons, had not come forward and made their own complaints. That was, in my view, totally unjust and short-sighted.

On 24 November 2016, I emailed the Secretary of State at the Department for Business, Innovation and Skills—the right hon. Member for Tunbridge Wells (Greg Clark)—to ask what assurances and safeguards were in place to ensure that the properties would be safe, dry and warm, and that any installations would be done in a professional manner. In December 2016, BIS responded, asking for more detail. In January 2017, my office contacted BIS to ask what detail it required. My office staff were told that the policy team would get in touch. We waited and waited, and the policy team did not get in touch. However, work was already under way on the 62 properties, which were designated as phase 1. Those properties that were left were designated as phase 2 and the residents were told that they would be surveyed. However, there was no indication from any organisation as to how or if funding would be made available for phase 2.

In the meantime, I received an email from Councillor Martyn Rawlinson of Preston City Council, telling me that the management of the repairs on the 62 houses was as bad as the original work that was carried out. Some of the houses had been left half done for several months. E.ON originally said that all repairs necessary would be done, but E.ON was then saying that homeowners should get their own insurers to get the work completed, which was outrageous—an absolute disgrace—and by then the residents had been putting up with this nonsense for four years, with many of them having work done twice to their property, and still not to their satisfaction.

By 29 November 2017, I was ready to let E.ON know about my concerns over the progression of the remedial works, and asked it for a timescale setting out when all the works would be carried out and completed, and for a point of contact to be established for the residents. My office chased E.ON for a response for over a month, and a month later—January 2018—we finally received correspondence. E.ON confirmed that it was trying to divert attention from its responsibilities in the matter towards Preston City Council, which had no direct responsibility, and still has no direct responsibility, for the work to be carried out. It is E.ON that surveyed the houses in August 2017 for phase 2 of the repairs. I am told that those so-called “surveys” were in fact not proper surveys, but door-knocking exercises to ask people whether they were having problems, or had had problems previously; nothing at all was done of a technical nature, and certainly nothing that could generate a work order to remedy what problems they were having. In addition there is not, and has not been, any indication from the

Government or E.ON of how the rest of the work for the 300-plus houses will be financed. We are seeing good will, but nothing in the way of resources to complete the work.

On 11 February I received an email from Councillor Martyn Rawlinson, with photographs of some horrific scenes within houses due to the damp issues. It is inconceivable that people should be left to live in such conditions, with no one apparently willing to rectify the problems as soon as possible.

On 8 March this year, I wrote to the Under-Secretary of State for Housing, Communities and Local Government, the hon. Member for South Derbyshire (Mrs Wheeler), describing my disappointment with the then Secretary of State and the Department, and appealing for help. On 27 March I received a response from the Under-Secretary telling me that the responsibility had moved from her Department to the Department for Business, Energy and Industrial Strategy.

I tabled a series of parliamentary questions to BEIS about the use of cladding on properties. That culminated in a letter from BEIS indicating that remedial work on 62 of the properties should be completed shortly, and that E.ON was in discussions with National Energy Action to help other households. In the meantime I received a variety of complaints from the residents, one claiming to have spent £1,500 after a ceiling caved in after wet weather. In a separate case, an elderly homeowner had to leave her property and move in with her son because the damp was affecting her health.

Since then, the Minister for Energy and Clean Growth has responded to my parliamentary question, PQ177184, indicating that the retrofit on 62 of the properties was completed in the summer of this year and that work has been carried out to estimate the extent of the work that is necessary to sort out the work required to the other properties. As I said earlier, that resulted in questions being asked on the doorstep. In addition, talks have been taking place between Ofgem, BEIS and the energy suppliers in an attempt to secure funding for the remaining houses.

This saga has been running for six years, from 2012 to where we are now, in October 2018. It has been an absolute tragedy for those living in those 387 houses, who have been trying to put up with substandard housing and great inconvenience. The result has been unsafe properties with associated health risks. In the meantime, I am reliably informed that in many cases the cladding has been removed, but properties have been left with holes in the walls. The landlord has said that they will be finishing off the work, but will only repair the holes and paint the brickwork. They are not prepared to install any new insulation. One of the complainants wonders where the money has gone for the work that should have been done to her property. The landlord has told her that she should speak to E.ON or Preston City Council.

Let me tell the Minister that I recall spending three years in the Department for Environment, Food and Rural Affairs as Parliamentary Private Secretary to the then Environment Secretary, the right hon. Member for Derby South (Margaret Beckett). During that time, when my party was in government, we dealt with fuel poverty issues through the Warm Front scheme, which was applied to about 10,000 homes in my constituency, particularly in the area of Deepdale. The scheme focused

on energy efficiency by installing new central heating boilers and providing loft insulation and double glazing for terraced housing that was not too different from the housing that we see in Fishwick ward. It was extremely effective, and popular with residents.

May I ask the Minister why the more recent schemes that are using cladding of the type mentioned in Fishwick are being employed when the detriment to both property and residents is known? Why has it taken six years to get to where we are now for the residents of Fishwick? Are the Government willing to help to direct the residents to a satisfactory and available source of finance to rescue what is, in fact, a Government scheme?

Mr Jim Cunningham (Coventry South) (Lab): I was in that Department during the period of the last Labour Government. One of the things that is absent here is enforcement, but, more important, if there is a Government scheme and the Government are subsidising it, there should be a list of approved quality builders, perhaps with certifications. I have also found, in isolated cases with which I have dealt, that it is mainly elderly people who cannot get redress. They are told to go to the council, but the trading standards offices are undermanned, and they have limited powers under the law. Should we not do something about some of those matters?

Sir Mark Hendrick: I agree with my hon. Friend. When I was in DEFRA there were recommended contractors. Those contractors could ensure a certain level of quality and even though we got the odd complaint from people under the Warm Front scheme, we did not get anything like the number of complaints or the state of the work that we get now. Unfortunately, the company in question has gone into liquidation, but the Government should still look at how they can help.

Why have the residents of Fishwick had to endure this substandard work and why has it not been rectified properly despite the fact that the contracting company, Ecogen, went into liquidation soon after that work was completed? Why do the Government not concentrate on energy-efficient boilers, loft insulation and double glazing? The Minister might well tell me that in other areas they are concentrating on those solutions, but then why is there this move towards cladding—an ugly and harmful solution?

I am thankful for securing this debate and look forward to hearing the answers to my questions from the Minister.

7.56 pm

The Minister for Energy and Clean Growth (Claire Perry): I am genuinely interested to hear the comments of the hon. Member for Preston (Sir Mark Hendrick) tonight. The points he makes about damp living conditions and the impact that has on people's health and whether their homes are fit for purpose also apply in my constituency and are of enormous importance.

I will start by saying that I do not think that what has happened has been good enough. I will also say something that I will repeat at the end of my speech, which is that I am going to instruct one person in my Department to act as the broker and bring together all the people who have played a part in the problem and can also be part of the solution. I hope that that reassures the hon. Gentleman. I am also going to take a moment to set out

where the issues the hon. Gentleman raised about this scheme are being addressed fully in the latest iteration of the schemes we are using to help people living in fuel poverty—the ECO3 scheme.

As the hon. Gentleman will know, the scheme he is referring to in his constituency was the community energy saving programme, or CESP, which was set up by the previous Labour Government. All the shortcomings of that scheme—no guarantee and no list of installers—were a function of the scheme design at that time. That is one reason why that scheme was closed by the coalition Government in 2012, and a number of penalties were issued for companies under that scheme because, as the hon. Gentleman's constituents well know, it had not delivered what had been required both in terms of the carbon savings and the quality of work.

Fishwick was then part of this mitigation activity that was undertaken by InterGen. I totally agree that solid wall insulation is not a suitable way to reduce energy consumption in many homes in the country, but that was part of InterGen's mitigation scheme. As the hon. Gentleman knows only too well—it is one of the reasons why he is a long-standing champion in this place—this issue has been going on for many years. There were problems as a result of those installations. Ofgem then received complaints from 62 households, although I know the complaints pool is much larger. Those were offered remedial work which was delivered by E.ON. But as the hon. Gentleman also knows, there are real concerns about the quality of that work, because, as he said, it is not good enough to rip the cladding off and leave holes in the wall; people expect to have a warm home that can breathe and is fit to live in.

I understand that E.ON provided some additional funding to carry out the necessary structural work. I am told it carried out full structural surveys, but if the hon. Gentleman is telling me that that was not the case, that is certainly something to investigate further. Some homeowners of course declined to have extra work; there were issues gaining entry and so forth. If full surveys were not carried out, we need to know that, which is why I am keen that we have one point of contact in my Department to get to the truth of the matter.

Since that work was undertaken in the summer of 2017, more complaints have emerged—over 180. As the hon. Gentleman set out, the installer no longer exists. We are insisting on appropriate guarantees through ECO, but the Fishwick homes, which are a strong failure of the scheme put in place by that Labour Government, did not have any guarantees required from any installer, and the Solid Wall Insulation Guarantee Agency now set up to be a backstop did not exist at the time.

Sir Mark Hendrick: I fully take what the Minister is saying to be correct, but I would have expected the guarantees and quality of work that we saw in the Warm Front programme to be carried over into this scheme if it was indeed put together by the Labour Government prior to the coalition. I am very surprised to hear that that was not the case, but obviously I believe what the Minister says.

Claire Perry: The great thing about these debates is that we do not have to focus too much on the politics, but the hon. Gentleman is right to say that some very good designs and functions were put in place under the

[*Claire Perry*]

warm home scheme, and they have very much influenced the design of the energy company obligation, which is the replacement for CESP.

Perhaps I can give the hon. Gentleman some comfort in relation to other constituents who are receiving measures under this scheme by telling him that the design flaws have been addressed. We have worked with the British Standards Institution to develop new standards over and above building regulations standards for any eco-obligation, and any installer that wants to be part of the scheme must meet those technical standards. All solid and cavity wall installations must be accompanied by a guarantee that gives financial assurance even if the company providing the guarantee cannot honour it. There has to be a bond in place to provide sufficient coverage of at least 25 years, including full replacement or remediation, and to provide a verified quality assurance tick, which we would expect our constituents to be able to rely on in terms of the quality of the work and the products that are being installed.

In July 2015, we commissioned the “Each Home Counts” review. This has been a further key driver of developments in this area. The hon. Gentleman might also have heard of the TrustMark scheme that I launched last week during Green Great Britain week. It sets out a clear code of conduct for businesses. He might also receive complaints, as I do, about cold calling and the aggressive selling of these products, which are completely unacceptable. A process guarantee and rigorous new technical standards to tackle poor design and installation will be published next spring. I entirely agree with him that robust monitoring is key, and enforcement activities are the way to ensure that this happens.

I want to bring comfort to the hon. Gentleman’s constituents, but I know that it is no comfort to learn that some of the failings in the scheme design of 2009 that have caused such problems for them have given us lessons from which we have learned. I was pleased this week to bring forward the next set of measures to support ECO3. It will now be focused 100% on the alleviation of fuel poverty right across the UK, and I hope that some of his constituents will benefit from that.

Sir Mark Hendrick: Just before the Minister finishes, will she address the matter of finance for the remaining homes and whether the Government can be of any assistance?

Claire Perry: The hon. Gentleman anticipates my final remarks. I am fully sympathetic towards what he said, and I am sorry that he has been given the runaround over the years, because he has been doughty in raising such points. There is such a complex array of people involved. He referenced Preston City Council, and I am disappointed that it has been less than active historically, particularly in working with some of the agencies with which he has set up relationships. It sounds as though InterGen, E.ON and Ofgem also need to be corralled into a place where we can come up with a solution.

The scheme’s design, under which insulation is independently installed, never included a backstop to Government finance, although the hon. Gentleman may say that that ought to be a requirement. I therefore do not have any money in any of my budgets to meet the funding requirements, but given that many of the companies are still in operation and will still want to work during the scheme—the market for them is substantial—I feel strongly that they ought to do the right thing and work out ways to fix the problems and ensure that residents are happy.

I will write to the hon. Gentleman shortly with the name and contact details of a person in my Department whom I will task with bringing things together and who will report back to me with progress on a regular basis. I am happy to discuss that progress with the hon. Gentleman, either in the Tea Room or more formally. Lessons have been learned, although I appreciate that that is no comfort for residents who have been bedevilled with problems, but we can work together to try to sort things out.

Question put and agreed to.

8.4 pm

House adjourned.

Deferred Division

ELECTRICITY

That the draft Electricity and Gas (Energy Company Obligation) Order 2018, which was laid before this House on 19 July, be approved.

The House divided: Ayes 304, Noes 203.

Division No. 249]

AYES

Adams, Nigel
Afolami, Bim
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brake, rh Tom
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Burghart, Alex
Burt, rh Alistair
Cable, rh Sir Vince
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davey, rh Sir Edward
Davies, Chris

Davies, David T. C.
Davies, Glyn
Davies, Mims
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Farron, Tim
Field, rh Mark
Ford, Vicky
Foster, Kevin
Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffith, Nia
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
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Hughes, Eddie
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw

Metcalf, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Moore, Damien
Moran, Layla
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
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
Stone, Jamie

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

Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hepburn, Mr Stephen
 Hill, Mike
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Howarth, rh Mr George
 Huq, Dr Rupa
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lammy, rh Mr David
 Lavery, Ian
 Lee, Karen
 Leslie, Mr Chris
 Lewis, Mr Ivan
 Lloyd, Tony
 Lucas, Caroline
 Lucas, Ian C.
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McGinn, Conor
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 Mearns, Ian
 Miliband, rh Edward
 Moon, Mrs Madeleine
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Norris, Alex
 Onasanya, Fiona

Onn, Melanie
 Onwurah, Chi
 Owen, Albert
 Pearce, Teresa
 Pennycook, Matthew
 Phillips, Jess
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Rashid, Faisal
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Rodda, Matt
 Ruane, Chris
 Ryan, rh Joan
 Sheerman, Mr Barry
 Sherriff, Paula
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, Mark
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turley, Anna
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Charalambous, Bambos
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Coyle, Neil
 Crausby, Sir David
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cunningham, Alex

Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 David, Wayne
 Debbonaire, Thangam
 Dent Coad, Emma
 Dodds, Anneliese
 Doughty, Stephen
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gardiner, Barry
 George, Ruth
 Gill, Preet Kaur
 Glendon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Grogan, John
 Gwynne, Andrew
 Hamilton, Fabian
 Hanson, rh David
 Hardy, Emma

Question accordingly agreed to.

Westminster Hall

Wednesday 24 October 2018

[MR CLIVE BETTS *in the Chair*]

School Funding

9.30 am

Mrs Anne Main (St Albans) (Con): I beg to move,
That this House has considered school funding.

It is a pleasure to serve under your chairmanship, Mr Betts. I wanted to keep the title of the debate broad because school funding does not have the same impact in all areas. We must continue to ensure that all our children get an excellent education regardless of where they live, and that all our schools have the money in place to provide that.

I am sure that hon. Members welcome the record levels of funding going to our schools. The simple facts tell us that, overall, more money is being spent, and that is a good thing, but schools are not feeling the effects of that increase. We must differentiate between the schools budget and the teaching budget: more money is being spent on education, but that does not necessarily filter its way down to the experience for all pupils and teachers.

Last month I met local headteachers and parents as part of a Fair Funding For All Schools campaign that has been going up and down the country, which colleagues may have seen. The overall view of the group was that we need more resources in our schools budget, but they were disappointed by the line repeated by the Government that more money than ever is going into our schools. Although that may be the case, the schools are not necessarily able to feel the effects of the increase, due to the ever-rising costs and additional financial burdens placed upon them.

Mr Jim Cunningham (Coventry South) (Lab): I thank the hon. Lady for giving way—I suspect that I will be the first of many to intervene. I have done a survey of a number of schools in Coventry. Headteachers tell me that they have a number of funding problems. For example, in Coventry they have probably lost something like £295 per pupil over the past seven years. I acknowledge that the Government have put £1.5 billion back in, but they also have a shortfall of about £3 billion from cuts some years ago. Does she agree—I doubt she will—that one of the big problems is the need for specialist teachers for children with special needs?

Mrs Main: The hon. Gentleman is pre-empting my speech; I will deal with special educational needs because they are of great concern.

If the Minister meets headteachers in Coventry or in my constituency, they may well tell him that the reality is that the current budget is not enough. Sian Kilpatrick of Bernards Heath Junior School told me that recently she wrote to parents to explain the financial squeeze that her school faces. Mrs Kilpatrick compiled a helpful list of all the additional things that she has to allocate funding to in order to keep her school running—I will not go through them all, but I am happy to share the list with the Minister. The things she outlined include:

outdoor vital risk assessments, legal human resources advice, general maintenance costs and staff insurance payments. Those are just some of the additional costs that schools have to find money for. On top of that, she had to pay £8,000 to get her trees pruned.

John Howell (Henley) (Con): Surely one of the problems is that different campaign groups, and indeed the Department for Education, use headline figures that vary from organisation to organisation. In working together to achieve a solution to the problem, it is not particularly helpful for words such as “deceptive” and “dishonest” to be used by one campaign against another or against the Department. Does my hon. Friend agree that there should be a much firmer grip on the use of language by the campaign groups?

Mrs Main: I cannot comment on the campaign groups; I am commenting on what the headteachers in St Albans said, and no one used the words “deceptive” or “dishonest.” The purpose of my being here today is to ensure that there is a degree of clarity about where the funding goes. The headline is that we are putting more into schools—and we are—but the reality on the ground is that teachers face undue pressures. I want to highlight that. I cannot accept anyone’s use of inappropriate language—that is not fair on either side of the argument. We must be respectful of the pressures faced by the schools and by the Minister.

Jim Shannon (Strangford) (DUP): The Northern Ireland Affairs Committee, of which I am a member, will meet in half an hour to discuss education issues in Northern Ireland—to be fair, they are not the Minister’s responsibility. In Northern Ireland, teachers, schools and boards of governors have to decide whether to pay for a teacher or to increase class sizes, thereby affecting the quality of education. Are those the sorts of decisions being made in the hon. Lady constituency, as they are in mine?

Mrs Main: My teachers did not exactly raise class sizes, although it was covered in the round that that was a problem. They raised the problem of not being able to refurbish toilets, pay for much-needed decoration or replace outdated PCs in their IT suites.

I am sure that the Minister will agree that the picture varies, but the signs indicate that schools are not benefiting universally, as we would wish them to, from the new funding formula. Many schools I have spoken to have reiterated that the national funding formula must cover the funding needed for schools, not just the pupil-led aspect. Pupils and parents expect those schools to be fit for purpose as well as to provide lessons. We must address the concerns raised by teachers; we must not hide behind any basic facts of a rise in per-pupil funding. We must look at this issue in the round.

The Minister said that he is in listening mode. I hope that the Government will look carefully at parents’ requests to direct money to special educational needs, as the hon. Member for Coventry South (Mr Cunningham) outlined. The Department for Education reports that we have upwards of 1 million pupils with special educational needs in our school—a number that has risen significantly in recent years and is 14% of school pupils. I welcome the news that the Government have committed to improve funding for SEN pupils and that a further £1 billion has been put into this fund since 2013. Those are good things, but we must look at whether they are sufficient.

Tim Farron (Westmorland and Lonsdale) (LD): I congratulate the hon. Lady on securing this important debate. There is an anomaly that schools that accept pupils from poorer backgrounds are rewarded and encouraged by the pupil premium that those schools attract for taking those children, but for children with additional or special needs the first 11 hours of the education, health and care plans are funded by the local school, which often places a financial burden on it. There is therefore a disincentive for schools to take on children from those backgrounds who have additional special needs.

Mrs Main: I completely agree. I will touch on that issue later in my speech. Links Academy in St Albans says that it is mopping up the very pupils that the hon. Gentleman says are being cold shouldered or refused positions elsewhere.

The National Association of Head Teachers carried out a survey on SEN funding, and a mere 2% of those surveyed said that the top-up funding received was sufficient to meet the growing needs of SEN pupils. That was recognised by both teachers and parents in St Albans. Inevitably, that will have an impact on the way that schools look after SEN pupils. Department for Education figures say we have 2,800 fewer teaching assistants and 2,600 fewer support staff in our schools. That puts even more pressure on teachers and can be especially challenging for teachers dealing with SEN pupils. The increased amount of money paid to some of those who are lower paid and work as assistants or support staff was welcome, but it puts an additional pressure on school resources. We welcome the additional funds for people paid lower wages but we must recognise the true impact.

To return to the remarks of the hon. Member for Westmorland and Lonsdale (Tim Farron), I have been in contact with David Allen, headmaster of Links Academy, which I recently visited, and he welcomes pupils with special needs. He described his despair at the rising number of SEN pupils being permanently excluded from mainstream schools. In fact, I was due to meet him there on Thursday with parents and the SEN group, but as soon as the SEN group heard that I was coming, it said it would pull out. Unfortunately, I have had to pull out in order to ensure a fair hearing for the pupil in that school. I was concerned to hear that SEN children are regularly subjected to bullying at school and have resorted to either drugs or knife crime as a result—that is anecdotal and not in my schools in St Albans, but the teacher has backed that up.

Lilian Greenwood (Nottingham South) (Lab): The hon. Lady is making some very important points on behalf of pupils with special educational needs. The Department for Education's statistics show that at the start of this year 4,500 pupils with a statutory right to special educational needs support were not in school at all; they were awaiting a suitable place, and a lot of them were being home schooled because they could not get a place. That is only the tip of the iceberg, because those are only the pupils with a special education need statement or an education, health and care plan. The actual number of young people with special educational needs who are not in school is even higher.

Mrs Main: I completely accept the picture that the hon. Lady paints. If we are here to do anything, it is to try to move forward consensually—education is not a hot potato that we can repeatedly pick up and drop. She mentioned statementing for children with special educational needs. Parents tell me that there is sometimes reluctance to statement a child because of the extra resources that should automatically be associated with that. We must look into that, too.

Instead of stepping in and helping SEN children, some mainstream schools permanently exclude pupils, as the hon. Member for Westmorland and Lonsdale mentioned, and academies such as Links in my constituency pick up the pieces. As a result of funding pressures, mainstream schools do not always have the staff or resources to care for those children. I have heard parents say that when they contact a mainstream school that has places—this is what the hon. Member for Nottingham South (Lilian Greenwood) referred to—but inform it that their child has a special educational need, they suddenly find that the place is no longer available. That is a primary concern for teachers, and I hope that the Minister will set out his plans to secure and correctly direct SEN teaching resources, which are absolutely needed.

Layla Moran (Oxford West and Abingdon) (LD): Has the hon. Lady heard from her local schools, as I have, that one of the barriers to getting a statement in the first place is the severe underfunding of child and adolescent mental health services? It is necessary to go through CAMHS to secure an EHCP. The referral time used to be six months, which frankly is a long time in a young child's life, but in Oxfordshire it now averages two years.

Mrs Main: If the hon. Lady secured a debate on CAMHS, I would attend it. I can testify that many parents in my constituency experience issues with CAMHS.

Staff and staffing costs are under severe pressure. Schools cite increased staffing costs, and the amount of their budget that those costs take up, as their main concern. WorthLess? surveyed headteachers as part of its fairer funding campaign and found that 60% had had to reduce their staff by one or more to balance their budget. That goes back to the pressures I mentioned.

Sandringham School in my constituency, which hosted the public meeting I attended—it was quite a rocky meeting, but I said I would bring back people's concerns—explained to me its issues with staff pay rises, national insurance and pension contributions, and teacher recruitment shortfalls. Many schools across the country are grappling with those four key issues. In an area such as mine, where house prices and the cost of living are very high, wages sometimes just cannot keep up so that teachers are able to live in the constituency and work in its schools.

Mr Ranil Jayawardena (North East Hampshire) (Con): I congratulate my hon. Friend on securing this important debate. Although I welcome the extra £3.5 million per annum for North East Hampshire's schools as a result of funding adjustments, there is still a big divergence in per-pupil funding across the country. That is entirely in line with her point about the cost of staffing, which has no relationship with per-pupil funding, given the high

cost of living in Hampshire and elsewhere. Does she agree that it is important that future funding formulas take proper account of the cost of living?

Mrs Main: As a former teacher, I know that there are teachers who argue vociferously for universal pay standards across the country and dispute the need for pay to reflect local house prices and so on. That is a debate for another day. However, teachers in my area say—this is awful, but I accept it—that when a valued, top-of-the-range headteacher or head of department goes, there can be a small, collective sigh of relief in the budget department because that means the school can take on a younger, less experienced teacher on a lower pay scale and the budget suddenly becomes a little looser.

It is demoralising for a school not to be able to reward and keep high-value staff because it simply does not have the money to pay them. I am experiencing that cycle in St Albans, where staff are hard to retain. Although it is great to have bright young things—I was one of those once—coming through the door, with all the enthusiasm they bring to teaching, there is nothing like an experienced head of department.

There is widespread unhappiness about the handling of the recent teacher pay rise announcement. The key problem is that schools themselves have to fund the first 1% of that pay rise, which we so generously allocated them but did not provide additional funding to support them with. Declan Linnane, the head of Nichols Breakspear School in St Albans, told me that that 1% alone will cost his school £30,000—money it will have to find from yet further efficiency savings or another member of staff in already difficult times.

With rising national insurance contributions and an impending increase in employer pension contributions, schools are under huge pressure to find more savings at the cost of our pupils' education. Increasing staffing costs have a huge impact on schools' budgets. Removing the need for schools to fund the first 1% of pay increases themselves would be welcome. I wonder whether the Minister is in a generous mood and would like to make a grab on the Chancellor's Budget.

Schools are interested in the Government's proposal to create a central staffing database to reduce agency fees. Agency staff are a big issue for many schools, which often cannot retain staff and are obliged to use agency staff as cover, or run their staff so tightly that there is no slack in the system if a staff member goes ill, for example. I would be grateful if the Minister updated me on that database and when headteachers should expect it to be available.

The Institute for Fiscal Studies, which reported last month on education funding in England, found that per-pupil school spending has fallen by 8% in real terms since 2010. That must be considered alongside the fact that, according to the DFE's own figures, half a million more pupils are in our schools now than in 2010. The IFS also reported that school sixth forms have endured a 21% reduction in per-pupil spending since 2011, and it estimates that by 2019-20 spending per sixth-form pupil will be lower than at any point since 2002.

Those are worrying statistics, which address many of the real concerns of teachers and parents in St Albans. We must aim for funding that meets the needs of schools across the country—as my hon. Friend the Member

for North East Hampshire (Mr Jayawardena) said, certain parts of the country are really struggling—and allows them to deliver excellent teaching that inspires pupils to succeed in life.

Worryingly, we have also heard reports of schools having to use the pupil premium to fund their core budget. A recent poll of headteachers found that 70% had dipped into the pupil premium to prop up their core budget. That is borne out in St Albans, where we are aware that happens. It should be of real concern that a fund designed to help students from the most disadvantaged families has to be used for overall school spending. That cannot be right.

Schools are also concerned about their lack of ability to plan their finances. With the NFF being introduced over a number of years and uncertainty about how it will affect individual schools, headteachers are unwilling to commit to long-term planning. That was reflected in a poll of headteachers, which found that 90% feel the NFF has given them no long-term financial certainty and has resulted in no "meaningful financial planning" being carried out beyond year 1.

I do not just take things at face value. Trading statistics is never good, as I said at the public meeting I mentioned. I believe in listening to what teachers say, and they say they are struggling to do long-term planning under the current system. They need longer-term certainty about their budgets.

Tim Farron: Does the hon. Lady agree that the problem with long-term planning and wriggle room in budgets is even greater for smaller schools? In constituencies such as mine there are lots of very small, very good schools of 30 children or even fewer. If a large school has a bad period in which it has an issue with leadership, a poor Ofsted report or whatever, it can absorb the effect of getting fewer pupils as a consequence and still be able to plan ahead. However, that could be curtains for a small school, which would mean a community losing its school for good.

Mrs Main: I do not have experience of that, but I recognise the picture the hon. Gentleman paints. It is vital that we address those concerns about funding.

The UK tax burden is at a 50-year high, so the Minister will be pleased to hear that I do not propose additional tax rises. We are at the limit of how much tax we can reasonably ask ordinary people to pay. Working families have felt the squeeze since 2010 as the Government have tried to tackle the enormous financial burden we found ourselves with. It is good that we have made progress. Far be it from me to tell the Chancellor how to do his job, but the Budget is looming, so I am going to put my thoughts on the record. I am certain that the Government can find the money if we prioritise our spending appropriately.

We had a manifesto commitment—the hon. Member for Westmorland and Lonsdale will probably profoundly disagree with me about this—to scrap universal free school meals for reception, year 1 and year 2 pupils, but it was dropped. That was misguided. I and some of the teachers who were at the meeting I mentioned think we should have investigated that further. Thankfully, in St Albans only around 6% of pupils are entitled to free school meals. In Hertfordshire overall that figure is about 8%. Perversely, that means we subsidise between

[Mrs Main]

90% and 94% of parents in Hertfordshire who could pay for their own children to be fed. Just as I do not want budgets that should be used for pupils at the poorest margin to be taken away, I do not want wealthier parents to be cross-subsidised when they do not need it. Such largesse is costing my local authority £6 million, and it is money that should be spent on teaching. I would rather St Albans pupils received a universal quality of teaching than that those with more affluent parents should receive a gratuitous free lunch they are not entitled to.

I am a great supporter of the good aid projects that have been carried out around the world, but, again, it seems crazy to me that we ring-fence huge sums of money for foreign aid when vital public services such as the education budget lack funding. The aid budget should be under the same scrutiny and pressures as other Departments' budgets. We are effectively shovelling money out the door to meet an arbitrary target set in law. That misplaced policy should be brought before the House so we can decide whether to look at that ring-fencing.

I hope that the Minister will listen carefully to the issues raised in the debate, including some of the experiences recounted by teachers and parents. There is a funding problem in schools and it does not seem right that more and more schools have to go cap in hand to parents for even the most basic of provisions, such as textbooks. Alan Gray started the public meeting I attended by asking "What price education?" He did not ask the price for pruning trees, painting the classrooms or replacing some broken paving slabs, but the price of education. Of course it is entirely reasonable for parents to be asked for contributions for bonus offerings such as trips, but when they are asked to contribute for vital reading materials, the central funding formula needs to be addressed.

Teachers in my constituency do not tell me that the NFF is bad policy; they want it to be funded correctly. The aim of ending the so-called postcode lottery for school funding under the NFF is sensible, but the lack of overall funding means that it is difficult to deliver. I look forward to hearing the Minister's response, and I hope to see some movement on the issue in the Budget. We must answer the call: what price do we put on our children's education?

Mr Clive Betts (in the Chair): Six hon. Members want to speak in the debate, and we have to start the winding-up speeches at 20 minutes to 11. That gives us about 50 minutes, so Members have about eight minutes each, maximum.

9.52 am

Gareth Thomas (Harrow West) (Lab/Co-op): It is a pleasure to follow the hon. Member for St Albans (Mrs Main), who I congratulate on securing the debate. For the first 19 minutes of her speech she sounded as if she was reading a Labour party brief, and I was about to get out a membership form to pass across to her. It was just the last two minutes that spoiled it slightly, and I am afraid as a result I cannot pass the form across after all. I certainly recognise her analysis of some of the problems that affect our schools' finances.

I am the only London Member present, so if Members will forgive me, I shall dwell predominantly, parochially, on my own borough and mention at least one issue that affects London schools in particular. The one thing missing from the analysis given by the hon. Member for St Albans—if I may gently chide her—was consideration of the impact of cuts in general local authority funding. As a result of those cuts, most of the support that used to be available from local authorities to help schools in difficult circumstances is no longer there. Schools have had to find their own solutions—some with considerable success and others with less. That is part of the backdrop that we need to consider.

I am privileged to represent schools that, according to independent analysis by the Education Policy Institute, are in the borough that provides the best education in the country—from starting school to leaving school. The increase in achievement is, apparently, best in Harrow, according to the institute. I give particular credit to the teachers, parents and leadership of my borough's schools, and as a former teacher I recognise the huge contribution to the country that teachers and other professionals in schools make. I want to highlight the pressures that schools in my constituency face. I should acknowledge the generous offer of the Minister for School Standards, who is responding to the debate, to receive a delegation of headteachers from Harrow. We are in the process of organising that. I hope to persuade him not only to meet the delegation but to come to Harrow to see one or two schools in my constituency that face particularly challenging circumstances.

The average annual cost implication of the financial pressures on schools in my constituency—for the current 12 months, compared with the previous 12 months—is more than £203,000 for a secondary school and more than £70,000 of additional net costs for a primary school. That comes from the increase in non-teaching pay awards, non-teaching pensions, the apprenticeship levy, the estimated likely increase in teaching pay awards and other aspects of the incremental costs that come with teachers' pay rises. It does not include any increase in the cost of pensions. There are pay pressures as the result of rises in utility costs and there is reduced income, in particular for primary schools, which are experiencing annual reductions, related to pupils in receipt of pupil premium grant, of on average £10,000. I have described average pressures, with an assumption that average school budgets are cash flat, but in Harrow some 25% of schools that are currently protected by the minimum funding guarantee expect to lose roughly 1.5% of their pupil budget per annum, as a result of the way that the minimum funding guarantee works. That could equate to a cash reduction of a further £20,000 to £30,000 per annum.

For a primary school, losing £70,000 a year equates on average to the cost of one to two teachers. For a secondary school, an average loss of £200,000 is the equivalent of four teachers. As the hon. Lady said, school headteachers and governors are trying to find ways to protect the experienced teachers who add the most value to a child's education, but experienced teachers who go are often replaced by a newly qualified teacher. Many of those are, as the hon. Lady said she once was, bright young things. They are enthusiastic and skilled and have a huge contribution to make, but they do not have the same experience, and that is a significant

problem. Alternatively, teaching assistants can be lost, as is happening in my constituency. That has a particular impact on those with special educational needs, and there is a knock-on effect on other young people in those classes.

The hon. Lady rightly dwelt on the funding crisis for special educational needs. There has been some helpful media coverage of that, of late. I understand that roughly half of London boroughs face significant shortfalls in funding. They are overspending on SEN budgets, such as has been the growth in the pressures. That is partly caused by some helpful changes in connection with the conclusion of the SEN funding review, leading to an increase in the number of post-16 and post-19 SEN children deemed eligible for funding, as well as general demographic growth and the fact that the formula for SEN is currently based on historical data on children aged five to 15, and does not reflect the post-19 inclusion.

Another particularly helpful aspect of the hon. Lady's speech was the reference to sixth form provision. There has been an 8% real-terms cut for every school, as concluded by the Institute for Fiscal Studies, but the 21% cut affecting sixth forms is a particular pressure for St Dominic's Sixth Form College in my constituency. While I hope that there will be a general funding increase for education, I hope that Ministers will look particularly at sixth forms in that respect.

Lastly, I ask the Minister to come to Grange Farm or Norbury Primary Schools in my constituency. Their headteachers are remarkable individuals who are hugely passionate and determined to do what they can for their children. Nevertheless, given the housing crisis in London, the number of pupils who move on a regular basis, and the scale of the diversity challenge, financial pressures are adding to the general problems facing those schools, and I would be keen to host the Minister on a visit to Harrow to improve his education on the school funding crisis.

10 am

Tim Loughton (East Worthing and Shoreham) (Con): I pay tribute to my hon. Friend the Member for St Albans (Mrs Main) for securing this important debate, but there is a sense of *déjà vu*. Over the past few years I have participated in many debates in Westminster Hall and the main Chamber on school funding, and two years ago there was a debate specifically on school funding in West Sussex, which is what I will concentrate on today. As my hon. Friend said, progress has been made with the new funding formula, but for many of us that is just work in progress. It was a move in the right direction, but it has not yet reached the destination of genuinely fair funding.

West Sussex was able to secure an additional £29.8 million funding as part of the £1.3 billion that the Government added last year, but that must be seen in the context of pupil numbers that are up substantially and the funding pressures coming down the line, such as teachers' pay, national insurance and the other points raised by my hon. Friend. We will all plead the case for our own areas, but West Sussex has consistently been at the bottom of the table. We were the second to lowest funded local authority in the country, and with the additional money we have now gone to being the eighth lowest funded per unit for primary schools, and the sixth lowest for secondary funding. We have gone

from being at the bottom of the lowest decile to nearer the top of the lowest decile. There is still a long way to go, as the Minister will be only too aware, given that he, too, represents a West Sussex constituency.

There is great confusion about what has happened to funding in real terms. Many figures have been bandied around, with banners outside schools saying that West Sussex has lost x millions of pounds. Because of the funding formula and the complications of how the deprivation, prior attainment and rural sparsity factors work, we need greater clarity on exactly what we are getting and where the money is going.

Layla Moran: Does the hon. Gentleman agree that no one on the frontline is arguing that more money is coming into the coffers of local schools?

Tim Loughton: Everybody is arguing that more money is coming into the coffers of local schools—that is plainly a fact. It is a question of how many pupils that money has to be spread across, increasing pressures on that funding, and what is left over to fund the basic education of children. It is no good saying that less money is going into schools; it is not. It is just not enough, given all those other factors.

In West Sussex we have the cumulative effect over many years of consistently being right at the bottom of the heap, so that all those savings have been used up years ago and many of my schools are running on empty. Despite that, many schools in my constituency are doing an outstanding job, such as Eastbrook Primary Academy in Southwick, St Nicolas and St Mary Primary in Shoreham, Shoreham Academy, Sompting Village School in Sompting, and Vale School in Worthing, to name just a few schools that have been consistently outstanding and good, despite all those factors. They are a mix of academies, faith schools and local authority schools—I give preference to no particular type of school, and indeed we have no free schools in my constituency. As has been said, there is a particular problem with special needs schools that are not covered by the new fair funding formula, although the numbers of pupils coming forward with severe educational needs has increased. Fantastic schools such as Herons Dale School in Shoreham are suffering huge pressures, and we are seeing the effect on pupils.

I want to concentrate on real examples, not just talk in the round. Last year I invited every head of every school in my constituency to a couple of roundtables to tell me exactly what was going on in their schools—it was not about fears of what might happen, but about what was going on and how they set their budgets there and then. This year I repeated that exercise with the chairs of governors from all schools in my constituency. As a result of those findings, I wrote a lengthy letter to the Education Secretary—I have just had a reply from the Minister—in which I gave real life examples.

There were many common factors, and in the consultation on the fair funding formula, 9% of 25,222 responses that the Department for Education received came from West Sussex. That hugely disproportionate figure shows how important this issue is in our part of the world. Common issues were that staffing costs, in some cases, were 90% of a school's budget. Some years ago they would typically have been nearer 80%, and beyond that figure it becomes unsustainable

[Tim Loughton]

for many schools. There have been many redundancies and fewer working hours, and non-returning maternity leave cases are commonplace. Senior leadership teams are covering classes to remove the need for supply teachers, and extracurricular activities and trips are being culled due to cost. Infrastructure investment and development is being delayed or ruled out completely.

Let me give a few examples from schools. One medium-sized primary school has reduced teaching assistant support by more than 200 hours and has not replaced its inclusion co-ordinator. It is unable to replace ageing and antiquated IT equipment. A junior school now has a deficit of £40,000, and will require an additional £220,000 for salaries over the next few years. Class sizes are typically 32 or 33 since 113 more pupils came into the school, yet there was an equivalent increase in full-time teachers of 0.8%. Schools are not losing funds because they are losing pupils; they are attracting pupils and yet they do not have the funds to get the teaching cover they need. The professional development budget was between £3,000 and £5,000, but it is now zero. The extended curriculum budget was around £20,000, but it is now £500. The learning resources budget was £120,000, and is now £35,000. There will be a deficit, and in that school 87% of expenditure is on staff salaries and overtime.

In a medium-sized primary school, non-qualified teachers such as high-level teaching assistants are being used to cover classes so that the school cuts the cost of supply staff, and numerous cuts to teaching assistant posts are creating greater workloads for teachers. Schools are unable to pay overtime. Counselling levels have fallen due to cutbacks, and that will be a soft target for further cuts in future. That is a particularly big worry to me because it will create greater pressures on those pupils who require greater attention and resources. They will then fall further behind at school, and they will not get the opportunity to make that time up if we do not deal with the issue soon. In too many cases the waiting list for counselling in school or beyond is many months, and during that time a condition can fester. I have many more practical examples. That is not scaremongering; this is going on now, and this is how governors and heads have to set their budgets to effect those constraints.

What can we do? I have three suggestions. First, the Minister absolutely must lobby as part of the comprehensive spending review and say that the shortfall in funding is a false economy in the extreme. Secondly, it was disappointing that the full teachers' pay was not covered centrally—just the additional pay over that 1%, and there have been questions about some teachers not getting that full coverage over the 1%. Finally, I suggest that West Sussex, and other coastal areas where there are particular problems of deprivation and high costs, should have something like a coastal communities challenge fund, just as the London Challenge fund in 2003 addressed some of the difficulties in places where affluent areas mask areas of real deprivation, such as those found typically on the south coast, the Kent coast and other parts of the country. I ask the Government to look seriously at addressing the serious deficit in parts of the country such as West Sussex, because we are feeling the effects of it now.

10.9 am

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I congratulate the hon. Member for St Albans (Mrs Main) on securing this timely debate.

For some years, school funding in Devon has been a growing concern, expressed on a cross-party basis. My area in the far south-west is a true representation of the wider picture in Devon of not getting our fair share of resources. Last Friday I held my monthly "Politics and Pastries" roundtable, where I fed pastries to some of our hard-working headteachers and got information out of them about the state of education in Plymouth. They listed as their top concerns the pressure on finances, the lack of support for mental health and the urgent need to fund the Plymouth Challenge.

As the proud son of a teacher, I know how hard teachers work. Each of them is full of love for their profession, their students and the subjects they teach, but it is fair to say that at the moment our education system is being held together by good will. I thank Plymouth's teachers, teaching assistants, support staff, other professionals and volunteers for all they do, but all too often their spark is being put out. Too many are left frustrated and demoralised by the double whammy of a lack of support and an increase in pressure to do more with less.

My argument today is a simple one: every child matters. All children, whether from the north, the south, the east or the west, from London or Plymouth, should be valued equally and have a fair slice of the funding cake. That children in one part of the country should be valued the same as those in another is surely a principle that we can all agree on, but schools across Plymouth have suffered consistent underfunding, especially since 2010. Plymouth has one of the lowest education spends per head in the United Kingdom. Each of our children, on average, is valued £415 less than a child in a London postcode, and £300 less than the national average. A Plymouth child is not worth any less than any other child anywhere else in the country, and the value for their education should reflect that and not treat them as being worth less.

Cuts have consequences; the shortfall has had a damaging impact on students in Plymouth, who continue to fall behind the national average in academic performance. That is not because our teachers are not working hard enough, but simply because the resources are not there to give those children the educational excellence they deserve under fair funding. Plymouth schools face a vicious circle of cuts and increased costs that worsen existing conditions. Class sizes have increased and the numbers of teachers and teaching assistants have decreased. It is worth remembering that some of the poorest and most vulnerable students in our communities are increasingly in the most underfunded schools.

The contrast is clear when we compare Plymouth with London. In the capital, nine out of 10 children go to a good or outstanding school, while in Plymouth only five in 10 children do so. If every child matters, why is it that children in the far south-west are worth less than those in other parts of the country? Why are schoolkids in Plymouth not being given a fair chance to succeed?

I have three simple asks for the Minister, to help our teachers and to stop our children falling behind. First, I would like him to consider reviewing and removing the

3% maximum gains cap that is part of the national funding formula. One of the key principles of the national funding formula consultation was that pupils with similar characteristics should attract similar levels of funding wherever they are in the country. That is a good thing, but the maximum gains cap prevents schools that have been underfunded for many years from receiving their fair share of their current funding entitlement.

To give an example, under the new funding formula, Plymouth is due to gain £10.6 million, but the maximum gains cap means that in practice schools in Plymouth will receive less than half that amount, £4.7 million, in 2018-19 and £8.7 million in 2019-20—less than they should be getting under the funding formula because of the gains cap. Even with that additional funding formula, Plymouth will continue to receive considerably less than the national average, so I would be grateful if the Minister reviewed whether the gains cap is appropriate for where we are and whether it could be flexed or removed to give places such as Plymouth that have received lower levels of funding a chance to catch up.

Secondly, I would be grateful if the Minister looked again at funding for mental health support for our schools. It has been mentioned a number of times, but wrap-around support for young people is especially important if they are to achieve their full potential. Plymouth schools are currently sharing a three-year mental health funding deal, but that money runs out this year and headteachers have told me there is no money to replace that funding when it expires. We know that mental health concerns are rising among our young people, with a combination of increasing pressure, social media, bullying and, sadly, for far too many of our children, the additional pressure of caring responsibilities as young carers. Mental health funding is not only an essential part of educational support, but vital if they are to achieve their potential.

Our teachers are brilliant, but they cannot also be mental health workers and professionals. We have seen cuts to mental health provision for young people in primaries, especially with the Plymouth Excellence Cluster—a body that pooled mental health funding for schools—losing its funding earlier this year. The three-year funding deal for secondaries is now due to expire. That cannot be right, and I would be grateful if the Minister gave urgent consideration to providing support, especially for young people who are receiving support at the moment and may lose it if money cannot be found within school budgets to replace that provision.

Finally, I ask the Minister to support the Plymouth Challenge. As the hon. Member for East Worthing and Shoreham (Tim Loughton) mentioned, the challenge opportunities are incredible for coastal communities that have lost out on funding. Plymouth, unfortunately, was not deemed to be one of the Government's opportunity areas, and so missed out on the social mobility package of funding that was recently announced, but Plymouth City Council, working with the Plymouth Education Board in partnership with the regional schools commissioner and officials at the Department for Education, has come up with the Plymouth Challenge, which aims to work with schools in Plymouth and the far south-west to raise standards, promoting leadership and aspiration.

There have been successful challenges right across the country, most notably in London but also elsewhere. In each case, standards and teaching quality have been

driven up by considerable and focused investment of time, energy and money in our teachers and schools. In Plymouth we have the will and the passion, but we lack the funding and the time to make that work. There must be deep learning for our teachers—not simply one hour swapped out of a classroom for a quick update on skills, but deep learning, so our teachers and teaching assistants can receive the benefit of the latest in teaching quality initiatives—and the children who would otherwise have been taught by those teachers must have a high-quality replacement, ensuring that their education does not suffer because their teacher is being given additional training.

Plymouth City Council estimates that it requires between £900,000 and £1.3 million to implement the first phase of the scheme. It is supported by schools across the city, and I would be grateful if the Minister looked positively at the Plymouth Challenge and agreed to meet a cross-party delegation of teachers and political representatives from Plymouth at both national and local level, to look at how the DFE can support Plymouth in funding the Plymouth Challenge and ensuring that we can support our own teachers to do the best they can.

Those are three small asks for the Minister, but they would make a huge difference to Plymouth kids and their schools. Plymouth is unique, due to the diversity of our education provision; we have a school of every kind that every Government since 1945 ever thought of. It is not the range of schools that is the problem, but the lack of funding, and I would be grateful if the Minister met us to discuss that.

10.17 am

Gillian Keegan (Chichester) (Con): I congratulate my hon. Friend the Member for St Albans (Mrs Main) on securing this debate, which is vital for most children in our country.

Every child deserves an equal opportunity to get on in life, with the same access to high-quality education as their peers, wherever they are in the country. I am proud that Chichester exceeds the national average for attainment at key stage 4 and A-level, as a result of the hard work and dedication of teachers from early years through to secondary schooling.

Spending on our children's education has never been higher and the new national funding formula is a welcome step toward rebalancing some of the disparities in the old system, where there were over 100 different models across the country. As my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) said, however, West Sussex historically suffers from being one of the lowest funded authorities. It is currently the sixth lowest recipient of secondary school funding in the country, and eighth lowest for primary school funding.

I am pleased that under the new funding formula, Chichester schools are to receive an additional £1.2 million in baseline funding for 2018-19—a welcome step toward ensuring that our schools are given the resources they need to help and support every pupil. However, speaking to teachers across my constituency, there is concern that the positive impact of the increased funding will not be felt in the classroom, simply because operating costs in the form of salaries, pensions and apprenticeship levies, to name but a few elements, have increased. All the additional moneys are being used to service those additional costs.

[Gillian Keegan]

There is much innovation across the sector to reduce expenditure and share costs. One example is executive headships. A headteacher's salary is one of the largest costs faced by schools, particularly small rural primaries, such as those in my constituency. Last term, two rural schools came under the leadership of one head, ultimately saving money. Those schools are just a 10-minute drive from each other, so the arrangement works. The headteacher now divides his time between the sites and is doing a brilliant job of improving Rogate Primary School, just as he did with Rake Primary School. The money saved will go towards additional resources to aid the children's educational experiences. Of course, such a move comes with strains, particularly because of the close relationships that teachers and staff form with parents and pupils in small villages such as Rake and Rogate. It takes time to build those, and I pay tribute to the commitment shown by headteacher David Bertwistle in that venture.

Rural schools play a vital role in their communities—perhaps even more so than in larger, urban centres. They are the centre of a community and are often the frontline in offering social and mental health support to pupils and their families. The reduction of base funding from £150,000 to £110,000 leaves a £40,000 hole in the budgets of small rural primary schools that cannot easily be filled with additional pupils. Additional pupils will come within a natural catchment area, and schools are not in control of those numbers. It is important that the Government funding formula understands the additional pressures facing rural schools and ensures that the level of funding for which they are eligible through the sparsity grant reflects the uniqueness of their place in our communities.

The number of pupils with special educational needs in West Sussex is well above the national average, with 13.5% of all pupils recorded as needing SEN support, compared with the national average of 11.6%. The number of referrals for education, health and care plans has risen by 43% over the past three years. Although those plans are a much-needed device to ensure that children with special educational needs are given personalised support, we must ensure that the Government are equally adaptable when it comes to tailoring the new higher needs formula to authorities with very high numbers of pupils with special needs.

Let me give an example. I have a constituent who is fighting for her daughter to attend a specialist school equipped to provide the 24-hour care that she needs that is halfway across the country, as she fears that the SEN provision in West Sussex is just not adequate. We need investment in the right provision in West Sussex. No parent should ever feel that their child's education is worth less than that of others. It is vital that every child has the opportunity to enjoy a high-quality education. It is a one-off shot in most cases and has a massive impact on life chances.

I do understand that the formula is designed to provide more resources for areas with higher levels of deprivation and lower prior attainment. I recently visited schools in Knowsley, where I went to school, and I know that the extra funds are essential to those schools, where 70% of the children are on free school meals and almost half the children are looked after by foster parents or grandparents. Those schools face additional challenges in terms of attracting and retaining the best

teachers, but there are additional needs in West Sussex, too. The challenges of rural primary schools and pupil numbers and the unanticipated rise in special educational needs are putting severe pressure on some school budgets. Of course more is being spent on education than ever, but we have increased costs, higher numbers of pupils and more children getting the support they need for their special educational needs.

School standards have been transformed. When I go into my local schools, I am constantly struck by how much better the provision is now than when I went to school, but we should expect the best. We are living in an increasingly competitive world—one that is global and without borders. Providing our children with the best education that we can is vital to their future.

Mr Clive Betts (in the Chair): I thank all hon. Members for their co-operation so far. There is eight minutes each for the two remaining Back-Bench speakers; the winding-up speeches will start at 20 minutes to 11.

10.23 am

Layla Moran (Oxford West and Abingdon) (LD): Here we are again, talking about school funding. It feels to me, as education spokesperson for my party, that it is all I have had a chance to speak about since being elected and taking this post. There is more to a school than just its funding. The problem is that the funding crisis started badly and, over the past two years in particular, it has got worse and worse, to the point that it is now the top concern of both parents and teachers when they contact me. It used to be other things, such as Ofsted and exams, when people were focusing on the curriculum. The debate about school funding has meant that the life has been sucked out of the broader debate and the vision that we should have for education in this country.

As many people here know, I used to be a teacher, but I continue to be a governor of a local school, Botley Primary School. That is important so that I can see with my own eyes the funding pressures on schools. I absolutely agree with the examples given by the hon. Member for East Worthing and Shoreham (Tim Loughton) and thank him for his helpful contribution to today's debate. The point is that these are not theoretical cuts, which could happen. We sometimes look at the headline figures and forget the effect that they have on the frontline. I also very much thank the hon. Member for St Albans (Mrs Main) for securing this important debate. Although sometimes it feels as though we are in "Groundhog Day", the most important thing we can ever do is provide a good education for the next generation in this country.

I would like to talk about numbers. As many people know, I was a maths teacher, and I have to say that I was disappointed—to use a teacher's phrase—when it was uncovered that the Government's claim that we are spending the third highest amount on education of any country in the OECD was pulled up by the UK Statistics Authority as not true, because the number included contributions by private schools and student loans. When the Government talk about how much "we" spend, any ordinary person outside the House—our constituents—would think that they are talking about public spending, and that it does not include money spent on top of that by those parents who want to send their children to private schools.

When I toured the schools in my constituency during the recess, as I am sure many other hon. Members did, the private schools themselves were appalled that they were being used in that way, because there is solidarity among members of the teaching profession, whether in private or state schools. The feeling was that the numbers were being conflated in that way to hide the fact that the UK is not third but 14th, which is rather different. The UK Statistics Authority therefore expressed its serious concerns, and it was also disappointing that the Secretary of State wrote to us all essentially to defend the claim.

The issue was about not just those numbers, but numbers about reading attainment. The statistic that more children than ever go to good or outstanding schools is not the full picture either, because it does not quite take into account the inflation in the numbers of students—the population increase—or the fact that, as we explored in the Public Accounts Committee, large numbers of outstanding schools have not been inspected for the best part of 10 years, so whether they continue to be outstanding is up for debate.

Sir David Norgrove, chair of the UKSA, went on to say:

“I am sure you”—

this was to the Department—

“share my concerns that instances such as these do not help to promote trust and confidence in official data, and indeed risk undermining them.”

Therefore, my first ask of the Minister today is simply this: can he give this guarantee about official statistics from now on? I appreciate that the Government want to put a positive spin on what is—let us face it—a very difficult time for teachers and headteachers, but can he at least say that any further statistics coming out of the Department will be in line with the code of practice set by the UK Statistics Authority? I ask that because without the actual numbers, without us all knowing what we are talking about, it is very hard to have a proper debate. This should be a cross-party debate; a child's life in education will span several colours of Government, so it is important that we get the figures right.

As other hon. Members have said, there are many reasons for the current situation. It is an equation: money in versus money out. The money out, which ends up on the frontline of teaching, is less than it ought to be. In fact, when we take into account inflation, rising student numbers, national insurance contributions, the apprenticeship levy and so on, the estimate is that we are £2.8 billion behind where we should be, given all those extra burdens, compared with 2015.

We are seeing examples of all this in our schools. Let me give the example from my constituency of Thameside Primary School, which services one of the most deprived areas in the country—they exist in Oxford West and Abingdon, too, even though that is not always obvious. These schools are not now using their pupil premium money to do things such as fund trips. They try to do that, but actually what they are doing now is employing link workers to help families to access basic benefits. They do not update the books in their library, because they cannot. Meanwhile, local authority cuts have meant that mobile libraries no longer bring the new books to the children of the school. They have had to cut forest school. I do not know whether other hon. Members

have forest school in their constituencies, but it is incredibly important and I wish I had had it in my school. At Thameside Primary School they have had to cut it completely. In other schools in my constituency they have reduced the hours, because they do not have enough members of staff to service it.

The Conservative manifesto said that £4 billion would be put into schools by 2022. How close are we to achieving that manifesto commitment? I would get behind it—let us all get together and put extra money into schools. The former Secretary of State attributed £1.3 billion to the education budget. In the Public Accounts Committee we have been asking the Department where that money will come from, and we are yet to get an answer for about half of it. It was all to come from within the existing budget and through the cancellations of some programmes, but at the time of questioning about half of it was still unaccounted for, so I ask the Minister: where will that money come from?

There are broader consequences to this lack of funding for our schools, particularly the paring down of the curriculum. We now have schools that no longer offer the full range of modern foreign languages and creative subjects. Those students who—God forbid—do not love maths and science, which was the case even in my classroom, need the full range of opportunities to succeed. The unfortunate fact is that in the current state of affairs schools are paring down what they are able to offer and providing fewer opportunities for students to get on. I ask the Minister: is education a funding priority for this Government? What has he asked the Chancellor to give to education in the Budget? Can he give a commitment, genuinely, that every school in this country will be able to offer the full-range curriculum, which we want all children to have access to?

10.32 am

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate the hon. Member for St Albans (Mrs Main) on securing this timely debate.

This is not a boast I want to make, but when I came into this place York was the seventh worst funded authority, and today it is the very worst funded authority. We have exchanged places in the league tables. That is why I am speaking in this debate. Some 18 out of 23 primary schools and two thirds of secondary schools in my constituency have had their funding cut. Like most MPs, I meet with my schools on a regular basis. The crisis in funding has come to the fore. I want the Minister to take away the point that when schools are struggling, the outcomes of those schools are affected.

York has one of the biggest attainment gaps in the country, particularly around early years, and we have seen severe cuts to our primary schools. We are therefore seeing a significant minority underachieving by 10%. The Minister needs to focus on those figures, which correlate with funding.

Lilian Greenwood: My hon. Friend is quite right to draw attention to what is happening in primary and secondary schools, but does she share my concern that sixth forms have been hardest hit? I was shocked by the Institute for Fiscal Studies submission to the Education Committee on school and college funding, which found

[Lilian Greenwood]

that per-pupil funding in post-16 education will be the same in real terms in 2019-20 as it was 30 years ago. Does that not show that the Government are failing to address the needs of young people in the future?

Rachael Maskell: My hon. Friend raises an important point. I meet with colleges in my constituency, which are absolutely on their knees with regard to funding. We know that this is an issue right across the education system. It has a real impact on outcomes, which is what I want to focus on.

While our schools have excellent outcomes, in the areas in my constituency where the cuts have been the greatest in real terms, the attainment is the worst. We can easily see the correlation between money and outcomes. If we make those cuts, we must expect those children to be short-changed, perhaps for the rest of their lives.

We are also seeing a change in class sizes. York has the second biggest increase in the teacher-classroom ratio in its primary schools and the fourth biggest fall in staffing numbers in primary schools, with 20 teachers leaving between 2014 and 2017—that has an impact. We have seen the biggest increase in class sizes in secondary schools across the country—the relevant figure is 2.9, with the next biggest being 1.8. In secondary schools, York has the joint biggest teacher-classroom ratio. Pupil numbers are increasing. I know at least one school in my constituency that is really struggling and does not know how it will accommodate its children next year.

We have also experienced a real turnover of teaching staff, as hon. Members have mentioned. Experienced teachers are leaving and being replaced. In one school around 60 teachers have moved and newly qualified teachers have been brought in. That has an impact on the experience of staff and therefore on the teaching of students. We are also seeing the impact on vital support staff. When the pay increase was announced, schools had to find the resource to pay their support staff, which resulted in many having to leave. We must focus on them as well.

The excellent head teacher of Millthorpe School in my constituency, Trevor Burton, had to write to parents to inform them of the reality and what they can expect. The school is unfunded by £169,000, for four years of 1% pay increases, £56,000 for increased employer pension contributions, £78,000 for national insurance, and £21,000 for the apprenticeship levy. The school's expenditure has increased by £324,000. The school had an 8% real-terms cut, but it received increased funding of only 3.6%, so it has had a 4.4% cut. Of course, that has had a real impact on children through increasing class sizes, cutting events, doing without teacher posts, stopping all year 10 and 11 vocational courses—as we just heard, that has a real impact on children—and not replacing staff when they leave. On top of that, the school, like many others, has had maintenance issues. It has had to spend £900,000 on double glazing in classrooms, to keep them warm and dry, and to replace school roofs in the dining hall, sports hall, gym, language lab and one of the classrooms.

Tang Hall Primary School also faces the pressure of maintaining its building—a matter I have raised since being elected. The school, which has had one of the

largest cuts in the constituency, was top of the Building Schools for the Future list to have a new school built. However, that programme was cut, and the school is still struggling and desperately needs a new building. The school is so cold, because it is such an old building, that they have had to change the school uniform so that the children can wear hoodies to school. It is a disgrace that in 2018, after eight years, they are still waiting for their new school. Children cannot study when they are cold. This has an impact on children throughout their time at the school. The head teacher has pleaded for a new school.

Westfield Primary Community School, in perhaps the most deprived area of my constituency, has had the largest cut in my constituency. How can that be the case when children and families desperately need the support? The school does extraordinary work in the face of such cuts. That needs to be looked at, because we are failing some of the most needy children in our communities.

My final point is about budgets and where we need to go.

Mr Clive Betts (in the Chair): Can you wind up?

Rachael Maskell: Yes. I have talked about buildings and attainment, and I concur with all hon. Members about mental health support, which we desperately need. Ultimately, however, schools just need to have funds.

Mr Clive Betts (in the Chair): There are 10 minutes remaining for each of the Front-Bench speakers. If they could give up 20 or 25 seconds of that to allow Anne Main to respond, that would be appreciated.

10.40 am

Mike Kane (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate the hon. Member for St Albans (Mrs Main) on securing this timely debate a few days before the Budget. She has stood up for schools in Hertfordshire, which have faced and are facing a £33-million cut since 2015. She is right to defend the schools in her constituency. While reading out the parliamentary Labour party brief, as my hon. Friend the Member for Harrow West (Gareth Thomas) pointed out, she also alluded to the disingenuousness of the statistics that have come from the Department. That was also alluded to by the hon. Member for Oxford West and Abingdon (Layla Moran).

The Department is fast becoming the ministry for dodgy stats. We have heard that we have the third highest spend in the OECD, which was knocked back because it included private school fees and other items. We have heard that there is more new money for our schools, which was knocked back by the Office for National Statistics. We have also heard that 1.9 million children are in good or outstanding schools. I am desperate to see whether the Minister repeats that, because it was pulled up by the UK Statistics Authority. The Minister must have forgotten to tell the Prime Minister that though, because she repeated the stat in Prime Minister's questions. We have heard that the Government will fully fund the pay rise—another dodgy stat for teachers up and down our country.

Lilian Greenwood: Does my hon. Friend agree that the Government's disingenuous attempts to override the statistics are failing, because parents, pupils and teachers know precisely what is happening? That is why I welcomed children and parents from SOS East Midlands to Parliament a fortnight ago. They know that 82 out of 84 schools in Nottingham city face cuts, including every single school in my constituency, they know that their children's schools are losing an average of £296 per pupil, and they say that that is not good enough. It has to be addressed in the forthcoming Budget.

Mike Kane: My hon. Friend articulates the point for Nottingham city brilliantly, as my hon. Friend the Member for York Central (Rachael Maskell) did for York, where 32 schools are facing cuts.

The hon. Member for St Albans also talked about special educational needs and disability—SEND—which is vital. Last year alone, 20,000 children were off-rolled because of it. She talked about a school in her constituency, the Links Academy, which takes in many off-rolled children, but we lost 20,000 to the system. My hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) highlighted that problem with regard to mental health too—we do not know where 10,000 of those children are in the system. In an age when we have criminal child exploitation going through the roof and the running of county lines, the school system does not know where 10,000 children are.

The Institute for Fiscal Studies has stated that the stats that we have heard used are simply not accurate, and the UK Statistics Authority has rebuked the Education Secretary for his inaccuracy. The figures quoted by Education Ministers attempting to defend their pitiful record on state school funding included money spent by parents on private school fees. There has been a concerted effort by the Secretary of State and the Minister to fudge the figures and deflect attention away from the cuts to school funding that they have presided over.

Let us assess the facts. Some £2.8 billion has been cut from school budgets since 2015, and we will find out in a couple of weeks that that will be a lot more. That means that 91% of schools are facing real-terms budget cuts per pupil. For the average primary school, that will be a loss of about £50,000 a year. For the average secondary school, it will be a loss of about £178,000 a year. But those figures are based on last year's data. When can we expect the Department to release the schools block funding data for 2018-19? With the inclusion of those figures, it is likely that the outlook for our schools will be even bleaker.

Perhaps the Minister will try to deflect the House's attention away from the reality of the impact of his Government's cuts to school funding again, but hon. Members already know the impact on the ground all too well, as headteachers and parents are telling us about it. It is right that we are well represented by the hon. Members from West Sussex, the hon. Members for East Worthing and Shoreham (Tim Loughton) and for Chichester (Gillian Keegan). The hon. Member for East Worthing and Shoreham said that schools are x millions of pounds down in that borough in his constituency. I have the statistic: they are £8.9 million down based on last year's data. It will be interesting to see what next year's data will be when the Minister releases the block funding grants. The Minister's own schools are threatening a four-day week because of the funding cuts.

We know that the £1.3 billion of additional funding announced by the Secretary of State is nowhere near enough to reverse the £2.8 billion that has been cut since 2015. We also know that none of the money announced so far is actually new money for education. While I, of course, support the principle that all schools should receive fair funding, the answer is not to take money away from existing schools and redistribute it. A fair approach would be to apply the lessons of the best-performing areas in the country to schools everywhere. A fair approach would look objectively at the level of funding required to deliver in the best-performing schools, particularly in areas of high deprivation, as my hon. Friend the Member for York Central pointed out, and use that as the basis for a formula to be applied across the whole country.

The F40 group, which includes my constituency of Trafford, has told us that school funding requires an injection of £2 billion to meet the needs of all schools, and that an early indication is that the shortfall for 2019-20 will be £3.8 billion. Schools need to see plans for the funding formula beyond 2020. They need a three to four-year rolling budget settlement so that they can plan for the future with confidence, and any settlement should take into account inflation, the cost of living increases and the wage and national insurance increases that have been pointed out by several hon. Members.

When will the Secretary of State and the Minister remove their heads from the sand and begin to truly hear the voices of schools, teachers, parents and Back Benchers from across the country? If that does not happen soon, our children's education in St Albans, Harrow, Plymouth, York and West Sussex will continue to lose out.

10.47 am

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Betts. We all admired your agility in mental maths at the beginning of the debate.

Mr Clive Betts (in the Chair): A good education.

Nick Gibb: I am sure that that is the case.

I congratulate my hon. Friend the Member for St Albans (Mrs Main) on securing this important debate. It is always interesting to follow a Labour spokesman talking about school funding. It was the Labour Government who left the coalition Government with a record public sector deficit of £150 billion, which is equal to 10% of GDP—on the brink of collapse—an economy in recession and high unemployment. We have reduced that deficit to under 3%, we have the lowest level of unemployment since the 1970s and we have halved youth unemployment to record low levels. The hon. Member for Wythenshawe and Sale East (Mike Kane) should be more careful when he talks about public finances.

This debate is timely, given the looming Budget next week. I am sure that everybody has listened carefully to my hon. Friend the Member for St Albans and other hon. Members who have spoken. We are determined to create an education system that offers opportunity to everyone, no matter what their circumstances or where they live. That is why we have delivered on our promise to reform the unfair, opaque and outdated school funding system by introducing the national funding formula for schools, which previous Governments had shied away from doing, including the previous Labour Government.

[Nick Gibb]

The introduction of the national funding formula means that this year, for the first time, funding was distributed to local authorities based on the individual needs and characteristics of every school in the country. This historic reform is the biggest improvement to school funding for a decade and it is directing resources to where they are needed most.

This Government want to ensure that all children receive a world-class education, and we have made significant progress. More schools than ever before are rated good or outstanding; 86% of schools are now rated good or outstanding, compared with—

Mike Kane: Will the Minister give way?

Nick Gibb: I will not give way.

That figure compares with 66%, which is what we inherited from the previous Government. The attainment gap is beginning to close and we have launched 12 opportunity areas to drive improvement in parts of the country that we know can do better. Children's reading ability is also improving. We have risen from joint tenth in the reading ability of nine-year-olds to joint eighth in PIRLS, the progress in international reading literacy study.

However, we have made those achievements against a backdrop of inheriting an unfair method of distributing funding, which has hindered and not helped progress. Across the country, schools with similar pupil characteristics used to receive markedly different levels of funding for no good reason, meaning that the right resources did not reach the schools that needed them most. That is why it is so important that we have delivered on our promise to reform the unfair school and high-needs funding systems and introduced a national funding formula.

Schools are already benefiting from the gains delivered by the national funding formula. The formula has allocated an increase for every pupil in every school this year, with increases of up to 3% for underfunded schools. Next year, those schools that have been historically underfunded will attract increases of up to 6% more per pupil compared with 2017-18, as we continue to address historic injustices.

The constituency of my hon. Friend the Member for St Albans will attract gains of 2.5% per pupil under the formula next year compared with 2017-18, which is an extra £3.1 million for schools in St Albans when rising pupil numbers are taken into account. Of course, how that money is allocated will depend on the local authority. Special needs funding in Hertfordshire will rise by £4.4 million this year, rising to some £107.9 million.

I listened very carefully to the hon. Member for Harrow West (Gareth Thomas), and of course I would be delighted to accompany him on a visit to schools in his constituency and to meet headteachers.

My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) has attended many of these debates on school funding, as he pointed out, and made calls for a fairer funding system. He has been successful in that respect; he should acknowledge his own success in putting the case for schools in West Sussex, because they have seen an increase in the funding allocated to them. How it is allocated on a school-by-school basis

will depend on West Sussex, but the funding that it has received for schools in my hon. Friend's constituency for 2019-20 has risen by 5.5% compared with 2017-18.

My hon. Friend and constituency neighbour the Member for Chichester (Gillian Keegan) was right to point to improving standards in her constituency and she was also right to refer to special needs funding, which I will come to. Under the national funding formula, the amounts allocated to schools in her constituency will rise by 3.4% in 2019-20 compared with 2017-18.

I was interested to hear about the "Politics and Pastries" roundtable that the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) held. I would love to have been there; nevertheless, I would be delighted to meet headteachers from his constituency at some point very soon. Pupils in Plymouth will be funded on the same basis as in the rest of the country, despite what he said, under the national funding formula. That is the whole purpose of the national funding formula: based on the same needs, those pupils will receive the same amount. The hon. Gentleman referred to the gains cap, which ensures that changes in funding can be smoothed over the years under the national funding formula. Approximately 75% of schools that gain under the national funding formula—those that were historically underfunded—will be fully on their national funding formula figure by 2019-20.

The hon. Member for York Central (Rachael Maskell) raised the issue of York's position in the national league tables of school funding, but I should point out to her that the amount allocated to schools in her constituency will rise by 5.4% in 2019-20, compared with the baseline of 2017-18. We have made a significant—

Mike Kane: Will the Minister give way?

Nick Gibb: No, I will not give way, because I am running out of time.

Mike Kane *rose*—

Mr Clive Betts (in the Chair): Order. The Minister is not giving way.

Nick Gibb: We have made a significant investment in our schools by providing an additional £1.3 billion across this year and next, which is over and above the funding confirmed in the 2015 spending review. The additional money means that core funding for schools and high needs will rise from almost £41 billion in 2017-18 to £42.4 billion this year, and to £43.5 billion in 2019-20. As the independent Institute for Fiscal Studies has confirmed, funding for five to 16-year-olds will be maintained in real terms per pupil across this year and next year. The IFS has also pointed out that by 2020 real-terms per pupil funding will be some 70% higher than it was in 1990 and 50% higher than it was in 2000.

Of course we recognise that we are asking schools to do more and that schools are facing cost pressures. That is why the Department is providing extensive support to schools to reduce cost pressures. We have recently launched "Supporting excellent school resource management", a document that provides schools with practical advice on savings that can be made on the £10 billion of non-staffing expenditure in schools. It summarises the support the Department is offering to help schools to get the best value from their resources, including things

such as buying equipment more cheaply and the new teacher supply agency framework, which ensures that fees paid by schools to agencies are transparent and that people are aware of what they are signing up to.

Another issue that was raised was, of course, high needs. We are firmly committed to supporting children with special educational needs and disabilities to reach their full potential. That is why we have reformed the funding for these children by introducing a high-needs national funding formula. We have invested an extra £1 billion in funding for children with high needs since 2013 and next year we will provide local authorities in England with over £6 billion in high needs funding, which is up from just under £5 billion in 2013. We recognise the challenges that local authorities face with their high needs budgets, which is why we have provided them with support to deliver the best value from their high needs funding. We are also monitoring our national funding formula for high needs and keeping the overall level of funding under review.

The issue of teachers' pay and pensions was also raised. We have responded to the recommendation made by the school teachers' review body to confirm the 2018 pay award for teachers, which will see a substantial 3.5% uplift for the main pay range, a 2% uplift for the upper pay range and a 1.5% uplift for the leadership pay range. That will ensure that schools are supported to continue to attract high-quality staff members and retain them.

Gareth Thomas: Will the Minister give way?

Nick Gibb: I will not give way, because of time.

We are funding the teachers' pay award above the 1% that schools will already have budgeted for, by providing a teachers' pay grant worth £187 million in 2018-19 and £321 million in 2019-20. This funding will be over and above the funding that schools receive through the national funding formula.

I want to give time to my hon. Friend the Member for St Albans to respond briefly to the debate, so I will conclude by thanking all Members who have contributed

to this important debate. It is a key priority for this Government to ensure that every child receives a world-class education, to enable them to reach their full potential. I believe that the significant extra investment that we are making in our schools—both revenue and capital, and distributed more fairly through the national funding formula—will help us to achieve that.

10.58 am

Mrs Main: I thank all hon. and right hon. Members who have taken part in this debate. Let me tell that the Minister that I am going to mark my own homework. I will give myself four out of 10, because I have obviously not managed to convey the level of frustration that my teachers have been experiencing. The statistics are all fabulous and wonderful, but there is a reason why I am no good at maths, because they actually do not mean a lot to me. To me, they mean that there is a great effort on behalf of this Government to do the right thing from current underfunding, but the reality is that teachers on the ground face huge pressures, and we have got to look into this.

My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) said that teachers are running on empty, and he is not alone. I did not refer to attainments in St Albans because I know that we do very well. However, as a former teacher, I recognise that there is value added that does not always show too well in attainment charts. Nevertheless, teachers have put in a lot of effort to bring pupils from a very low base up to a higher base, and we cannot just say that because pupils have been achieving, funding is therefore not needed. That is not the case. All schools and all teachers should have the resources they need. I will keep pressing on this issue, because this is something that we need to take forward collaboratively, because otherwise we would be letting down the children of the future. So I am sorry to say that I will put my dunce's cap on and say that I could not persuade the Minister today.

Motion lapsed (Standing Order no. 10(6)).

Asylum Seekers: Right to Work

11 am

Dame Caroline Spelman (Meriden) (Con): I beg to move,

That this House has considered asylum seekers' right to work.

It is a pleasure to serve under your chairmanship, Mr Betts. I am grateful that this debate has been granted. I am also grateful to those right hon. and hon. Members who have spoken to me about this important issue and those who have been able to join us today.

Throughout my time as a Member of Parliament, my constituency has been a dispersal area for asylum seekers, so I have seen both models—allowing asylum seekers to work and not allowing them to do so—under Governments of different political persuasions. However, since 2002, regulations have slowly changed, and now most people seeking asylum are completely unable to work. Until 2002, people seeking asylum in the United Kingdom could apply for permission to work if they had been waiting six months or more for an initial decision on their asylum claim. In July 2002, that provision was withdrawn, except in exceptional cases.

In February 2005, there was a further change: a new immigration rule was introduced to allow people seeking asylum to apply for permission to work in the UK if they had been waiting over 12 months for an initial decision on their asylum claim. Most recently, in 2010, the right to work after 12 months was extended to those who had made further submissions on their claim. At the same time, however, the right to work was restricted to jobs on the shortage occupation list, which is a restricted list that includes nuclear medical practitioners—or, in parlance that the rest of us might understand, radiographers—and classical ballet dancers.

The Home Office's target for decisions on asylum cases is six months. In the most recent immigration statistics, released in the second quarter of this year, the number of main applicants waiting over six months for a decision on their asylum claim increased. For main applicants and dependents, 48% of people waiting for an initial decision had been waiting for over six months.

Mr Jim Cunningham (Coventry South) (Lab): The right hon. Lady's constituency is next to mine, so I fully understand some of the problems that she is raising, and I agree that we need to have a good look at them. A large number of asylum seekers have some very good qualifications, but cannot get the right to work, and some of them have young families to take care of. That drives them into destitution, to say the least. The Home Office now has to look at the asylum process and speed it up but, more importantly, try to give those people work where they can.

Dame Caroline Spelman: The hon. Gentleman is indeed my next-door neighbour in the west midlands, where we have enjoyed an incredible economic boom since the downturn in 2008. A number of businesses are short of skilled labour, which is one of the things that has held our region back, yet asylum seekers waiting for an initial decision have the kind of skills that our industries so desperately need. As a west midlands MP, I find it difficult to ignore that fact.

Jim Shannon (Strangford) (DUP): I thank the right hon. Lady for raising this important issue. The Government have been able to allocate some Syrian families to Newtownards, the major town of in my constituency. In conjunction with local community groups and local churches, we have come together to find those people accommodation and get their children into school, but also enable some access to English language classes, which will enable them to apply for jobs. With all the good will that clearly exists, with Government allocating asylum seekers locations to be housed in and the local community coming together to help, does the right hon. Lady feel that there is a need to do something with English language classes—not a voluntary group, which is the way it is being done in Newtownards, but something separate from Government? Those classes enable asylum seekers to get jobs.

Dame Caroline Spelman: As a linguist, the issue of English language learning for refugees and asylum seekers is close to my heart. If people cannot speak the language of the country that they are in, it is difficult for them to work there, so that learning is indispensable. Like the hon. Gentleman, I have had Syrian families dispersed to my constituency, and I was delighted to discover at a fringe meeting at Conservative party conference that one young Syrian lady had managed to get employment with Starbucks. A number of employers in this country go out of their way to provide job opportunities for asylum seekers, but he is absolutely right that being able to speak the language is a prerequisite.

Rachael Maskell (York Central) (Lab/Co-op): I am grateful that the right hon. Lady has secured this important debate. In my surgeries, I have had a City banker who is now completely destitute, with no recourse to public funds, and somebody who works in the hospitality sector, at a time when we desperately need hospitality workers and care workers. Is it not right that these people should, first of all, be able to work, but that they should at least receive some resources to be able to feed their families?

Dame Caroline Spelman: As I will illustrate shortly with some case studies, being able to work transforms the situation of asylum seekers. It hugely helps their mental health, because they can integrate better, and they contribute to our economy, which is a positive for the host nation.

Waiting indefinitely for the determination of a claim can have serious effects on mental wellbeing. I have seen that all too often in my constituency, because it is a dispersal area. I have seen young men in particular who are very depressed and isolated, and even suicidal at times. I put myself in their shoes: if I had to live on £5.39 a day, struggling to support a family while feeling that my talents, my education, and everything I had learned was wasted, I would feel really down. Sadly, in those moments of isolation, I would be focused on the reasons I had left my country of origin, and some of the terrors that had caused me to flee my home. I have seen far too many asylum seekers in my surgery who have been depressed by their experience, and enabling them to work would, I think, be transformational.

On the positive side, I will share the experience of some of my constituents who managed to get work. I remember well a group of Iraqi Kurdish asylum seekers who managed to get work in a food factory. While it

was not a particularly pleasant job, the men were happy. They were only earning the minimum wage, but even that filled them with pride. It meant that they were no longer completely reliant on the state, and while they were out working in that food factory they had a sense of community, both within their Kurdish community and the wider community working in that factory.

Another example from my constituency—one I am never going to forget—is the very long drawn-out battle that I had to solve the asylum claim of a lady from the Congo, who fled after her husband was executed in front of her. It took me eight years to solve that case, and not surprisingly, she was deeply depressed. Many was the weekend after my surgery when I lay awake at night, worrying about this woman and her very young child. You can imagine how I felt when I arrived at my surgery, opened the door, and saw this young woman with a smile from ear to ear and a little thank-you card for me, as her right to remain had been granted. Already, she was working as a care assistant in a local care home, contributing to our economy. I am never going to forget that as long as I live.

Even the opportunity to volunteer can break the cycle of depression and hopelessness. A gentleman called Godfrey arrived in the UK from Uganda and spent a considerable amount of time in the asylum system, and was not allowed to work. During that time he volunteered for several organisations, including the British Red Cross, and attended employability training with the support organisation Restore. In recent years, he has been employed, first in the care sector and then in housing support. His experiences in the asylum system have made him passionate about helping others who, in his view, are worse off than him. Inability to work, Godfrey argues, can lead to problems of isolation among people seeking asylum, including mental health issues, diabetes, blood pressure problems, stress, and the depression I have referred to. Worse, he has known friends forced into poverty and made vulnerable to abuse and manipulation, such as through gangs, prostitution and drug trafficking. There are countless human examples demonstrating the capacity of work to aid integration and promote good mental health among those seeking asylum. It is a good thing.

Paul Blomfield (Sheffield Central) (Lab): On the right hon. Lady's point about positive integration, is she encouraged by the poll that British Future did, which indicated that 71% of the British public support the right to work as a means towards integration?

Dame Caroline Spelman: I was just coming on to the more recent research showing changing social attitudes. I very much support the research by the Lift the Ban coalition, which suggests that the current system is wasteful as it fails to harness the skills and talents of often well-educated individuals. Some 94% of people seeking asylum want to work. Some 74% have secondary-level education or higher and 37% have a degree, which is comparable with the UK population, where 42% of people have a degree. The United Nations High Commissioner for Refugees has also recognised the gap, saying that allowing asylum seekers in the UK greater access to the labour markets would not only increase individuals' self-reliance but avoid the loss of skills. Abilities and skills need to be used if they are not to become rusty or obsolete.

Allowing asylum seekers to work could save public money as well as provide an economic boost. Lift the Ban estimates that if 50% of the people waiting six months for a decision on their initial asylum application were able to work full time on the national average wage, the Government would receive an extra £31.6 million a year from their tax and national insurance contributions. Moving them off subsistence support but retaining support for accommodation would save the public purse £10.8 million a year. The total net gain would be much as £42.4 million.

Among European countries, the UK prescribes the lengthiest restrictions before people seeking asylum are given the right to work. In that regard, we are something of an international outlier. In comparable countries, people are largely given the opportunity to support themselves sooner. For example, the USA, Spain and the Netherlands all allow work after six months, Germany and Switzerland allow work after three months, and Canada allows asylum seekers to work on day one. In the UK, however, asylum seekers must wait a minimum of 12 months before they are given the right to work. I ask the Government to review that.

There is an indication of a wider shift in public opinion, as the hon. Member for Sheffield Central (Paul Blomfield) pointed out. There is a letter in today's *Daily Telegraph* from 16 religious community leaders who have signed an open letter commending the efforts of Lift the Ban and calling for the right to work to be restored after asylum seekers have waited six months for a decision. As the hon. Gentleman said, polling undertaken this year shows that when asked, 71% of people agree with the following statement: "When people come to the UK seeking asylum it is important they integrate, learn English and get to know people. It would help integration if asylum seekers were allowed to work if their claim takes more than six months."

Given public support for such a change and that in these times of near full employment we are short of workers in key areas, surely we can now look at asylum seekers' right to work more holistically and in a way that better respects their human dignity. I thank my right hon. Friend the Minister for attending the debate today, and I look forward to hearing whether the Government will consider allowing people seeking asylum and their adult dependents the right to work, unconstrained by the shortage occupation list.

11.13 am

The Minister for Immigration (Caroline Nokes): I did wonder whether the hon. Member for Bristol West (Thangam Debbonaire) was going to contribute. I am not sure whether she had indicated as such to you, Mr Betts.

Thangam Debbonaire (Bristol West) (Lab): First, I want to apologise. I was not just at the Macmillan coffee morning; I was the host. I was giving a speech, and it was a very difficult one to cut short. I apologise. I will not take up the Minister's time further.

Caroline Nokes: Thank you. That at least clears that up. I very much appreciate the words of wisdom I have heard on many occasions from the hon. Lady and my right hon. Friend the Member for Meriden (Dame Caroline Spelman), who secured the debate. I absolutely

[*Caroline Nokes*]

recognise that the rights of asylum seekers and refugees are an important issue to them. It is a subject on which they have spoken many times in this House, with much knowledge and erudition.

This debate on access to work for those claiming asylum is important. We can see that, for a 30-minute debate, it has provoked a lot of interest from the House. Members may well want to intervene, and I will certainly be happy to take interventions, but I particularly want to thank the Lift the Ban coalition for its recent report, which was sent to me. It raised a number of important points.

Members will know that the UK has a proud history of providing protection to those who need it. This Government are committed to delivering a fair and humane asylum system. We are tackling the delays in decision making to ensure that most asylum seekers receive a decision within six months. In the year ending June 2018, we granted protection or other forms of leave to more than 14,000 people, and we are increasing integration support for all refugees to help them rebuild their lives here and realise their potential.

I am sure Members share my appreciation for the excellent work that all agencies do to help and protect these very vulnerable people, but our protection does not end there. All those claiming asylum are provided with accommodation and support to meet their essential living needs if they would otherwise be destitute. The hon. Member for York Central (Rachael Maskell) raised that issue. They are entitled to full access to healthcare and, for those under 18, access to full-time education. Those recognised as refugees, including those resettled here, have immediate and unrestricted access to work and other services that can support their integration.

As might be expected from a former Minister at the Department for Work and Pensions, I certainly recognise the importance of work when it comes to physical and mental wellbeing, building a wider sense of contribution to our society and community integration.

David Linden (Glasgow East) (SNP): The Minister knows that I have a lot of respect for her, but given that the Government rightly put a lot of emphasis on tackling loneliness—there are all sorts of strategies about that—surely she can understand that one way of tackling loneliness for asylum seekers would be allowing them to work.

Caroline Nokes: The hon. Gentleman makes an interesting and important point. When I was at the DWP, I was often to be found saying that work was good not only for people's financial wellbeing, but for their emotional and physical wellbeing. We know that children will have better outcomes if their parents are in work.

I am oft to be heard talking about finding better routes into work for our refugee populations. I absolutely recognise that we have a great deal of work to do in that respect, because the employment outcomes for refugees are way below the general population, and way below where we would want them to be, notwithstanding the fact that we know that many people who come here, particularly under the vulnerable persons resettlement scheme, have specific challenges, which may be about

long-term sickness or having large families or children with disabilities. We in this place and in this Chamber will all know that we have established many of our networks, relationships and friendships through our colleagues and through being at work. It is important that we find successful routes in.

I am referencing refugee communities in particular, but it is not lost on me that I receive many representations from right hon. and hon. Members, from the non-governmental organisation community and from individual asylum seekers whom I have had the opportunity and privilege to meet. They, too, would like the opportunity to be able to make a contribution and establish the same levels of networks and friendships that we all do through work.

I am listening carefully to the complex arguments about permitting asylum seekers to work, and I will of course consider further evidence that comes forward. As many Members will know, and as my right hon. Friend the Member for Meriden rehearsed, the Government's current policy is to grant those seeking asylum in the UK permission to work where their claim, through no fault of their own, has not been decided after 12 months. Those allowed to work are limited to jobs on the shortage occupation list, which is based on expert advice from the Migration Advisory Committee. My right hon. Friend made her point absolutely perfectly by referring to ballet dancers.

The policy aims to protect the resident labour market and ensure that any employment meets our needs for skilled labour. Members will know that the shortage occupation list is currently under review. All asylum seekers can make a valuable contribution to their local communities by undertaking volunteering activities. My right hon. Friend referenced the event she hosted recently alongside Refugee Action. We heard about the experiences of a number of people who had been through the VPRS and the asylum system more generally. The point about language was made repeatedly.

I was most struck by a young lady who had come here on the vulnerable persons resettlement scheme. She had been in the country for only six months and she used what I regarded as a terrible term, which I utterly reject, when she said, "When I came here, I was useless." That really struck home because in no way was that young woman useless. Within six months she had got herself to such a level of English that she gave a word-perfect speech to a packed room at the Conservative party conference. That will not win many accolades from some Members here today, but conference is a tough gig. It is not always the easiest audience to speak to, but she did it beautifully. She said, "Six months ago I was useless, but now I am sitting here, working, and able to give a speech to you all." It was hugely impressive. We also heard from a gentleman called Godfrey—the same gentleman my right hon. Friend referenced in her speech—who spoke at length about how volunteering had enabled him to feel that he was making an important contribution and given him back a sense of self-worth.

The hon. Member for Strangford (Jim Shannon) spoke about how his community had wrapped its arms around Syrian families who had been resettled under VPRS. The work that we have done on community sponsorship, learnt from other countries such as Canada, has absolutely shown us that communities are willing to accept and welcome refugees into their midst. They are

often best placed to help and are incredibly supportive, providing a network that enables refugees to make friends they can turn to for support in times of crisis. I might sound like a stuck record, but also provided are those all-important routes into work, which we all recognise are important.

Afzal Khan (Manchester, Gorton) (Lab): Will the Minister give way?

Mr Clive Betts (in the Chair): Order. Hon. Members cannot intervene from the Front Bench.

Caroline Nokes: Oh. You have educated me, Mr Betts, but I will certainly be happy to take up any issues that the hon. Gentleman wishes to raise with me outside the Chamber.

Our position is also comparable and consistent with the immigration rules for non-EEA nationals wishing to come here and work in the UK, but that approach could be undermined if non-EEA nationals were able to bypass the rules by lodging unfounded asylum claims. It is an unfortunate reality that some migrants make such claims to stay in the UK, and it is reasonable to assume that they do so because of the benefits, real or perceived, that they think they will gain.

Currently, around half of those who seek asylum in the UK are found not to need international protection. Allowing earlier or unrestricted access to work risks undermining our asylum system by encouraging unfounded claims from those seeking employment opportunities for which they might not otherwise be eligible.

Thangam Debbonaire: May I clarify something with the Minister? When she gives figures on those refused asylum, do they take into account the numbers who, having been refused initially, will subsequently be granted asylum on appeal? It is those cases that I am particularly concerned about.

Caroline Nokes: I believe that is taken into account. The hon. Lady makes an important point, because I am conscious that—I will probably say something about this later—for both original applications and appeals, the system takes far too long. We know that throughout the appeal system many people bring forward additional information that, had we had the opportunity to consider it in the first place, would have led to a case being granted at the first opportunity. I am firmly of the view that we need to continue to do more not simply to speed up the processes, but to make sure that the decisions made are the right decisions in the first place, and we need mechanisms whereby people can bring forward additional information throughout the process. Also, the headquarters in Bootle is trialling a system where we sit asylum decision makers with both junior barristers and presenting officers so that they can better understand and learn what type of case is most likely to be granted at appeal so that cases can be granted earlier. They have a much better opportunity to learn from each other and to make sure that the right decisions are made in the first place.

I recognise that there is a significant debate about the evidence to demonstrate that policy changes made by Government act as a pull factor. I am not pretending for one moment that migration choices are not complex,

and I know that isolating the impact of individual policy changes is far from straightforward, but there is evidence that policies affect migrant behaviour. It is also reasonable to assume that economic incentive is at least one element in a range of factors that encourage people to choose to move to a particular destination after first reaching a safe country.

Paul Blomfield: I congratulate the Minister on what has been a thoughtful and helpful speech. Can she point us to the evidence about pull factors? The Home Office's own work on this issue indicates that the right to work is not a pull factor.

Caroline Nokes: I can point to evidence from Germany, where a change in policy saw a significant increase in the numbers arriving. Interestingly—the hon. Gentleman might be fascinated by this—that was a point that I removed from my speech. I am conscious that we are concerned about pull factors. We do not want anybody making risky or perilous journeys with the aim of an economic goal, as opposed to fleeing from persecution, but of course we recognise that they can be in a position where they cannot make a choice and have to make such a journey. I felt that the message given by that chunk of my speech was too harsh. We have a fantastic reputation in this country for being a safe haven for those in need, and I really want to build on that. However, I want to build on it through schemes such as VPRS, Mandate and Gateway. Various hon. Members here have heard me speak previously about ambitions to turn them into far more holistic and comprehensive schemes instead of what strikes me as a piecemeal approach.

Thangam Debbonaire: Will the Minister give way?

Caroline Nokes: I will give way, although I am conscious that I am running out of time.

Thangam Debbonaire: The Minister is being incredibly generous. On that point, I welcome her commitment to more holistic schemes. Does she therefore agree that if we want to prevent dangerous journeys, one of the best things we can do is honour the commitments we have made under the UN global compact on refugees and actually expand resettlement? Let us make it easier so that people do not feel forced to make dangerous journeys and let us encourage our allies and other countries to do the same.

Caroline Nokes: The hon. Lady is right that we need a whole-route approach. We have to look to where we can build stronger alliances, but I am also very clear that we must make sure that refugees claim asylum in the first safe country they reach. We know that in many cases that does not happen. We also know that in many cases—I referenced this earlier—refugees who have been granted status find it difficult to enter the job market, but that is for very understandable reasons. Rather than encourage further integration for those who might eventually not qualify for protection, our priority is focused on our efforts to support those who most need it.

We are taking action to support refugees to integrate and find employment as quickly as possible so that they can establish themselves and build lives here. The “Integrated Communities Strategy” Green Paper, published in March

[*Caroline Nokes*]

this year, underlined that commitment. It also set out the Government's priorities to focus on English language, employment, mental health and cultural orientation. When I was in Jordan during the summer recess, I was struck by the work going on there on cultural orientation for people who were yet to be resettled. There were interesting and fascinating discussions in the session that I was able to be part of, but what really struck me was the importance of doing more on that front. In many cases people who are eligible and accepted for resettlement will wait many months before they make the journey here. We should not miss the opportunity to make sure that their cultural orientation and language preparation is as good as it can be. The Syrian refugees who had some level of English were really keen to use it, practise it and have conversations, whereas others in the group clearly felt much more isolated because they did not have that opportunity.

We will publish our response to the consultation later this autumn. There is a great deal more to be said about integration and training and employment. One of my first visits as a Minister was to Bradford, where I visited the specialist training and employment programme, which was all about moving refugees into work and helping them build a CV, improve their English and then find the great employment opportunities that we know are out there, with companies such as Ben & Jerry's, with its ice academy, and Starbucks. Indeed, the STEP—skills, training and employment pathways—programme was working very closely with Tesco.

I have very few moments left, but I want to reassure Members that I am listening carefully to the argument. There is much merit in it. My right hon. Friend the Member for Meriden has certainly conveyed her views extremely clearly and well. The issue is multifaceted and complex. I look forward to further discussions with Members and NGO colleagues. I remain receptive to the views and evidence presented to me on the right to work. However, it is important that we recognise that there is a balance to be struck and that we make sure we make the right decisions.

Question put and agreed to.

11.30 am

Sitting suspended.

Poverty in Liverpool

[*MR GARY STREETER in the Chair*]

2.30 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op):
I beg to move,

That this House has considered poverty in Liverpool.

It is a pleasure to serve under your chairmanship, Mr Streeter. I am pleased to be joined by my hon. Friends who represent constituencies in Liverpool. Together we will speak up for the communities of our great city and bear witness to the terrible realities for too many of poverty in Liverpool. I know that sadly we will hear some heartbreaking stories of avoidable deprivation, unfair disadvantage and incredible resilience in the face of some insurmountable odds. I hope that the Minister will listen closely and pass on what he hears to his ministerial colleagues, not least because Monday's Budget will afford his Government an opportunity to put some things right.

I am very proud to call Liverpool my home. It is a vibrant, proud, creative and dynamic city. We are celebrating the 10th anniversary of Liverpool being the European capital of culture. Just last month the Giants came to Liverpool, attracting more than 1.3 million people from around the world to our streets. When we talk about poverty in Liverpool, we are talking about poverty in a hard-working, proud and resilient city. It is a global city that takes knocks and bounces with a smile and a joke. The ancestors of the people of Liverpool sailed the oceans to New York and Sydney and back again. They fled famine, and forged new lives on Liverpool's streets. They are the people—many still with us—who kept the docks working as bombs fell all around them, and ensured that Britain did not starve.

How dare some people do Liverpool down? I reflect on the comments—I have made him aware that I would mention him—of the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), who has accused the city of wallowing in victim status, and of having “an excessive predilection for welfarism”.

Let me be clear that Liverpool's people are not victims. Liverpool does not want welfare, and it certainly does not want charity. Liverpool wants jobs, homes, skills, investments and opportunities—and the people of Liverpool will do the rest. As the right hon. Gentleman's great hero Winston Churchill once said:

“Give us the tools, and we will finish the job.”

Liverpool's strength is its people: the entrepreneurs, writers, artists, actors, poets, musicians, designers, restaurateurs, architects and filmmakers who have carved out a place in world history, and our teachers, shop workers, careworkers, street cleaners, bus drivers and so many more whose hard work and grit give the city its beating heart and soul. However, Liverpool is also a city mired in poverty, which saps the ambitions of our young, mars the autumn days of the elderly, denies opportunities, and can fray the fabric of our city.

A couple who bought a house in the Picton ward of my constituency wrote to me just the other month, saying that they had witnessed something horrible. They wrote:

“As we walked up the street, I saw two boys who must have been around 10 years old. They were opening people's bins and seeing what they could find.”

The couple approached the children—it was 11 o'clock at night—and discovered that they had collected a discarded hoody and some half-empty bottles, including shampoo and shower gel. The couple wrote:

"This is not the Liverpool we know and has left us angry, outraged and very upset."

Those constituents of mine have a right to be angry. We should all be angry. Let me not mince my words, because poverty kills. Infant mortality is a key indicator of poverty in our country. In 2014, across England and Wales the death rate of babies under the age of one was six in every 1,000 births. In Liverpool, the figure was nine in every 1,000 births—50% higher. In Liverpool, the avoidable death rate from diseases such as cancer, heart disease, respiratory disease and diabetes is 326 people in 100,000; in the Chilterns, it is 138 per 100,000. Life expectancy is 10.1 years lower for men and 8.1 years lower for women in the most deprived areas of Liverpool compared with some of the least deprived.

Let me briefly set out some city-wide context. I am grateful to the always excellent Commons Library, and Liverpool City Council's policy team, for collating some of the facts that I will present. Liverpool is the fourth most deprived local authority in our country. Alongside Middlesbrough and Manchester, Liverpool is ranked joint most fuel poverty deprived local authority in England—that refers to people being unable to afford to keep their homes adequately heated, which is particularly relevant as we embark on the winter months.

Since 2012, Trussell Trust food banks in the city have fed 108,635 people, 36% of them children. Last year alone, more than 6,700 children had to rely on the generosity of our city's food banks, and in the same period Liverpool City Council has made more than 13,000 crisis payments to help people with the cost of food, fuel and clothing. That was a 6% increase on the previous year. In fact, the council spends £23 million a year dealing with a range of issues surrounding poverty and homelessness to try to prevent that poverty from turning into destitution.

Despite those enormous efforts, the Joseph Rowntree Foundation found that Liverpool was second in the city rankings on destitution. Let us be clear about what we mean when we talk about destitution, because it is the most extreme form of poverty. It means someone sleeping rough for more than a day, not eating properly for two days, being unable to heat or light their home for five days, going without proper clothes or toiletries, or receiving an income so low that those basic essentials will stay out of reach. That is the reality for too many. Sustained low income coupled with a financial shock were the most significant triggers for a plunge into destitution, against a backdrop of benefit, health and debt issues.

Liverpool was the first council in the country to carry out an assessment of the combined impact of the Government's changes to various welfare policies. It found that 3,400 households across the city with a long-term sick or disabled resident have been hit by the bedroom tax. It found that families with children have been hit the hardest by the combination of a freeze in child benefit, reductions in housing benefit rates in the private sector, the introduction of the bedroom tax, and the benefit cap—policies introduced by the coalition Government and continued under the current Administration. It found that young people aged 16

to 29 account for one in three applications for council emergency payments, that single private tenants aged 25 to 35 have seen a cut of around £34 a week in their housing benefit, and that women in our city account for 60% of those affected by a cut in council tax support, and 65% of those hit by the bedroom tax.

By 2020, £444 million will have been slashed from our council's central Government support since 2010. When adjusted for inflation, that equates to a cut of 64% of the council's overall budget over the last decade. Of course, times have been tough everywhere. Can we be accused of special pleading, or parading our poverty? No. Government policies have created more need, while at the same time Government cuts have made it harder to meet those needs. The Government have changed the funding formulae that once helped to support the most deprived cities such as Liverpool with historically high rates of poverty and low council tax bases.

Central Government support has been slashed and councils such as Liverpool have been told to make up the difference from business rates and council tax payers. However, we are unable to replace that funding with higher demands on our hard-pressed council tax payers and businesses, because such a high proportion of our properties are in the lowest band: council tax band A. In fact, council tax across the city raises just 11% of the council's annual spending on its vital services. If Liverpool had experienced the average cut for local authorities across the country from 2010 to 2020, our city would be more than £70 million better off. Instead, it is having to deliver services with 3,000 fewer staff.

According to End Child Poverty's analysis, 32,000 children are growing up in poverty across our city. In my constituency alone, 6,129 children—one in three—live in poverty. In one ward, Picton, more than half of children are growing up in poverty, while in nearby Kensington and Fairfield ward the figure is 45%. Figures from the Children's Society show that approximately 3,300 children in my constituency live in families who experience problem debt; I do not need to tell the Minister all the pressures and challenges that come with that. Across Liverpool, more than 17,000 children receive free school meals, and there are continuing concerns that during school holidays too many of them are going hungry.

I congratulate Liverpool City Council on ensuring that all our children's centres have stayed open despite Government cuts. Picton and Kensington children's centre has been working with the Granby Toxteth Development Trust to provide meals during the school holidays. It says:

"We are dealing with huge issues of food poverty, and as of September we have also built in after school play sessions with a meal included to tackle this."

I anticipate that hon. Friends will want to talk in more detail about how our amazing football fans are collecting every week for their city's food banks. They do not just sing "You'll Never Walk Alone"; they prove it with their generosity—and not just the Reds, but the Blues, too.

Not long after I was elected in 2012, I became the first Member to secure a debate about the food banks popping up across the country to patch the holes that the coalition Government's decimating policies had created in the safety net for those most in need. But let us pause for a moment and ask: why, in 2018, in one of the

[Luciana Berger]

richest countries in the world, do we have food banks at all? Why have more than a million people had to access emergency food aid on their own or their family's behalf in the past 12 months? That is an incredibly sorry state of affairs and we should all be ashamed of it.

Food banks stand as a testament to the generosity and decency of everyone across our country, but the citizens of Liverpool in particular. Like many hon. Friends, I have joined the biannual food collection co-ordinated by the Trussell Trust in local supermarkets. At a recent collection in Tesco, I was told that the people of Liverpool have been the most generous donors in the country. Whenever I have been involved in food collections, I have been struck by how many people stop and say, "This could be me one day—I know that I am just one weekly or monthly pay cheque away from being in that situation." It takes just one financial shock to affect a household's income, because so many are living literally from month to month.

Food banks also stand witness to the fact that Ministers are losing sight of their responsibility to protect the welfare of citizens in our country. Kensington and Fairfield ward in my constituency had the largest Trussell Trust food voucher count this year. In just two wards—Kensington and Fairfield, and Picton—more than 2,700 adults have been fed by food banks in the past year. Issuing food bank vouchers during my constituency surgeries and via my caseworker is a regular occurrence.

I am grateful to the *Liverpool Echo* for its campaigning work on poverty. An article quotes one of my local food bank volunteers, Kathleen Quayle:

"The foodbank gets busier as the weather changes. From about October, when it gets colder, people are having to choose between heating and food. A lot of the people who come are ill and hungry. They're exhausted...You can see it in their faces and that's a travesty in a society like ours."

I echo that sentiment. I have made several food bank visits, and I am sure that my hon. Friends will talk about similar experiences. It is just appalling to bear witness to people having to rely on emergency food aid, through no fault of their own.

We face the spectre of universal credit arriving in Liverpool this autumn. Just this weekend, the *Liverpool Echo* published a story about "James", who is originally from my constituency and now lives in another part of the city. He lost his job and was put on universal credit. He is just 31, but his experience was so traumatising that he considered suicide and his wife turned to sex work to bring some income into the family. With no money for three months and all their possessions sold, they were up to their eyes in short-term high-interest loans and left destitute and abandoned by our Government. That is happening now, not just in Liverpool but in other cities. It is absolutely appalling.

Maggie O'Carroll, who leads our local enterprise hub, says that more than 425 businesses have been established by unemployed people and nurtured through the hub since 2016. As I said, ours is a city of creative and determined people, but Maggie warns:

"Universal Credit poses a very real barrier to those who depend on benefits and wish to become self-employed to launch their own start-up business."

I ask the Minister to respond to that point in particular, because it has so many implications that have not been addressed.

Just last month, Liverpool City Council published its own forensic analysis, "Universal Credit: Unintended Consequences", which should be in every Minister's red box. It shows that it is the poorest, sickest and most disabled people—who are living in the city's most deprived wards and have already been hit hardest by the bedroom tax, failed personal independence payment assessments and housing benefit changes—who will suffer most from the dangerously out-of-control roll-out of universal credit. Debbie Nolan, health programme manager at Liverpool Citizens Advice, says:

"Payment delays and high rates of deductions once UC is in place will cause unprecedented hardship for the most vulnerable".

To those who are looking for work, it is unfathomable that in the past year the Government have closed jobcentres across our city. In my constituency, Edge Hill and Wavertree jobcentres have both closed, which follows the closure of Old Swan jobcentre in 2012. More than 3,000 people in Liverpool, Wavertree are being denied the local help that they need to find work. I have highlighted in debates and campaigns the distances that my constituents have to travel—another barrier that makes it even more challenging for them to get on with finding work—but it has fallen on deaf ears.

Figures from the Department for Work and Pensions show that nationally, from May 2017 to April 2018, 359,000 universal credit claimants were referred for sanction decisions, of which 71% related to attending or participating in work-focused interviews. Looking at the jobcentre closures in my constituency, it is not hard to understand why so many people have been affected. I am already hearing from single parents who want to get to their jobcentre but cannot afford the bus because they have not been given their payments. They are having to walk for miles, and they cannot get childcare. I have raised those very real challenges with the Government but they have not been addressed. The latest statistics show that 5% of universal credit sanctions lasted for 27 weeks—more than half a year—with no access to support. That is not acceptable.

Increasing numbers of people are homeless on our streets in Liverpool, despite our council spending £12 million to alleviate the worst distress. That situation is replicated in other cities, including here in the capital. Other constituents of mine have found themselves shut out of work after episodes of ill health because our NHS regularly misses its targets for cancer and other treatment. Families are giving up work to look after elderly parents because our social services cannot afford to provide support. Parents are losing work to look after children who are too ill to go to school, but have been told that they are not ill enough to meet the rising thresholds for mental health and social services.

For example, there is the case of Ms M, a single parent of a young son with autism, who is working three days a week and was making use of 30 hours' free childcare, only to have it withdrawn because she got lost in a bureaucratic maze. She was trying to do the right thing, but is now facing the risk of having to give up work. Where is the humanity? Where, indeed, is the cold, hard economic realisation that failing to properly and flexibly support people such as Ms M and her son to stay out of poverty raises costs for everyone?

What needs to be done? When the Chancellor delivers the Budget he needs to restore funds to our council and recommit to future Budget allocations that reflect the

depth of deprivation experienced by cities such as Liverpool. Today, Liverpool City Council is forced to spend money that it should be investing in the future on patching up the holes in the Government's botched welfare reforms, including £3.5 million on protecting 42,000 people from the full impact of Government reductions in council tax support and £2.7 million on more than 13,000 crisis payments to help people with the cost of food, fuel, clothing and furniture. A total of £9.2 million has been provided since dedicated Government funding was withdrawn.

Secondly, the Chancellor of the Exchequer must invest in Liverpool and its people. I anticipate that the Minister will tell us today that employment is up but will not mention how precarious much of that employment in our city is, thanks to the widespread and increased use of zero and low-hours contracts. He will not mention that unemployment rates across Liverpool are consistently above the national average and wages below the national average. The median household income for Liverpool is £20,373, which is nearly £11,000 below the UK median of £31,310.

We need a proper industrial strategy, including a regional investment bank, real apprenticeships and lifelong skills training to grow jobs, grow incomes and let our people grow tall. We need to devolve real economic powers to the city region. Liverpool City Region Mayor, Steve Rotherham, has made a great start in bringing our communities together, but now the Government need to get behind his and the combined authority's efforts to transform our regional economy.

Those of us who call Liverpool home are proud of our city, but we are shamed by its poverty. We are not looking for a handout or even a hand-up. We want a fair deal to allow us to be in charge of our own destinies. Instead, the Government are largely responsible for the poverty of too many of my constituents.

The Prime Minister told us in her conference speech the other week that austerity is over. Ministers need to set out what that will mean for the people in Liverpool. They need to acknowledge the challenge that we face, do everything possible to apologise for it but also, most importantly, help us to do everything possible to turn it around.

2.52 pm

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) on securing the debate and on her excellent and graphic description of the reality of poverty in Liverpool for far too many people.

There is no doubt that the city of Liverpool has been transformed since the days when Margaret Thatcher's Government planned what they called its managed decline, thanks to sustained investment by the European Union over nearly 30 years, at a time when Liverpool was abandoned by central Government. It has also been helped by support from the UK Government since 1997.

Liverpool, Riverside includes a thriving city centre, the iconic waterfront and world-class universities. It is a top tourist spot and the cruise liners have returned, yet too many people in local neighbourhoods struggle with poverty, which means struggling for their day-to-day

existence. As my hon. Friend said, Liverpool is the fourth most deprived local authority in the United Kingdom. Three wards in Liverpool, Riverside—Kirkdale, Princes Park and Riverside—contain some of the poorest areas in the whole country.

There are two shameful statistics that epitomise some of the problems of poverty and deprivation experienced by people in Riverside. Only 67% of 16 to 24-year-olds are economically active—regarded fit and able for work—compared with 78% nationally. Such depths of deprivation are sometimes caused by ill health or long-term problems that people experience where the economic base is in fact very low. The second figure is that 40% of children in Liverpool, Riverside—6,500 young people—suffer poverty. That is a shameful figure. Many of those children are in working families. Those are just some indicators of the depths of poverty in some communities in Liverpool, Riverside, despite the great successes of the city of Liverpool and its positive developments over the last 20 years or so. What should be done to address this?

First, we must stop the cuts and fund public services. We must recognise the importance of the public sector, specifically local government and the national health service. Liverpool City Council provides a lifeline to people in need, as well as providing support to local communities and showing civic leadership for the whole city. There should be no more cuts to Liverpool City Council. It is vital that education and social care are funded properly, both to deal with immediate need and to equip young people with the abilities and the confidence to look forward to a more positive future.

Only yesterday in this House, I met young people leaving care who were very concerned about the lack of support given on leaving the care system and moving into adulthood. They were very positive young people who very firmly wanted to be successful citizens, but they were very concerned. That lack of support is not being addressed as local authorities face cut after cut. Liverpool City Council has already lost at least 50% of its central Government grant. As local government looks ahead to the planned removal of all central Government funding, it is staring into the financial abyss.

Secondly, the Government must stop the planned roll-out of universal credit in Liverpool. Without major alterations, it will simply cause more poverty. According to the Resolution Foundation, 3.2 million working families nationally will lose £48 per week on universal credit. We have already heard about the problems of people being forced to go to food banks to eat and the stress, as well as loss of income, that people on universal credit are forced to experience. I say very clearly to the Government that they should stop the planned roll-out of universal credit in Liverpool, Riverside. There are reports that it might be about to happen, and we deserve to know exactly what the position is.

We are often told that the route out of poverty is through people getting a job. Where that is possible, I certainly agree, but there are many people who are genuinely too ill to work and that has to be recognised. For many people, getting a job is the way out of poverty and I support that, which also means that I support investment in the local economy. Regional strategies are vital. There are opportunities for jobs in Liverpool's key sectors, such as biotech, vehicle manufacturing, the

[*Dame Louise Ellman*]

creative arts—including the excellent Baltic Creative—the maritime sector and others, but there have to be specific initiatives that look at what is happening within local communities as well and help people to move from unemployment into work. Above all, there has to be the right level, type and quality of education and skills training for people to enable them to take up those new jobs. That means no more cuts to the City of Liverpool College, which is a vital provider of skills training and further education. As responsibility for skills training is transferred from central Government to Metro Mayor Steve Rotherham under the devolution agreement, it is very important that funding is not lost. Specifically, it is important that the millions of pounds of European Union funding that now go into skills training in Liverpool do not disappear. I ask the Minister for a specific assurance that that is being considered, because it is very important for the future.

I cannot end without mentioning the threats that withdrawal from the European Union will pose to employment and wellbeing in Liverpool. There is a threat to the economy as a whole, which means a threat to jobs and to public funds and finances, estimated by the Chancellor of the Exchequer to be as high as £80 billion in the event of no deal. With reduced public funds, there will be less money to pay for education, social services, policing and the whole range of other vital services provided by the public sector.

I conclude by restating that Liverpool has outstanding strengths—its people are perhaps its greatest strength—and has made great strides in recent years. It has recovered from being a place that was described as a “wasteland”, when people were leaving the city—all that is well in the past. It is now a positive, creative force, and more people are coming to Liverpool. It is a place for the future, but the lives of too many people are blighted by poverty. It is indeed time to stop the cuts in public services and to support local communities.

3.2 pm

Maria Eagle (Garston and Halewood) (Lab): It is a great pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) on securing the debate. She will see from the turnout that we are glad that she secured it and that we are keen to support her. I also congratulate her on the way she set out our basic concerns as representatives in this place of the great city of Liverpool.

The Prime Minister said something very important to her party conference: she said that austerity is over. I always like to listen to what Prime Ministers say at their party conference—it is always a very important speech. We will have the chance soon to judge the political coherence of this Conservative Government and how worthwhile or otherwise were the Prime Minister's words at her party conference, because next week we will see whether the Chancellor acts on the declaration that austerity has ended. I can certainly say that at this time in Liverpool it does not feel like austerity has ended. If it is over, we in Liverpool will expect the Budget to deliver real relief for those in the city who are in poverty and hardship. We will expect the incomes of the poorest to improve as a direct result of the Budget measures that we will see from the Chancellor next week.

Many people in Liverpool really need the Chancellor to deliver on the Prime Minister's promise to end austerity. Some of them are the most vulnerable people in our society—people who need the most support and who have endured eight long years of that support and their income being systemically removed and reduced by measure after measure from Governments that, from their perspective, do not seem to care about their lives or wellbeing.

I have said before that the use of food banks is an indication of a major crisis and desperation, often amounting to destitution. People do not go to food banks for fun; food banks are an indication of crisis. People are reluctant to go to food banks because they think it is humiliating and an indication of a personal failure to feed their families or to be able to live. No matter how compassionate and helpful the volunteers and staff who distribute food at those distribution points are, it does not take away the humiliation and pain felt by those who have to resort to food banks. Many of my constituents who have been in such a position have made that very clear when I have talked to them about it.

Last year the scale of the food crisis increased, as could be seen at the south Liverpool food bank and at the Knowsley food bank, which covers the Halewood part of my constituency. It is possible to extrapolate from those two centres' figures that, just in my constituency, in 2017-18, 3,933 people were given emergency food packages to enable them to feed themselves and their families. Some 1,457 of those helped were children—the figure increased from the previous year, which itself had increased from the figure for the year before, which had increased from the year before that. There have been increases for many years.

Last year, there was an 8% rise in the number of vouchers presented at the south Liverpool food bank and at distribution points in the Liverpool part of my constituency. In the Halewood part of Knowsley, which is in my constituency, the number of people who were helped increased by more than 20%. The number of children who were helped was up by more than 50%. In my constituency alone, more people were helped in one year than were helped by food banks in the whole of the UK in 2005. That is the reality.

My hon. Friend the Member for Liverpool, Wavertree was correct to make it clear in her remarks that this should not be something that we accept as inevitable. There is nothing inevitable about having to use a food bank. It could be fixed by ensuring that people who are currently in that position have the income to look after themselves. I should make it clear that other, non-food bank, help is available in my constituency, but is not counted in the figures that I just set out. It includes organisations such as Can Cook, a charity based in Garston that provides free, freshly cooked meals to those in food poverty who need help. Although it ranges much more widely than Garston and Halewood, last year Can Cook provided 18,000 free, fresh meals to hungry people in the Liverpool city region, some of them in my constituency.

Things are worse than the Trussell Trust figures imply; the scale of the need is greater. The experience in my constituency is that the need for emergency food help, including food bank use, is increasing, and that the poverty that it represents is deepening. In a parliamentary

answer to my question this week, the Government have yet again refused to take any action to begin to collect official statistics about the causes of such an increase in dependency on food banks, suggesting only that they will review existing sources of information to fill data gaps.

In my view, that is just not good enough. The Government seem to not want to know the truth, and so they do not bother to do research or collect statistics. I have been asking them for years to do that. I can tell the Minister what the main causes of food bank use are in my constituency: in the south Liverpool food bank, 49% of those who were helped said that the main cause of their food crisis was delays in the payment of benefits to which they are entitled, or changes to their benefits. Some 32% said the main reason was low income because of low wages, underemployment and not working enough hours to make ends meet at the end of the week or month. In Halewood, the figure for benefit delays and changes was also 49%, while the figure for low pay and lack of hours was lower, at 19%. Those figures are not untypical of Trussell Trust food banks around the country. When Ministers tell me, as they did in a recent parliamentary answer, that

“People use food banks for many reasons, and it would be misleading to link them to any single cause,”

they do not want to accept that the main causes of this increasing food crisis include their administration of the social security system and their austerity cuts to our safety net.

Things are about to get worse. My hon. Friend the Member for Liverpool, Riverside (Dame Louise Ellman) spoke about the roll-out of universal credit in Liverpool, which is beginning to happen. The Trussell Trust tells us that where universal credit goes live, there is an average 52% increase in food bank use over the following year, compared with a 13% increase in the areas where universal credit has been operational for three months or less. The increase is there even after accounting for seasonal and other variations. In my constituency, only 13% of the households who are to be placed on universal credit have yet been put on to it, only 10% of the children who will be in households on universal credit have yet been affected, and only 2% of the households on sickness or incapacity benefits have yet been placed in that position. That amounts to a looming tsunami of further hardship, misery, poverty and hunger that the Government are about to unleash on some of the poorest and most vulnerable of my constituents. Like my hon. Friend, I urge the Government to stop and not to roll out universal credit in my constituency. I can tell the Minister now that it will cause more poverty, hardship and desperation if they press on as they have told us they will.

Riverside, a registered social landlord that covers my constituency, has been surveying some of its tenants about the impact of universal credit roll-out. It says that 7% of its tenants are on universal credit, but that their rent arrears amount to 18% of the rental debt owed. Average arrears for universal credit tenants are £600, compared with £218 for households not on universal credit. That is yet more evidence that Government policy is imposing hardship and poverty on some of my poorest constituents through their social security policy. Universal credit roll-out creates more debt and hardship and an inability to meet the basic expenses of living. That is clear from the experience of some of my constituents,

who have come to be on universal credit ahead of the roll-out. I have given examples before in this Chamber and in the main Chamber—egregious examples of real hardship and pain caused by universal credit, administrative failures and by other problems with the benefit.

The Church of England and Children's Society's recent report “Not making ends meet” highlighted that poverty is not being caused by universal credit alone, and I agree. The lowering of the benefit cap, restrictions on help with housing costs and sustained low income, including in-work poverty, are also increasing problems. I sometimes wonder whether Ministers understand the degree to which multiple changes to benefits, with cuts that were planned and announced years ago but are only now being implemented, and loss of support from other sources, such as the local authority, can affect already vulnerable and poor individuals and families, for whom one more blow might be the final straw. Indeed, the Joseph Rowntree Foundation report “Destitution in the UK 2018” made that point. It estimated that in 2017, across our nation, 1.5 million people were deemed to be destitute—unable to access the bare essentials to eat, stay warm and dry and keep clean. Food, clothing and heating were the most common essentials that people were without. Such destitution was found to be clustered in London and northern cities such as Liverpool, with Liverpool second only after Manchester in exhibiting the worst rates. My hon. Friend the Member for Liverpool, Wavertree also made reference to that study.

Since 2010, Liverpool has had the highest level of cuts in local authority funding. By 2020-21, almost 68% of its money will have been removed by central Government. That is £444 million-worth of cuts, despite increasing demand for the help that the city council provides for its poorer citizens. It provides a lot of help beyond the amount of money it is given by the Government to provide such help. The Liverpool citizens support scheme has seen a 5.7% increase in awards, mainly due to increasing demands for urgent needs awards. The main reasons cited were that the individual was waiting to receive a state benefit or had no funds due to an unforeseen crisis. Universal credit roll-out will increase the need hugely. I know from my own case load that if not for the Liverpool citizens support scheme, many of my constituents would have had nowhere to turn.

Similarly, discretionary housing payments have increased by 35%, and the city has to put more money in than it is given by the Government to support that. The Mayor of Liverpool tops up the money because he is unwilling to let vulnerable people go without help and have nowhere to turn and become homeless, thus imposing an even higher financial burden on the state. Universal credit roll-out could push the resources and schemes beyond the Mayor's capacity to continue to fund them effectively. Unless we see significant measures in the Budget to alleviate poverty in Liverpool and really end austerity, the trends we are discussing will worsen. We will judge the Prime Minister's rhetoric about ending austerity by the impact of the Chancellor's Budget next week on the lives of our most vulnerable and poorest constituents.

3.16 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member

[Stephen Twigg]

for Liverpool, Wavertree (Luciana Berger) on securing the debate. Earlier this year I led a debate here in Westminster Hall on food poverty across Merseyside. I will start today as I did then by saying that this is a debate that we simply should not be having in a wealthy country in 2018.

Liverpool City Council, as we have already heard, faces the near-impossible challenge that when services are needed most they have fewer and fewer resources to respond. I join colleagues in praising the Mayor and the city council for their efforts to mitigate the impact of central Government policy. The citizens support scheme to help the most vulnerable in Liverpool during a short-term crisis has provided a lifeline for some of the most disadvantaged citizens, following the coalition Government's scrapping of the social fund. As my hon. Friend the Member for Liverpool, Wavertree said in her opening speech, last year more than 13,000 crisis payments were made from the fund, which is a 6% increase on the previous year. It has provided a lifeline for some of my most vulnerable constituents.

Earlier this year a family of four in my constituency were served with a section 21 notice when their landlord decided to sell the property, forcing the family to look for another privately rented property, but they were not in a position to pay the one month's rent and deposit up front. My constituents are both in work, but in low-paid jobs, so they lacked the means to provide the payment. As they faced the threat of homelessness, I referred the family to the mayoral hardship fund, and a contribution towards their deposit and rent was provided.

Another constituent was recently forced to move properties because of the bedroom tax. His personal independence payment had been stopped, so he had no available funds to purchase furniture for his new home. We referred him to the mayoral hardship fund, and funds were provided to enable him to furnish his new home.

A week before Christmas last year, a young mum contacted me, having recently been transferred on to universal credit. She was not due to receive her first payment until 11 January and her gas and electricity were due to run out that evening, just before Christmas at the height of winter. In the face of that dire threat, the local authority stepped in and, through the citizens support scheme, she was provided with a three-week award of almost £300, energy vouchers and a PayPoint cash voucher of £170.

A review of the scheme presented to the council's cabinet in May this year set out a very stark warning, stating that the scheme

"cannot mitigate the multiple impacts of the government's programme".

The same report also warned that more people face greater hardship once the full raft of changes to the benefits system begins to bite, as my hon. Friend the Member for Garston and Halewood (Maria Eagle) has said. Of course, as we know, disabled people often bear the brunt of such changes.

Last month Liverpool City Council published an excellent report, "Universal Credit: Unintended Consequences". Its key findings were that universal credit risks forcing households into debt, increasing

severe poverty and leaving too many people, including children, facing food insecurity, destitution and eviction. The report brought together community leaders, civic figures and politicians across the city to urge the Government, as I join my colleagues in doing today, to rethink the roll-out of universal credit before it is too late.

That call is echoed by people at the north Liverpool food bank. They told me:

"We don't want to be feeding people emergency food, so we need to fix the system that lands people there in the first place."

The food bank's modest suggestion—I would go further—was that the current north Liverpool roll-out date of 5 December should at the very least be moved to new year, to avoid the Christmas period, so that claimants do not have to wait weeks for their benefits before Christmas. I urge the Minister, as a bare minimum, to give a commitment today at least to consider that proposal, which might give some reassurance and comfort to some of the most vulnerable families in Liverpool in the run-up to Christmas.

As has been said, the main reason people are referred to food banks in Liverpool is benefit delays and changes. The Trussell Trust has repeatedly warned that changes to benefits are forcing people to turn to food banks. One in three working-age social housing tenants in Liverpool who receive housing benefit has been affected by the bedroom tax, and there is no doubt that that has pushed many into hardship. As my hon. Friend the Member for Liverpool, Wavertree said, the city council last year undertook a cumulative impact assessment of more than 20 major changes made to working-age benefits since 2010. I urge the Government to work with Liverpool City Council and other local authorities to ensure that we have the most up-to-date information about the appalling cumulative impact of welfare reforms, including universal credit.

The other reason for people being referred increasingly to food banks, as my hon. Friend the Member for Garston and Halewood said, is low income. Yes, unemployment has fallen, but in my constituency and the rest of Liverpool it is consistently above the national average, and for many people who are in work, that work does not pay enough for them to get by. Much of the increase in employment is insecure and low paid.

I have seen at first hand the fantastic work that food banks do in my constituency, and I pay tribute to their selfless and dedicated volunteers. In the year up to last month, the north Liverpool food bank provided food to more than 3,000 of my constituents, including almost 1,300 children. That represented a 10% increase on the previous year. Once a month I volunteer at the north Liverpool food bank at St John's church in Tuebrook in my constituency. I was there last Saturday. In September we helped 137 people. While I was there I talked about the debate we are having today, and we discussed issues I might raise. The two main points that came out of the discussion, including with the vicar, were the increase in use during the several years that the food bank has been at St John's, and the change in the profile of the people who come to it. There are still many single people—mostly men—but increasingly there are families with children. Some are people in low-paid work, and some are waiting for benefits.

I also want to pay tribute to a food bank in another part of my constituency. At Dovecot food bank there is concern about the unseen numbers of people not receiving

the support they might need. The food bank has been working with local schools to identify vulnerable families and ensure that support is available to them. One of the most disturbing trends that is identified is having to serve food to hungry children because their families cannot afford to feed them. Most schoolchildren in Liverpool are enjoying the half-term holiday this week, but for many low-income families school holidays represent financial stress, hunger and even malnourishment, because of the absence of free school meals. Croxteth Gems was originally set up to provide play and youth services, but increasingly over the past few years the people there have been serving food to hungry children because their families cannot afford to feed them. During the school holidays, Croxteth Gems hosts a play scheme, including a free breakfast and lunch for the children. Sometimes they serve food to almost 100 hungry local children.

The charity Feeding Britain, set up by my right hon. Friend the Member for Birkenhead (Frank Field) and my hon. Friend the Member for South Shields (Mrs Lewell-Buck), has established local pilot areas for programmes that provide free meals and activities for children during school holidays. Earlier this year the Government provided £2 million of funding for families to benefit from free healthy meals and activities in the summer holidays. That meant that organisations such as Feeding Britain could reach many more families. It was welcome, but it was a modest step in the right direction. I take the opportunity today to urge the Government to increase the funding provided to those programmes, so that no children should go hungry in the holidays—particularly the long summer holidays—simply because they do not have access to free school meals.

I want to say something about education, and will echo what my hon. Friend the Member for Liverpool, Riverside (Dame Louise Ellman) said. More than 32,000 children in Liverpool are growing up in poverty. Education has a central role to play if we are to achieve a fairer society with less inequality and tackle poverty. Like my colleagues, I pay tribute to the city council for keeping children's centres open despite austerity. Good-quality early education has a big impact on children's development.

An area of controversy at the moment is the Government's potential plans for nursery schools. There are two fantastic nursery schools in my constituency—Ellergreen and East Prescott Road. Both were judged outstanding by Ofsted, but at both there is concern about long-term funding. I know that the Minister responding to the debate is not an Education Minister, but I seek assurances from the Department for Education that the concerns of nursery schools in Liverpool and across the country are being listened to. Those schools equip children, often in some of the most deprived neighbourhoods, with the education and skills they need to have the best chance later in life.

Schools need to know that they have reliable funding so that they can offer the best quality education. There is concern in Liverpool, as there is in many parts of the country, that once the national funding formula is adopted it could disadvantage schools in our city. I implore the Government to ensure that such factors as deprivation, pupil mobility and prior attainment are at the heart of the national funding formula.

Finally, on further education, as my hon. Friend the Member for Liverpool, Riverside said, equipping young people aged 16—and adults—with the skills they need

is vital. Last week there was a Love our Colleges campaign lobby of Parliament. I met the principal of Myerscough College, who told me about the great work it is doing, and that it faces tough financial circumstances. Investment in FE would make a big difference in tackling poverty in Liverpool. I hope that the Minister can take that message back to his colleagues at the Department for Education.

3.28 pm

Dan Carden (Liverpool, Walton) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) on her excellent speech; she set out everything that the city faces, from cuts to local authorities, the hostile environment on benefits and the personal experiences that we come across in our surgeries every week, as well as the evidence in report after report. The Government seem determined to turn a blind eye to those reports and doubt their veracity, and I find it shocking when the Minister shakes his head, when we see such experiences every day.

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): I was not shaking my head.

Dan Carden: You were during my hon. Friend's speech. The experiences I am talking about are things we see every day in Liverpool.

I was elected for the first time last year, to represent a Liverpool constituency, and it is an incredible privilege. When I am asked what the biggest issue facing my constituency is, I say poverty—and it is, because that is the critical issue affecting people, in their long-term health, educational outcomes, job opportunities, living standards and mental health. Most of all, it affects their sense of self-worth. That is the most hurtful part of seeing the decline in our communities. As my hon. Friends have done, it is right to put on the record how proud Scousers are, and how strong our communities are. That is shown by the work that our community centres and food banks do day in, day out. Liverpool is an astonishing city that is doing well in many respects.

This debate set me thinking about what poverty is, and what we are talking about today. If we look back in history, we see different types of poverty. I have seen individuals fall into poverty—people can lose a job, be moved on, and then perhaps another job appears, and during that time, trade unions and charities may help out. Families also fall into poverty. My family was affected by unemployment. My dad was unemployed for seven years, and sometimes it felt as if we did not have much money when we were growing up. Nevertheless, we had a family unit, we had a community and we had support. We still had good schools and public services, the local authority did its bit, and there were youth facilities. Today we are talking about whole communities being pushed into poverty while the safety net is withdrawn from the bottom.

Poverty is man-made. It does not exist in a vacuum; it is the result of decisions made by the powerful. No one person is responsible for their own poverty. Austerity is and has been a political choice, not an economic necessity. Since 2010 this Government have handed out an eye-watering £110 billion in tax giveaways for the biggest corporations and the super-rich, paid for by devastating

[Dan Carden]

cuts to wages, living standards and essential public services for the rest. They have starved our schools of funding—something they deny—taken police off our streets, including 1,000 from Merseyside Police, and left our NHS and social care in crisis.

Not only have the cuts themselves been political, but so too has their distribution. New research from the University of Cambridge shows that post-industrial cities in the north of England have been hit by the deepest cuts to local government spending and that, on average, Labour councils have been hit four times harder than Tory councils. Few places have been hit harder than Liverpool, with the staggering 64% cut to local authority funding that we have heard about. Conservative Members tell us not to fear because the Prime Minister announced at the Tory party conference that austerity is over. Leaving aside the fact that we have heard such empty rhetoric three times before, I assure the Minister that the reality on the streets of Walton and across Liverpool tells a different story as austerity rolls on, piling misery on our communities.

We have already heard many of the statistics, so I will not repeat them all. Average wages in Liverpool are £11,000 below the national average, and 40% of children in my constituency are growing up in poverty. Liverpool is now classed as having the second-highest levels of destitution of any city in the UK. On top of that, this Government now heap universal credit—a policy so fundamentally flawed that it has become an exemplar of institutional incompetence. [Interruption.] I think I heard the Minister tut, but this is being played out on our streets, and we see the evidence in report after report. Perhaps he will respond to some of the points raised today, including the Trussell Trust's report, which states that demand for food banks has soared by 52% in areas of universal credit roll-out, compared with 13% in other areas.

Housing associations, letting agents and private landlords have told me that tenants are falling into rent arrears in areas such as Bootle and elsewhere where the roll-out has gone ahead, and that evictions will increase. The calamitous roll-out in my constituency comes right before Christmas, and my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) was right to call for it to be delayed, at least until after the Christmas month, when we know it will cause increased hardship. The figures are stark, but they do not do justice to the human misery that I already deal with in my casework under the existing benefits system.

Under this Conservative Government, we are being hurtled backwards to bygone days, reminiscent of when it was a crime to be poor. The Government's welfare reforms have seen hundreds of millions of pounds sucked out of Liverpool's local economy. The benefit freeze—in reality it is not a “freeze” but a real-terms cut for millions of low-income families—has meant a loss of £45 million for households in Liverpool. We have heard about the cumulative effect of such cuts.

Given the pressures, some people have to give up employment to care for elderly relatives. A scaffolder came to my constituency office and explained that he has had to give up good, well-paid employment because the care is not there for his elderly mother. We have heard how the local authority already has to act as a

sticking plaster, which shows that the current benefits system is failing. I want to congratulate the Mayor and the local authority on their work.

Next week the Chancellor will reveal the Government's Budget, and we will no doubt have a debate about economic growth and the fudging of figures to mask deep systemic problems in our economy. Not only have we seen the worst decade for wages in centuries, but the UK is the only advanced economy in which wages have continued to fall, even when the economy is growing. That is because of a decades-long trend of the share of gains from growth going increasingly towards profit, not wages. More and more economists tell us the blindingly obvious: having money from economic growth flow to working people and the poor rather than to the rich would stimulate better rates of economic growth and lower unemployment. As income inequality increases, the potential for economic growth is constrained. Since the 1970s, while productivity and the economy kept growing, the average worker's pay package did not. The *Financial Times* has stated that since 2007,

“the UK was the only big advanced economy in which wages contracted while the economy expanded. In most other countries, including France and Germany, both the economy and wages have grown...The UK sits on its own as a rich economy that experienced a strong economic performance while the real wages of its workers dropped.”

What does economic growth matter to my constituents if it does not even reach them?

We have heard reports that the Chancellor is considering bringing back regional pay in the Budget in order to deny pay rises to our constituents on a national pay scale. Can the Minister tell us anything about that, and can I urge him to feed back that it would be an absolute disaster for the regions of the country if the Chancellor were to go anywhere near the idea?

The Government's cuts have not tackled the deficit; they have shifted it on to local authorities and public services, plunging them into crisis, while starving our economy of the patient, long-term investment it needs to thrive. The problems are so stark that the solutions must be radical. The people of Liverpool do not need piecemeal change; they need something much bigger. That is why the next Labour Government will not be satisfied with tinkering around the edges of a rigged economy; they will transform our economy so that it works in the interests of the ordinary people I represent.

3.38 pm

Mike Amesbury (Weaver Vale) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) on securing this important debate.

Liverpool is a place I have got to know well, like many others who have spoken today. Part of my constituency lies within the Liverpool city region, and many of my constituents travel to work in or visit Liverpool each day. Many—including my wife—have recent personal or family heritage in Liverpool, and people are well aware of what colleagues have already noted. Liverpool is a city with incredible culture, buildings, beauty—Scouse pride, as my hon. Friend the Member for Liverpool, Walton (Dan Carden) pointed out—and history. It is also a city that has places that are suffering deep and scarring poverty and, disgracefully, 32,000 children are living in poverty. That poverty is made even

worse by the Government's austerity measures, and it looks set to deepen further as a result of the roll-out of universal credit across the city and region.

This afternoon we have heard many examples and arguments for why the roll-out of universal credit must be halted and the policy radically reformed and fixed. We heard many more in the main Chamber last week—in fact, we have heard many over the past few months. Of course, universal credit is not the sole cause or trigger of poverty—I will talk about some of the other causes later—but it is certainly not scaremongering to suggest that rolling out universal credit across Liverpool is likely to make the issues worse and the suffering even greater. There are many reasons why the Government should stop the roll-out, but surely the evidence that more people will be forced to use food banks—69,000 used them last year alone—simply to feed themselves and their children is reason enough.

My hon. Friend the Member for Liverpool, Wavertree said that people in Liverpool want jobs, skills and investment. They certainly do not want to root through bins for food and vital goods. My hon. Friend the Member for Liverpool, Walton rightly pointed out that austerity is a political choice, and that it is driving what we see on the streets of Liverpool. My hon. Friend the Member for Liverpool, Riverside (Dame Louise Ellman) pointed out that only 16%—a stark figure—of young people aged 16 to 24 are in work. My hon. Friend the Member for Garston and Halewood (Maria Eagle) made a strong case that the end-of-austerity cheque should deal with the growth in food bank use and the decimation of public services in Liverpool. My hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) pointed out that this is a debate we really should not be having today—or on any day—and said that universal credit is exacerbating the crisis on the streets of Liverpool.

My question to the Minister is this. If the unacceptable delays, the growing rent arrears in Riverside and elsewhere, and the numerous tales of mistakes and misapplications are not enough to make the Government stop and think again, what will it take? It seems that the prospect of children going hungry in Liverpool and elsewhere is not enough to stop universal credit. That should shame the Minister, the Government and all of us in the fifth richest country in the world, as my hon. Friend the Member for Liverpool, West Derby said.

Of course, poverty is not caused solely by universal credit, although it often rises as a result. Good, well-paid, fulfilling and decent jobs can help to tackle poverty, and we have often heard Conservative Ministers talk about work being the best route out of poverty. The question, however, is, what kind of work? We hear lots of spin from the Government about jobs and employment, but beneath the headlines lies a story of insecurity, low pay and wages falling far short of decent expectations. Real-terms weekly pay is £11 a week lower than it was a decade ago. Business surveys suggest that there are 1.8 million people on zero-hours contracts in the economy, and almost 800,000 consider such posts to be their main job. The draconian cuts to in-work allowances from universal credit is a retrograde step. The National Audit Office says that there is no evidence that it leads to employment growth.

Having focused on what little the Government are doing to tackle poverty, I want to take the opportunity to welcome what Liverpool City Council and many other councils across the country are doing to blunt the

ever sharper knife of Tory austerity and to support those in need. My hon. Friend the Member for Liverpool, Wavertree and others mentioned the work of Liverpool's Labour Mayor, Joe Anderson. The Labour council and its city region Mayor are helping to tackle poverty. They have spent £12 million on services for homeless people, £3.5 million protecting 42,000 people from the full impact of Government reductions in council tax support, £2.7 million on almost 13,000 crisis payments to help people with the cost of food, fuel, clothing and furniture, and £2.2 million on 8,300 discretionary housing payments to people affected by welfare reform and hardship. They have set up a £2 million hardship fund that will run from 2017 to 2020 to help struggling residents. As has been rightly pointed out, all children's centres remain open. There is a demand for real powers to transform the economy into one that offers high-quality, decent and fairly paid jobs—something that Whitehall control has so far failed to deliver.

My hon. Friends the Members for Liverpool, Walton and for Garston and Halewood mentioned those actions in the main Chamber last week, and they are welcomed by all Members from Liverpool. Once again, it is left to our councils—usually, our Labour councils—to help those most in need. They have already faced draconian cuts—Liverpool's budget has been cut by 64%, or £440 million, in a decade—and yet the Liverpool Mayor is still determined to tackle the root causes of this shocking poverty. Meanwhile, the Government have cut taxes for the richest and wealthiest businesses and corporations—a £110 billion giveaway.

We accept that eradicating poverty requires more than one approach. It requires many partners inside and outside Government. We also know that two key elements are fundamental to the approach: a genuine desire from the Government to do it and the willingness to prioritise that desire and make decisions to underpin it. The Government's record show that they have neither.

Dan Carden: My hon. Friend will have heard the Government announce, over the summer, their intention to halve homelessness by the end of this Parliament and eradicate it by 2027. As charities that deal with homelessness and crisis said at the time, unless the Government deal with the problems in our economy and put together a cross-departmental strategy, the idea that they will ever get anywhere near that target is fanciful, because they are dealing only with the results, not the causes.

Mike Amesbury: My hon. Friend makes a very strong case and a fair point.

The Minister has heard my colleagues talk about the extent of poverty and its effect on Liverpool and elsewhere. He has heard the genuine fears that the Government's current policy direction—their cuts to welfare, nurseries, schools, colleges and local government, and their disastrous approach to Brexit—will make that worse. He has heard about the inequality and the unfairness that people, families and children are suffering in Liverpool and places like it. Their lives and opportunities are defined by their postcode, rather their talent, ambition and dreams. Will he now step back and listen to the reality of life in poverty from real people and real cases, look further than the spin of statistics about the jobs market and the economy, which far too many people see as a world away, and lobby the Chancellor?

[Mike Amesbury]

The time to act is now. End the cuts that push people into poverty, the benefits freeze and the two-child cap. Stop the damaging, catastrophic roll-out of universal credit, which will make poverty worse in Liverpool and elsewhere. Restore the £3 billion-plus cut from the system made in 2015. Act now and fairly fund public services.

3.48 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): It is a real pleasure to serve under your chairmanship again, Mr Streeter. I pay tribute to the hon. Member for Liverpool, Wavertree (Luciana Berger) and all hon. Members who contributed to the debate. I clearly do not agree with all the points they made—I am sure they will not agree with everything I am about to say—but it is crystal clear that every one of them is driven by a passion to protect the most vulnerable people in society. We all want the same result; we just disagree about how to get from A to B. I am conscious that hon. Members mentioned lots of different issues. I am merely a junior Minister in the Department for Work and Pensions, so in the limited time I have got, I will try to cover the points about employment, income and poverty, universal credit migration and food banks. If time permits, I will also cover some of the other points that fall at least roughly within my area.

All speakers acknowledged that we have seen record employment, with 1,000 new jobs created every day, unemployment at record lows, and 964,000 fewer workless households. That is important because research statistics show that workless households are four times more likely to be in poverty. I will come to the specific points made during the debate about that.

Many of the speakers mentioned that there had been an increase in zero-hours contracts, for example. That is not the case: the number of zero-hours contracts actually fell by over 100,000 in the last year alone, and they represent only 2.4% of total employment, which is around the same level as under the last Labour Government.

Maria Eagle: Will the Minister give way?

Justin Tomlinson: Briefly, although I will not take too many interventions because I am conscious of time.

Maria Eagle: Can the Minister explain why 32% of those using the South Liverpool food bank said that the main reason they were doing so was low income?

Justin Tomlinson: As I said, I will come to food banks—a little patience, please.

We all recognise that getting people into work is important, but ultimately the question is whether it leads to real cash in their pockets. Research has shown that there are one million fewer people in absolute poverty—a record low—and 300,000 fewer children living in absolute poverty, but there is still more to do. While food insecurity has almost halved in the last five years alone—we are at 5.4%; the European average is 7.9%—there is still more to do.

Luciana Berger: I have been reflecting on all the positive spin that the Minister is trying to put on various figures, but why then we are receiving a visit

from the UN special rapporteur on extreme poverty and human rights in the next few weeks? Why is that person coming to this country to see the awful situation that we face?

Justin Tomlinson: We get reviewed as a signatory country and supporter of the UN's work, and I will be speaking personally to the person coming.

Of the four current measures of poverty—relative, absolute, and before and after housing costs—three are lower than in 2010 and the other is the same. Those in poverty, who are the focus of this debate, are on average £400 better off in real terms than they were in 2010, while those in full-time work on the national living wage have seen a 7% real-terms increase in their income in the last two years alone. We have done that through a combination of increasing the national living wage—there are arguments about what the level should be, but I do not need to remind colleagues that the rate that we first set was higher than the one in the manifesto that Labour Members stood on in 2015—our income tax threshold, which has completely removed the lowest 3.6 million earners from paying income tax, which is worth £1,000 a year, and our extension of free childcare and other areas of support.

Let me turn to universal credit, which is very topical. One thing that surprised me was that nobody mentioned conversations with work coaches. I know that many Opposition Members have been to visit jobcentres—I have done my research and looked at their Twitter feeds. As a constituency MP—I have only recently been recalled as a Minister—I know that the work coaches on the frontline are very enthusiastic about the principle of universal credit. That does not mean that everything is right, but they are enthusiastic about it. For the first time, they can offer personalised and tailored support.

Maria Eagle: Rubbish.

Justin Tomlinson: The hon. Lady says rubbish, but has she been to visit a jobcentre?

Maria Eagle: The Minister knows very well that there have been coaches in jobcentres for many years helping people on an individual basis. He seems to be arguing that there is no problem—that food bank use is going down and that poverty is going down. I can tell him that that is not the experience in my constituency.

Justin Tomlinson: That is not what I am saying at all. I said I would come to food banks. The hon. Lady has not been to a jobcentre to talk to work coaches and see what they have to say. [Interruption.] I know that other hon. Members have.

The key is that the legacy benefits are not some panacea, where everything is great. As constituency MPs, we all know from our casework that legacy benefits are complex, involving three different agencies—HMRC, local government, and the DWP jobcentre—and frankly, one would need to be a nuclear physicist to deal with all three.

Over 700,000 families on legacy benefits were, on average, missing out on £285 of support that they were entitled to, worth a total of £2.4 billion. [Interruption.] The hon. Member for Garston and Halewood (Maria Eagle) is heckling from the sides again, but these are some of the most vulnerable people, and my role as the

Minister is to represent them. I have seen in my casework, as a genuine local resident in my constituency, as the MP and, formerly, a councillor, that some people were overwhelmed by the legacy system. Under universal credit, they will have for the first time a named work coach who will stick with them throughout the process to ensure that they are not missing out. That does not mean that universal credit has been perfect—we have had many debates and there have already been many changes. In some cases, under tax credits and legacy benefits we had tax rates of 90%. I know that would please the Leader of the Opposition, but that is not what the decent public want. There were 16, 24 and 30-hour cliff edges, which created a barrier to people progressing in work. The legacy benefits were seeing £2.4 billion-worth of support missed. We cannot knowingly stand by and say, “We’ve got to stop universal credit,” because these are vulnerable people missing out on money.

We are conscious that we have had to make changes to the migration. We have always said that the roll-out of universal credit will be slow and steady—it is a “test and learn”. In last year’s autumn statement, we rightly announced that we would remove the seven-day waiting list, a welcome change that was called for by a cross-party campaign.

A lot of the cases brought up involve people who have not had access to money. We realised that people did not know that the system was not designed to provide advance benefits, so it is now a given that the work coach will push that information in the initial interview.

Anybody currently receiving housing benefit will now get two weeks of housing benefit in addition—no strings attached—which can then be used. We recognised that we should not presume in all cases that they should take full responsibility for paying their housing benefit, so we now offer, particularly where people’s housing benefit payments are sent directly to their landlords.

We have launched the Landlord Portal, which is very much welcomed by local government and housing associations, and we have protected the severe disability premium. In conjunction with the £3 billion-worth of transitional support in place, over one million disabled families will be on average £110 a month better off.

Mike Amesbury: Will the Minister give way?

Justin Tomlinson: No, I am sorry; I am running out of time. Severely disabled claimants will benefit from higher rates, ranging from £158 to £326. That is why hon. Members should think carefully about the unintended consequences of seeking political capital by calling for a stop to universal credit. Yes, lobby for improvements, but to stop it would be to deprive some of the most vulnerable people of support.

I am very short of time but I want to touch on food banks. I have met the Trussell Trust and have visited food banks as a constituency MP, a Minister and a councillor, and I have friends who work in food banks. I welcome the work of the football clubs in Liverpool in food collection; I went to see my local football club, Swindon Supermarine FC, which was doing a food bank collection last night. People use food banks for varying reasons, but if they are missing out on formal support, we must do something about that. I made a commitment to the Trussell Trust, with which I want to work closely—I am not precious. It is important that we help those vulnerable people, which could mean having a point of contact in every jobcentre so that if the volunteers spot someone who has been to the food bank first, they can then come to us. My commitment is to do all that we can for vulnerable people.

Mr Gary Streeter (in the Chair): Luciana Berger has the final word.

3.59 pm

Luciana Berger: Thank you, Mr Streeter. I was not anticipating this opportunity, but I am grateful for it. I thank hon. Friends and colleagues for joining me and making representations—collectively, we have made a strong representation to the Minister—and I thank the shadow Minister, my hon. friend the Member for Weaver Vale (Mike Amesbury) for his remarks which, equally, elaborated on all remarks made.

We are talking about people—our constituents—who face misery every day. We sit here in a very different position to many of our constituents, who really struggle on a daily basis. I have reflected on the Minister’s remarks and I have captured some of the themes, but I am disappointed that he did not specifically respond to the experience in Liverpool—he gave national figures, but no figures specific to what is happening in Liverpool. He did not acknowledge the prevalence of various different forms of precarious employment—

Motion lapsed (Standing Order No. 10 (6)).

Regulation of Materials used in Notice Boards

[Albert Owen *in the Chair*]

4 pm

Dr David Drew (Stroud) (Lab/Co-op): I beg to move,

That this House has considered regulation of materials used in notice boards.

I am delighted to serve under your chairmanship, Mr Owen, and to see the Minister and her Parliamentary Private Secretary, the hon. Member for Harborough (Neil O'Brien), in their places. If nothing else, more people have asked me about this debate than about any other Adjournment debate I have had in this place—I have had a few in my time—so I shall explain. I do not expect the Minister to answer all the points I make, but I am sure that she will read the debate subsequently and we can do something about it. However, I am grateful to have secured the debate, even though the title is rather delphic.

The subject came to my notice because a business in Stroud that makes notice boards from recycled materials came to see me. Although this is at one level a trade matter—I shall not mention the business by name, for obvious reasons—at another level it is more than that, involving safety, competition and fairness. I shall concentrate on two areas: first, the safety regulation of notice boards; and secondly, the implications for small businesses, particularly in my constituency.

Notice boards are everyday things. They are in almost every building, can be purchased in so many different ways and are relatively cheap, so people do not think a lot about them. When shopping online, the important product information is frequently so unimportant that it would not hold a consumer's interest for long. Nevertheless, notice boards are subject to safety considerations. In the case of fire safety, post Grenfell we certainly know about some of the implications. I do not suggest that Grenfell was anything other than a tragedy; today we are talking about something of much smaller import, but the inside of buildings still matters as much as the external fire safety issues.

What drew my attention to the subject, and why I feel so strongly, is that the materials that some companies use to make notice boards are also, in other contexts, advertised as firelighters. Something that we would want to be safe and secure is also available to people to set fire to, in a completely normal way, as a firelighter. That really drew my attention.

In the United Kingdom, all wall linings—including notice boards—fitted to public buildings must conform to one of two standards: the European BS EN 13501, class D; or the national BS 476, parts 6 and 7, class 3. I understand, however, that the majority of notice boards fitted in schools are made from a material that meets the lower European standard, class E. Again, the manufacturers of the material note that it has a supplementary use, as a firelighter, which is bizarre, to put it mildly.

In addition, research shows a substantial difference in fire spread between the highest and lowest-performing materials on the market. I want the Government to take note of that, because all such materials should be as fire-proof as possible. The EN 13501 standards measure the fire index growth rate—FIGRA, to use the more

acronymic description—and tests indicate that non-fire-rated materials can have FIGRA values of 500% of their fire-rated equivalents. In other words, the notice boards can be set on fire very quickly, and they will burn.

Notice boards sold online are not only vague on standards and descriptions, but sold in the same category as fire-tested boards tagged as school supplies. In other words, there is no discrimination between the different types of board, even though in my opinion there should be. For consumers shopping online for their classroom, such vital differences are in essence hidden—they have to know what they are dealing with. There is a clear concern about that because schools and others are faced with cuts—even though austerity is now over—and they tend to look at what is cheapest and most readily available. Safety measures, however, can be compromised by cost and availability—the cheaper substitutes are available online, with all the usual people we know about, whether shopping in convenience stores or, more particularly, online.

The task of eradicating all flammable materials in schools would be exceptionally hard, if not impossible, but the particular danger presented by notice boards is that their primary method of fire spreading is with a convection current. According to the 2006 fire safety risk assessment for educational premises, fire spread by convection is the most dangerous type of fire spread and is the cause of the highest number of injuries and deaths.

The most recent fire statistics from the Home Office show that since 2010 more than 4,100 fires have occurred in primary and secondary schools in England, which is more than 500 a year. Most of those are preventable fires. According to the most recent Local Government Association research report on the impact of fires in schools, there is usually a higher number of fires than 500, but they are not always reported as full-scale ones. Also, metropolitan areas tend to have a higher number of incidents, and a third of all school fires start during school time, which is particularly concerning. People studying and the staff may be affected, perhaps by inhaling whatever is burning. That in its own way is a high risk, and some 90,000 children a year are affected by school fires.

I am concentrating on schools, because obviously they are one of the biggest users of notice boards. The notice boards that fail to meet fire safety standards end up not only in highly populated public buildings such as schools, but in nursing homes. My staff carried out some quick and dirty research in nursing homes in Stroud and, to their alarm, they found that many of the boards that had been bought were not of a fire-proof standard.

That is a cause of serious concern because, according to the Home Office's 2017 fire statistics, people over the age of 80 are almost three times more likely to die in a fire than people under 80. According to the statistics, between 2010 and 2018 there have been nearly 3,500 fires in nursing homes in England. If dangerous materials keep making their way into those buildings, we can only expect casualty numbers to rise. As the UK has an ageing population, we must be extra careful to have the right procedures to protect people.

In addition to the public health aspect, the lack of regulation has resulted in unfair competition for local and small businesses—the company in my constituency

being a classic example, because its materials are fire-proof and therefore more expensive. The Minister should not ignore loopholes for the sake of shortcuts in the market that might have life-threatening consequences.

Small businesses continue to struggle against large companies that sell non-compliant and often dangerous products online. The owner of another Stroud-based business, when asked about this, said:

“I am not against fair competition and indeed I believe businesses thrive on it, provided the rules are the same for all. Goods supplied from non-UK/EU operators can more easily evade safety and other compliance regulations as well as in some cases, VAT”—

we shall leave the VAT issue to one side—

“Of even greater concern is the potential danger from such products, whose manufacturer or supplier is outside the jurisdiction of the UK market surveillance authorities”.

An example is given in a recent study by the UK Lighting Industry Association that showed that of six domestic light fitting parts purchased at random through that model, five posed a real threat of electric shock. In that case, the fulfilment house claimed that responsibility for compliance and safety laid with the overseas supplier, not the fulfilment house. If that is correct, it means there is little to prevent those products from entering the UK market and posing a risk to consumers. Meanwhile, businesses that invest in premises and manufacturers from which we collect VAT are unable to compete on a level playing field.

The purpose of my speech is to ask the Minister to investigate, to ensure that safety is of prime concern and that there is a level playing field in the way in which materials are made available, particularly for public buildings. They should be properly advertised, safe and meet all the proper conditions that we would expect them to be subject to. In preparing for this debate, I wrote to the Education and Skills Funding Agency, to draw its attention to how schools provide their notice boards—largely on a cost basis—so that it takes account of whether those notice boards are fire resistant.

I have some specific suggestions for the Minister, which she may not be able to respond to now but hopefully she can look into them. The Building Bulletin 100 design guidance should be updated to require all boards to be fitted in schools to be fire safe to European BS EN 13501 class B standard or national equivalent, not the cheaper and easier ones that many seem to get through that loophole. That simple rule should be applied to all new build and renovation projects, to substantially reduce the fire risk, and it would be relatively easy to implement. It is not retrospective; it is looking forward.

The cost impact is relatively low. I will not go through the complicated figures but the difference is not huge, although it is substantial for the businesses that are trying to compete. Companies must promote clear advertising to avoid confusion and potential danger, particularly for schools but also nursing homes and other public bodies, labelling what the safety requirements imply.

Lastly, school fire risk assessment guidelines should be updated to ensure that existing boards are checked and brought into conformity with the building regulations—at a minimum, fire safe to BS EN 13501 class D standard or national equivalent—within an appropriate time period. At the moment, I am more

interested in going forward, but there is a level of safety checking that needs to be done retrospectively. I will be interested to hear what the Minister proposes.

4.13 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): It is a pleasure to serve under your chairmanship, Mr Owen, and not to be grilled by you this afternoon. I thank the hon. Member for Stroud (Dr Drew) for securing this debate—people often pronounce my constituency incorrectly as Rochester and Stroud, so it is nice to respond to the hon. Member for Stroud this afternoon.

I am pleased to speak in a debate about safety. This Government take product and consumer safety incredibly seriously. Government's first duty is to guarantee the safety of their citizens. In my role as Minister I focus on product safety and standards, an area that I have a particular interest in, having spent my life dealing with products for sale on the market prior to joining the House of Commons.

I will give the hon. Gentleman an update on where the Government are. In January, the Government launched the Office for Product Safety and Standards, to deliver the highest level of protection for consumers and to build confidence in our regulatory system. In August, the office published its strategy for product safety, detailing how it will achieve its goals. It now has in place a dedicated intelligence unit that assesses information from a variety of sources to monitor trends and identify potentially unsafe products on the market. With a £12 million funding upgrade, it now has an operational budget of £25 million a year.

In March, in partnership with the British Standards Institution, the office published the first Government-backed code of practice on product recalls. We have trained more than 300 trading standards officers to identify products and implement that code. That means that we will be better prepared to deal with product safety incidents and support manufacturers in preparing for potential incidents.

The Government are determined to be a world leader in how we deal with regulatory frameworks. A couple of weeks ago I was at the international regulatory delivery conference, which hosted professionals from more than 60 countries. That is an example of the things that we will continue to do to be leaders in this field.

The hon. Gentleman raises concerns about the safety of notice boards in particular. The points he makes are extremely important; he rightly points out that boards can be found in schools, hospitals, doctors' surgeries, university halls of residence and workplaces up and down the country. It is vital that products of that kind are safe and remain safe. By law—under the General Product Safety Regulations 2005—manufacturers have a responsibility to put only safe products on to the market. That applies to any product that is intended for or likely to be used by a consumer, including where the product was originally intended for professional use. Products must be safe for any reasonable foreseeable use and the materials used must also be safe.

Furthermore, where manufacturers or distributors identify a safety issue with a product that is already on the consumer market, they must take action, which may, where appropriate, include a recall. If notice boards are for sale only to businesses or public bodies for use at

[Kelly Tolhurst]

work, they will be caught by the Consumer Protection Act 1987, which applies to all consumer products and products used in the workplace. It places liability for any damage caused by an unsafe product firmly on the producer or importer. The Health and Safety Executive also has a role in ensuring that workplaces are safe. I am aware that a number of universities have banned the use of notice boards or otherwise restricted their use. My understanding is that that is due chiefly to the fact that in the event of a fire, notice boards hold a lot of paper and therefore present a risk.

The hon. Gentleman has a keen interest in schools, which formed a major part of his speech. Having also been a teacher for many years, I am sure we agree that schools must be a safe place for all pupils, teachers and visitors. It was quite shocking to hear his statistics about the number of fires that have taken place. There are already strong protections in place: all schools must follow strict fire safety regulations, including a fire risk assessment that is designed to ensure that they are as safe as possible and well prepared in the event of a fire. In addition, all new school building projects must comply with building regulations, including on fire safety. That is independently checked by building control or other such inspectors before buildings are occupied.

The hon. Gentleman referred to fire safety; the horrific and tragic fire at Grenfell last year was a shocking and terrible event. It is right that the Prime Minister ordered the full public inquiry, which is now under way, in the aftermath of the fire in response to concerns raised about the external cladding on tower blocks. As the hon. Gentleman will know, the Government commissioned Dame Judith Hackitt to conduct an independent review of the regulatory system for buildings and fire safety. The Ministry of Housing, Communities and Local Government is responsible for the safety of building products and is leading on the Government's response. In a statement in the House following the publication of the review, my right hon. Friend the Secretary of State for Housing, Communities and Local Government made clear the Government's support for the principles outlined in the report.

On the specific things that the hon. Gentleman said he would like me to investigate, in my experience fire safety regulations and standards are extremely complex and depend on the particular product or market in question. This debate is very important—it is absolutely right that Members should bring such issues forward and challenge the Government about how we will improve standards and conditions. I was interested in his point about the different fire safety grading of products, so I will happily investigate that.

The fundamental objective of the new Office for Product Safety and Standards is to use intelligence and work with trading standards locally so that we do better at identifying bad products or areas where further action is particularly needed. I am extremely hopeful that the OPSS will achieve that, especially as it starts to implement its strategy. I agree with the hon. Gentleman about the need for a level playing field. He is absolutely right that consumers need to know that the products they buy meet minimum standards and that they must be fully aware of the risks associated with those products.

I thank the hon. Gentleman for securing the debate. I hope he is happy with the commitment I made. As the new Minister for small business, product safety and consumer protection are a particular focus and interest of mine. I reiterate the Government's firm commitment to ensuring that everyone has access to safe products in their homes, schools and workplaces. I am extremely grateful to him for raising his concerns. I am interested to know about the company he mentioned—perhaps we can discuss that outside the Chamber.

Dr Drew: I am sure they will write to you.

Kelly Tolhurst: Yes—that would be good. The Government will continue to do all we can to deliver the highest levels of consumer and product safety, and to use trading standards to combat illegal products that come on to the market. I thank the hon. Gentleman again.

Question put and agreed to.

4.23 pm

Sitting suspended.

Coalfield Areas: Sports Facilities

4.30 pm

Albert Owen (in the Chair): I remind hon. Members that this is an hour-long debate and the Minister has protected time. The Front Benchers have five minutes each and the Minister has 10 minutes.

Ben Bradley (Mansfield) (Con): I beg to move,

That this House has considered sports facilities in coalfield areas.

It is a pleasure to serve under your chairmanship, Mr Owen. The purpose of the debate is to highlight the importance of properly funding and managing local sports facilities in former mining areas, and particularly to talk about the potential of miners' welfares as a community hub and asset. It is great to see so many colleagues from all parts of the House present here.

Many community sports facilities in coalfield towns were built by British Coal and have since been handed over to the Coal Industry Social Welfare Organisation, a national charity supporting former miners and their families with help and advice on disability, ill health and financial hardship; the organisation has responsibility for miners' welfares. There are about 250 recreational charities still operating as independent welfares and an additional 425 where a municipal authority acts as the trustee. In some communities, these facilities are the only remaining social and sporting amenities available for public use.

Some centres have adapted and evolved to meet the needs of their local communities; some trustees run very successful football clubs, while others run bowling greens and other facilities, for example. Unfortunately, many have not been successfully run and their buildings and sports grounds have been run down. I am concerned that those facilities are not receiving the investment required to maintain them to a decent standard.

There are several local clubs that I would like to mention, but I will stick to two key ones, although there are many others like them across Mansfield, north Nottinghamshire and the rest of the country, all linked to former collieries. The first is Welbeck Lions football club, in Meden Vale, which is located at the old miners' welfare and provides sporting facilities to one of the most deprived communities in the region. It has eight junior and two adult teams, with a further three in development, and has been proactive in forming positive plans for future expansion. I have hosted a meeting for it with the Football Association and other supportive organisations.

The club and its volunteers provide an invaluable service to the local community. The club is keen to grow and expand, but improving its playing surfaces is a priority. It also needs floodlit pitches, which are required to allow the senior team to compete at a higher level and the under-19s to play in a midweek floodlit league. It has an array of further issues: the sports pavilion only has one toilet and cannot meet modern regulations, and security is a concern, with vandalism and pitches plagued by dog fouling. The young people who engage with the Welbeck Lions are often from deprived backgrounds. Statistics show that Meden Vale, where the club is based, is among the poorest communities in

Nottinghamshire, and the positive impact that sports facilities have on the lives of local people should not be underestimated.

The second is Forest Town Arena, formerly the welfare and now home to AFC Mansfield. It is still a focal point for the community in Forest Town and a venue for all sorts of local events. There has been good management and investment, and the result is a nice facility; it shows what can be done, and what more could be done, with the right support and co-ordination. The community spirit that once held mining communities together is very much still there, whatever the Labour party's political broadcasts might suggest. The organisations that kept people together have evolved and some have moved on, but in some areas the pubs and social clubs that used to be the centre of life have disappeared, and coalfield communities are left with often run-down community facilities and a lack of funding and support for sports provision.

A 2008 report by the Audit Commission stated that social regeneration had been the least successful component of regeneration in the coalfields. In 2010, the Department of Health commissioned a report that sought to look at health inequalities in coalfield communities, which raised concerns about whether the previous emphasis on economic regeneration came at the cost of health and social projects. The report stated that the health behaviours of men, women and children in those areas were often characterised by poor statistics around smoking, alcohol, poor diet and nutrition, coupled with inactivity. Unfortunately, it is increasingly clear that the facilities needed to support more exercise and activity are not up to scratch in many of those communities.

More recently, the benefits for mental health of participating in sport have been established. Studies have shown that sport can improve mood, decrease the chances of depression and anxiety and ensure a more balanced lifestyle. Again, we see higher levels of long-term mental health problems across the age range in coalfield communities compared with the rest of the country as a whole. Sports facilities are not just important for locally well established teams and aspiring world-class sportsmen; they offer a wide range of benefits, including improving the health of younger and older people and creating positive opportunities for socialising.

The new community focus criterion of Sport England could be hugely beneficial for areas such as Meden Vale, Warsop or Mansfield, if that sport could be focused on bringing welfares back to life as a community hub for health, sport, social activities and even the provision of services. In Warsop, where they have unfortunately recently lost a leisure centre, a community hub based around a welfare that could bring all those things back together would be life-changing for many people in the community. It is more cost-effective than an expensive new building and could be done in some of the areas of most need, where activities already take place.

The Coalfields Regeneration Trust has supported projects in coalfield areas and helped to respond to the threat of closure of outdoor sports facilities such as pitches, playing fields and pavilions. The trust has invested millions of pounds in sports facilities in England such as multi-use games areas and 3G or AstroTurf facilities. One of the trust's current priorities is health and wellbeing, and I am pleased that sport features heavily in its work. In 2006, it undertook a comprehensive review of sport

[Ben Bradley]

and recreational facilities across coalfields, which provided details of facilities that were available to coalfield communities prior to the financial crash.

It would be helpful if the Government supported the trust to update that database and review which facilities remain and which are no longer available. For those facilities that are no longer in use, I would be particularly keen to learn how they were disposed of and what reinvestment was made in the communities when those facilities were lost. If land was sold, where did the money go?

As well as the grants that Sport England provides, dozens of national governing bodies award funding packages, as do local authorities, but trustees of coalfield facilities often do not have the experience to apply for those grants. It is also the case that many applications have conditions covering things such as minimum participation, which can be difficult. Once established, helping to bring different teams, clubs and other community organisations together under one roof in a welfare-based community hub could help to facilitate bidding for and winning investment to make the centres self-sustaining in future.

As I mentioned at the beginning, coalfield communities are often in a slightly unusual position in that many of their community centres and local sports facilities have a background in the coal industry rather than being built and maintained by local authorities. Since the transfer of miners' welfare clubs and community facilities to CISWO, facilities such as football pitches and bowling greens have often not been looked after effectively. In my former role as a district councillor I was involved, along with my hon. Friend the Member for Sherwood (Mark Spencer), in a campaign on Bestwood Miners' Welfare, which has been affected by ongoing issues surrounding its management and the maintenance of its facilities. I am keen that the Government look at how local authorities and sporting bodies can be encouraged to work with CISWO on local sports and health and wellbeing priorities in order to support such communities.

In my experience, CISWO is not always the best at facilitating effective management of the facilities and ensuring that they are looked after. It works hard to support former miners and their families and provides important assistance to those individuals, but I am concerned that, in prioritising the individuals rather than the long-term community legacy, it is allowing facilities to become run down and in some cases turning a blind eye to poor management, which is detrimental to communities.

Money raised from community buildings seems often to be invested in other priorities of the organisation and not put back into the community it came from. While that money might be spent nationally on campaigns, or on information and support for individual miners, it is being drained out of local facilities and leaving coalfield communities worse off. I am concerned that CISWO might not be providing suitable support for the trustees of these facilities and I ask my hon. Friend the Minister to investigate how the process could be improved to support the facilities more effectively.

My hon. Friend the Member for Sherwood has previously raised concerns in the local press about CISWO taking money out of Nottinghamshire with

little investment in return. He has rightly criticised it for profiting from the sale of land but not reinvesting the money back in local facilities. That is not happening only in Nottinghamshire; I know that in Yorkshire there have been similar problems. *The Yorkshire Post* ran an interesting story about recreation grounds in mining communities last year. I fear that CISWO's strategic decision to focus on former miners as individuals rather than on communities, while perhaps understandable at one time, is now increasingly to the detriment of those communities.

The good news is that in Mansfield and Warsop, and across many other mining towns, there are facilities that still exist and space available for sports amenities. I am not asking the Government to commit to funding a series of brand-new facilities. It is often cheaper to refurbish and improve current facilities, with some help. I am convinced that some money already exists within a number of external organisations that could be utilised in this way.

I am keen to highlight that improving sports provision in coalfield communities will not take huge resources. I want Ministers to consider a small injection of funding to support coalfield areas in improving sports provision, which will improve health and wellbeing and rebuild social cohesion. However, it is just as important to get the political will behind improving facilities, and the Government should look at ways to encourage CISWO, local authorities and sporting bodies to work together to improve sports grounds. For the most part, facilities have willing groups of trustees and volunteers, so the main challenges are getting them to work together, giving them the skills and getting CISWO to release funding, along with support from national sports governing bodies.

As I touched on earlier, Sport England helps many communities with health and wellbeing programmes, looking at ways to support community assets and to provide multiple services from one facility. Miners' welfare clubs and sports grounds in coalfield communities have traditionally been used for a range of purposes, and I hope that Sport England sees the potential of many of those facilities as hubs for multiple services. That would also tie in with its work with deprived communities.

Sport England's funding programmes, such as Inspired Facilities and Protecting Playing Fields, are helpful, but I would like to see a specific focus on coalfield communities and protecting the facilities that currently exist in those areas. As a Government, we should aim to prove that we are committed to supporting coalfield communities, to advancing the cause of some of the country's most deprived areas and to genuinely be about helping the "just about managing" to have a better quality of life.

At the end of 2015, the Government published "Sporting Future: A New Strategy for an Active Nation", which emphasised the importance of harnessing sport for social good. It was a positive publication and a step in the right direction, and the then Prime Minister, David Cameron, said that the Government would

"target funding at groups which have traditionally had lower participation rates".

That includes places that are less active and less healthy, and coalfield communities generally top the charts in those statistics. Coalfield communities are generally some of the most deprived in the UK, with poorer

health outcomes and lower levels of physical activity. I hope that Ministers look to coalfield communities when considering their duty to ensure that absolutely everyone can benefit from sport, because, as the report notes, “the biggest gains and the best value for public investment is found in addressing people who are least active.”

I thank the Minister for her attendance, and hope she will be able to address some of my questions. I also hope to hear positive contributions from Members from across the House. I thank hon. Members for their time.

Albert Owen (in the Chair): I remind hon. Members that I will call the first Front-Bench spokesperson at 5.10 pm.

4.41 pm

John Mann (Bassetlaw) (Lab): I thank my constituency neighbour, the hon. Member for Mansfield (Ben Bradley), for securing this timely debate. I represented part of his constituency until the boundary changes of 2010, so I know Warsop and Welbeck extremely well. I recall the work that I and my office put in to get the initial significant grants to bring Meden Vale’s playing fields up to any kind of reasonable standard, but that was the beginning of the process, not the end. In former mining communities such as Meden Vale, with the level of enthusiasm and the number of volunteers there, it is fairly obvious to me that the Government are sitting on a health gold mine.

CISWO, with its legacy from the coal industry, is responsible for more playing fields in England than any other single organisation—a phenomenal fact. However, it has never taken that responsibility seriously. It has never had a plan. I have had many battles with it, even over basics such as getting investment in. That contrasts totally with the less well funded Coalfields Regeneration Trust, which has done and still does a superb job with meagre resources; it has pennies where pounds are needed. Its approach has been absolutely to the point in terms of recognising the economic and health benefits of investment, including in sporting facilities. The hon. Gentleman was right to highlight the important role that the Coalfields Regeneration Trust still plays. It could do more with more resource.

I am interested in the possibilities around CISWO and its land. The CISWO land in my area includes land in Harworth, a former colliery. It has cricket and football clubs. There was also provision for weightlifting and archery—Olympic sports. It was given £43,000 for floodlights, so that the football club, which has been very successful, can be promoted. The colliery is good at raising its own money, but it has never had any significant outside investment, only small amounts.

The land is there, and one of the Football Association’s multi-purpose, floodlit, full-size 3G or 4G pitches could be put there instantly, losing no facility whatsoever. It has a car park and changing rooms. It has the infrastructure. It has the community involvement, including among kids, and, critically, it has the volunteers. This is low-overhead sport. It does not require paying loads of people to do loads of things; it is volunteer-led. That kind of investment there would work. However, those volunteers are not the kind of people who have spent their time learning the routes to bid for various sums of money, so the money goes elsewhere, and they continue to spend their time running mass-participation events.

Costhorpe does not have any infrastructure. It has the fields, although it gave them over to the district council, and it has the cricket pitch. It lost its tennis facilities, and the bowling facilities are long gone, although the land is still there. However, there are no changing rooms, so kids playing football have to change in cars. There are no toilets, although the youth club is sometimes open to give that generous assistance. Again, it is pretty simple and pretty basic: any plan for sport—or for football, which is the biggest sport played there—would have that automatically built in. Football bodies, with their mass wealth, are not doing that.

There is also Manton. I actually employed a member of staff, Kamini Patel, who spent three years battling with CISWO to allow investment in the facilities there. We pooled our money, Sport England money and various other types of money and put in changing rooms and a little multi-use games area. It was transformed from virtually nobody using it—one club, one football team—to thousands of kids using it, and thousands of girls playing football there. That continues to this day. It has decent changing rooms, decent toilets, a proper, safe car park, safe access and a little tuck shop room to make teas and coffees.

An all-weather facility could be put in Manton and the numbers would dramatically increase again. It needs a bit of assistance to get that going. It could also do with infrastructure money for the boxing that is held there, which is only just legal in the building used for it. There is also athletics there, which is highly successful. We are talking about potential Olympic medal winners training in the summer on grass marked out at the miners’ welfare. That is not the standard that we should aspire to in this country.

It seems to me that there is a huge opportunity for the Minister and for the Government. The facilities, the land and the consent are there. CISWO is not a dynamic organisation, but it is not the irritable blocker that it was when I dealt with it five or 10 years ago, when it tried to block every single thing. It gave me plenty of grief simply because we wanted to turn drinking clubs into sports clubs for kids. That has now changed, and CISWO will not stand in the way, but it needs some pump-priming. It needs the Government to say that they will put in extra money if it opens up football, cricket or athletics facilities, but what should the Government’s price be for doing that?

My final point, Mr Owen, is the biggest and the most important, and the one you will be most interested in, as will the Minister, I am sure. Any Government funding should be conditional on putting the NHS in the middle. The Government should tell the NHS that it has to be part of this. We put some good money into Manton miners’ welfare, and you cannot move for the vast number of parents and grandparents watching young girls and boys play football there on a Saturday morning. It is a wonderful sight, and statistically it is the Football Foundation’s most successful ever project. I hope it is listening in and recognising that.

What if NHS involvement was one of the conditions? Doctors could recommend walking round the pitch three times for each grandparent. Reading University’s academic research suggests that that will probably add half a year to their life if they do it every time they watch their grandchild play football. Let us bring in a little bit of quantified active participation and literally

[John Mann]

bring in NHS branding—force the NHS to think through using these facilities as part of its work. The key target group in Mansfield, Bassetlaw and other coalfield communities is the parents and grandparents watching their kids involved in physical activity. If what I have suggested is part of the deal, we will save the taxpayer a fortune. Three times walking round the pitch is quantified activity. We should say to those running the facilities, “It is part of your responsibility to get all the parents and grandparents doing it, because that is why we are putting the money in.”

That would be huge for the NHS. That is the little twist that I would build in. It would be transformative in coalfield communities. It would be great for mental health stuff and all the rest. Say to people, “Aye, go and have a drink if you want on a Saturday night, but these aren’t drinking clubs. They are sports clubs. As they were originally, so they are going to be again—a great national asset brought fully back into use.” What a chance for the Minister to be performing round the country and seeing great success in what she has done!

4.51 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate my hon. Friend the Member for Mansfield (Ben Bradley) on securing this important debate and the hon. Member for Bassetlaw (John Mann) on his passion and enthusiasm for the changes that we are seeking in coalfield communities.

Coalmining was a major industry in Ayrshire from the mid-1700s until the mid-1980s, which saw the last of the deep mines in Ayrshire—or the National Coal Board west area, as it was known. Today, the surface scars of the collieries are all but gone, leaving a unique landscape of pine forests, moors, lakes and recovered open-cast sites. There are also many sites of special scientific interest, and I am pleased to report that the area hosts an abundance of wildlife.

When the coalfields were thriving, sport and culture also thrived. Over the past 150 years some remarkably talented individuals, including musicians and sports personalities, in sports ranging from boxing to bowling—not least Bill Shankly, of football fame—have hailed from Ayrshire mining communities. Bill Shankly was born not quite in my constituency but in a neighbouring constituency, in a small village called Glenbuck. It produced a number of world-class footballers.

Sadly, many such villages have disappeared, but since the mines closed the communities have remained proud and resilient. In recent years, for example, members of the Dalmellington curling club have worked to reinstate the outside curling pond at Craigengillan—currently the only self-leveelling curling pond in Scotland—and almost certainly using granite curling stones quarried on the island of Ailsa Craig, off the coast of my constituency. Moreover, the Dalmellington band—it is well worth going to hear it play; it does very well in competitions throughout the UK—is playing on after 150 years in the Doon Valley.

There is much evidence to suggest an unhappy correlation between lower indices of health and fitness, life expectancy and deprivation in former coalfield communities, and a great deal of evidence to suggest that sports facilities

are an excellent means by which to improve that particularly bad situation. At the moment, a number of organisations are doing sterling work for the welfare of former coalfield communities. Locally, we have East Ayrshire Council, the East Ayrshire Coalfield Environment Initiative, the Coalfields Regeneration Trust and the Coal Industry Social Welfare Organisation, to name but a few. Indeed, another local organisation, the Coalfield Communities Landscape Partnership—it aims to reconnect communities with the landscape by creating opportunities for leisure, tourism and, we hope, jobs—has recently secured £2.5 million of national lottery funding, which will do much to support its work.

There is, however, a danger of overlap, and although I am very much aware that elements of sport are a devolved matter, community health and wellbeing is a matter of UK-wide importance. In many communities, the loss of sports facilities such as games halls, golf courses and bowling greens has left a significant health gap. Will the Minister therefore consider whether, despite the devolved elements, a UK-wide approach, with some form of joint working between Governments and the various support organisations, might see increased efficiency in the improvement of existing sports facilities, and in some cases the construction of new ones in former coalfield communities UK-wide? I will just mention that the proposed UK prosperity fund might be a till that one could dip into to improve some of these facilities, which are much needed.

There is the potential to make a significant contribution to the health and wellbeing of these communities, which in the past have played an immense part in the success of industry throughout the UK. We have taken the deep-mine coal, we have taken the open-cast coal and, as if that were not enough, we are now stealing the wind—for renewable energy—from these communities, particularly around the Doon Valley. I say to the Minister that it may be time to pay them back for what they have given to the United Kingdom.

4.55 pm

Sir Kevin Barron (Rother Valley) (Lab): It is a pleasure to be here under your chairmanship, Mr Owen. I thank the hon. Member for Mansfield (Ben Bradley) for raising this matter. The Coal Industry Social Welfare Organisation has been mentioned. Its headquarters are in my constituency, and I have worked with it over many decades. I am referring to the work that it has done and continues to do for mining communities and individuals in those communities. Its core activity includes services to individual clients through the organisation’s personal welfare service. That includes advice, guidance, advocacy and grant assistance to former miners and their families. The organisation’s website states that that is its medium-term priority. Sadly, we all know that that medium-term priority will be lessening all the time, because there are not many ex-miners around now.

Obviously, it is a long time since the coalmines closed in some parts of my constituency and, as has been pointed out, what we have left, as a consequence, is many recreation grounds that were tied to the local coalmine. When I was a miner in Maltby colliery, we used to pay a certain amount a week from our wages to the miners’ welfare fund, which was there to assist with the different activities that took place. Providing support for mining charities acting within mining trusts and

preserving recreational facilities in former mining communities is difficult at this stage, but I believe very strongly that we should look after these facilities for current and future generations.

I have discussed individual projects with the Coal Industry Social Welfare Organisation. I ought to declare an interest. My grandson, 10-year-old Ted Barron, plays for Maltby Miners Welfare junior football club. His older brother used to play for them, but he plays for another club now. There is still a hive of activity in these ex-coalmining communities, but there are a lot of problems.

I will not talk about all the grounds—there are many in my area—but one has been empty for years and we have argued about redevelopment and getting some sporting activity back on to it. It is in a village called Dinnington, where my constituency office is. Through CISWO, we tried to get some movement on that many years ago. We have had problems with other grounds as well. It may be argued that personal fallouts have been an issue. The biggest issue we have had recently at Maltby—I am going to ask the Minister whether her Department can help in some way—concerns the local football team. There are many people there—there is bowling and cricket, and whippet racing is still an activity—I have not seen a human beat one yet, but anyway, it is still an activity that takes place. There is an issue about ground improvement. Because no miners work down Maltby colliery any more, nobody is paying money into the welfare scheme, and the bar takings are depleting by the day. The culture is changing. We have a situation that is potentially a serious threat.

There was a scheme involving the football club, called Maltby Miners Welfare. This year it was streamed in the first FA cup round playing Pontefract Collieries. Sadly, Pontefract Collieries won—I was at the match and saw it. But the main thing about that is that there was an attempt to get some improvements through the Football Foundation, but that was not possible because of the lease arrangements between CISWO, the local Miners Welfare trustees and the users themselves. There is constant debate about the costs.

There are football clubs peppered throughout south Yorkshire playing in major amateur leagues. The football clubs have abandoned those grounds and gone elsewhere. At Kiveton Park in my constituency the football club left about three years ago—it could not get one locally. The priority for CISWO is the issue of independent advice, which I accept is important, but I and others would like the legacy left by coalmining to carry on now, in terms of health and activity in our constituencies, especially given the levels of childhood obesity. I am not saying that they should necessarily get an NHS grant, as my hon. Friend the Member for Bassetlaw (John Mann) says, but these clubs will need advice as they move into the future.

It is clear that CISWO has some assets in buildings and land. Its priority at the moment is to look after people who worked in the coal industry and their dependants, which I understand. In my view, it needs some advice about the future, so that we can get Football Foundation money to keep the recreation going, and to keep our young and elderly people fitter by using these facilities, which are a legacy from coalmining throughout the UK. I am sure that, with some assistance, CISWO would be the right organisation to do that.

5.1 pm

Lee Rowley (North East Derbyshire) (Con): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate my hon. Friend the Member for Mansfield (Ben Bradley) on securing this important and timely debate. I am pleased to follow the important and passionate contributions of hon. Members, which reflect a combined view across parties in this part of the world. I am a near neighbour of those who have spoken, except for my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant), who comes from north of the border but whose points were just as valid.

This issue is close to my heart. I did not have the privilege of being a miner, but both my grandfathers were miners and both of them effectively died from mining. I represent one of the pits that one of my grandads worked down, before he lost his leg and was retired. I have the privilege of representing lots of coalmining villages, including my own, which I lived in and my family have lived in for nearly 50 years. I know that the passion and community spirit is still there and I know how important it is to support that. I know the experience that has been discussed already. I have been to lots of the working men's clubs and community facilities in these villages over the past few months, because I have been renting them out to hold public meetings and to talk to residents. Huge camaraderie and community spirit remains.

We will not debate this extensively, but it is fair to say that such places had the stuffing knocked out of them in the '80s, and over the last 30 years or so they have got back on their feet and are moving again. Yet challenges remain, and it is places such as these where the community can still come together. Often some of these communities are somewhat isolated. I represent communities that are not that far away from the main town, Chesterfield, but actually most people look internally within that community—the bus routes are not great and not everybody has cars—because that is what people see and experience day to day. As a Government, we should think very hard about how we can support and improve this area.

There is some fantastic work already going on—I will name a few examples. I recently went to Tupton to talk to the local rugby club, which is doing fantastic work with the local community and is a real asset for the village. I have been to watch Eckington football club pull together dozens of young people every single week, to work in teams and learn to play football. Killamarsh Dynamos is doing the same in the next village. Last Friday evening I was at a local basketball club, Arrows Basketball in Dronfield, which operates across Dronfield, Yorkshire and Killamarsh. I have also seen Killamarsh Juniors, a club that is run to support local activities from a sports perspective. It has its own challenges, not least with npower—something I have been trying to help with over the past six months—which has put in four different smart meters and is getting different answers every time. I know that is slightly ancillary, but it demonstrates how close some of these clubs are to the bread line in supporting the activities they are doing. As a Government, we need to ensure that we recognise the important contribution that they make.

In my section of the party, I am somebody who believes in a small state and in Government only spending where it is necessary, rather than spending badly in lots of places. However, I am a strong supporter of infrastructure

[*Lee Rowley*]

spending, and this is social infrastructure. I can see from the places that I have the privilege to represent and the place where I have grown up how important these kinds of facilities are for the communities that we have been speaking about today. If there is something that we can do here, we should consider it strongly.

5.5 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Mr Owen—in a different forum from our usual Wednesday morning standing engagement. I am conscious that the Division bells might ring in a moment, but I will keep the Chamber going until such time as we are interrupted.

I commend the hon. Member for Mansfield (Ben Bradley) for securing and kicking off this excellent debate. We have heard excellent contributions from the hon. Gentleman himself, the hon. Members for Bassetlaw (John Mann), for Ayr, Carrick and Cumnock (Bill Grant)—who I will come back to in a moment—and for North East Derbyshire (Lee Rowley), and the right hon. Member for Rother Valley (Sir Kevin Barron). I do not always agree with my friend, the hon. Member for Ayr, Carrick and Cumnock. I did not agree with him—as hon. Members will have seen from my excessive gesticulation—when he suggested that we should have a UK-wide approach to spending on these matters, but I suspect that we shall have to disagree on that.

I am delighted to begin the winding-up speeches on behalf of the Scottish National party. I want to refer to one or two initiatives in Scotland, as the hon. Member for Ayr, Carrick and Cumnock did, before placing on the record my plea—not to the Minister, because this is a matter not for her but for my colleagues back home on Glasgow City Council—for some sports facilities in Glasgow East.

Before I do that, I want to pay tribute to the Coalfields Regeneration Trust, which receives financial backing from the Scottish Government in Edinburgh. Some £750,000 has been pledged to the trust this year to support the enabling of grassroots activity, which can tackle issues relating to employment, sport and training. We know the good work that the trust does and what good value for money it is—it has been reported that it delivers £1.81 for every £1 it receives, so it almost doubles the money it receives.

One of the three current priorities of the Coalfields Regeneration Trust is health and wellbeing, and encouraging sport. Since 2014 it has run an annual football event for five-a-side teams aged 14 to 16 in each country, with finalists going on to play against each other in the home internationals. It is one of the few occasions when Scotland seems to do well at the moment, so I will certainly support that. The trust also recently ran a sports challenge, inviting sports clubs and groups to bid for financial support, to encourage those young people to get involved. It was not just football and rugby that benefited; we saw basketball, lawn bowling, boxing and even an Australian rules football club receive support.

The hon. Member for Mansfield was right to frame the debate in the way he did. A particularly hot topic in my constituency at the moment is the need for a new sports facility in the village of Baillieston. The village grew out of a number of small hamlets, including

Crosshill, Barrachnie and Bredisholm, which developed as farming and weaving communities in the latter part of the 18th century. However, the opening up of the Monklands coalfield, with the construction of the Monklands canal and later the railway, stimulated the rapid growth of Baillieston. It soon acquired the typical character of a mining village, although some weaving survived until the end of the century, and we still have the last weavers' cottage on Baillieston Main Street, which I am glad to see has been done up.

A continuous programme of pit sinking drew in workers from across Scotland and beyond, and the population grew rapidly to reach almost 4,000 by the time of the first world war. Of course, for reasons of politics, Baillieston does not have that mining industry now, but it is a radically different place. We once again have a growing population and the issues associated with that, and for that reason residents in that part of my constituency are quite right to say that they want proper amenities and facilities that reflect the dynamic and growing population that now lives in Baillieston and its surrounding communities. Since being elected, I have been working closely with my SNP colleague, Councillor Elaine Ballantyne, to apply maximum pressure to Glasgow City Council to make sure that the community gets what it was promised many years ago. A sports hub is what they were promised, and it is what we will deliver.

5.9 pm

Dr Rosena Allin-Khan (Tooting) (Lab): It is an honour to serve under your chairmanship, Mr Owen, for what I believe is the first time. I thank the hon. Member for Mansfield (Ben Bradley) for leading this debate. His constituency is directly affected by this important issue, which his predecessor was also concerned about.

One in 11 people in the UK live in coalfield sites, and as many hon. Members will know, coalfield sites fall well below the national average in most national indicators. My husband is from a little mining village in Wales, and we often talk about the challenges faced by people who live in such rural communities. Whether in employment rates, prevalence of ill health or life expectancy, coalfields have some of the worst statistics on deprivation in the UK. The 1980s miners' strike may be a distant memory for some, but for residents in coalfields across the country, the job losses that came afterward have cast a long shadow. The Government of the time were responsible for ripping coalfield communities apart, and the then Prime Minister did little to repair the fabric. We are still trying to rebuild those communities up and down the country. Sport programmes delivered in coalfield areas have been shown to have a positive impact on communities. They reduce antisocial activity, increase feelings of public security and reduce the number of young people involved in violent crime. In many of those communities, only one or two pubs in certain villages bind people together, so sports facilities provide an essential opportunity.

As the shadow Minister for Sport, I have seen at first hand how sport can change lives, especially young people's. The physical benefits are plain to see, but just as important are the support structures it can provide: mentoring, friendship and a place to belong. I will continue to be an advocate for community sports. However, we need more than somewhere to play sports; we need coaches—people who can spot talent, or who can spot

vulnerable young people and go on to help them. Sometimes people cannot get the support they need from their families and they look to coaches in sports facilities to be the person they can rely on. It is about camaraderie, the team, being together and knowing everyone is there for one another. The power of sport should not be underestimated.

Most sports facilities in coalfield sites are still privately owned and operated by the Coal Industry Social Welfare Organisation, which we have heard about already. It is a national charity that supports mining communities and oversees hundreds of formerly British Coal-owned sports facilities, which are leased out to local miners' welfare schemes. Recently, however, the Coal Industry Social Welfare Organisation made "a strategic decision" not to offer grant aid to support welfare schemes running recreation grounds, but instead to focus on providing support services to individuals. That was part of a three-year plan created in 2015 to cut spending by £600,000, to extend the organisation's projected lifespan. It has led to a growing number of sports facilities in coalfields having to close because they just do not have enough money to keep going. That has happened at a time when Government cuts have forced secondary schools to cut the provision of physical education teaching by almost 35,000 hours.

It seems clear that the Government owe a historical debt to the communities in coalfield sites. For years, people in those communities worked in incredibly dangerous conditions, as we heard from the hon. Member for North East Derbyshire (Lee Rowley), who spoke about his family's involvement. They worked in those conditions to produce the coal that fired this country's economy for decades. What reward have they received for their service? A Prime Minister led an attack on mining in which miners were described as "the enemy within" and which decimated the mining industry and the communities that depended on it.

I urge the Minister to consider the points that have been made in this debate, to do everything she can to reduce deprivation in coalfield sites, and to focus particularly on the sustainability of sports facilities. Sport can improve lives, increase community cohesion, give young people a purpose, give families an opportunity to be together and change young peoples' futures. I urge the Minister to ensure that the Coal Industry Social Welfare Organisation has the financial support to ensure that coalfield communities do not miss out.

Albert Owen (in the Chair): I call the Minister to respond to the debate. Perhaps she can leave a couple of minutes at the end for the hon. Member for Mansfield (Ben Bradley).

5.14 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): I would be delighted, Mr Owen. Unlike the hon. Member for Tooting (Dr Allin-Khan), I do not think that this is the first time that I have served under your chairmanship. I am sure that it will be as much of a pleasure as last time.

I thank my hon. Friend the Member for Mansfield (Ben Bradley) for securing the debate. I welcome the opportunity to raise awareness of this important issue and to explore with hon. Members what can be done. I am grateful to him, my hon. Friend the Member for

North East Derbyshire (Lee Rowley) and the hon. Member for Bassetlaw (John Mann) for meeting me earlier this year. It was a helpful introduction to their concerns about the Coal Industry Social Welfare Organisation and to the aspiration of hon. Members to seek greater investment in their communities. I would also be very happy to meet the right hon. Member for Rother Valley (Sir Kevin Barron) to discuss Maltby, if that would help. The point made by my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) about devolution is interesting, albeit challenging, given the way that funds are distributed for sports across the UK. I will take that away and think about it.

This is clearly an important subject. Like all hon. Members who have spoken, I firmly believe that sport and physical activity should be for everyone, no matter where they come from or where they live. Sport has the power to transform lives and the benefits go far beyond the physical, which is at the heart of what we are trying to achieve through the sport and physical activity strategy. Sporting Future was one of the first strategies that I delivered as the Sports Minister in 2015. At its core is a desire to create a healthier, happier and more productive nation. Supporting people to be more active in whatever way best suits them is a crucial part of that.

One of the greatest factors that affects people's desire and ability to get involved is the environment and facilities that they can access. Facilities are key. For some people, especially for older generations, taking part in sport can bring back memories of crumbling changing rooms, muddy pitches and jumpers for goalposts, so good-quality, inclusive and welcoming environments are important in encouraging people to get active and, more importantly, stay active.

I am pleased that the Government are doing so much to transform sporting facilities across the country. I recognise that Sporting Future is not perfect, but we are insistent that facilities and the environment for sport and physical activity should be a priority. It made clear our support for bringing together sport and physical activity facilities with other community services. It also highlighted the benefits of multi-sport facilities in improving usage and sustainability. More than that, it placed the customer—the person—at the heart of facility design. Gone are the simple days of "build it and they will come". We must be smarter and we must think harder.

Nick Smith (Blaenau Gwent) (Lab): Given the local government cuts in leisure, given that the industry does not support sport as it used to, certainly in my area, and given the real problems of modern illnesses such as child and adult obesity across the UK, particularly in our coalfield communities, what more does the Minister think the NHS can do to make a large-scale material difference in improving the health of our country by promoting physical activity, as my hon. Friend the Member for Bassetlaw (John Mann) suggested? The Minister's strategy is worthy, but will it make a sufficient difference to deal with modern killers? Do we need to be much more ambitious and involve the NHS?

Tracey Crouch: We already involve the NHS, but we can do more. That is not within my portfolio, but I assure the hon. Gentleman that a lot is going on in terms of the social prescribing of physical activity in local communities to combat the issues that he mentioned.

[Tracey Crouch]

Other things can be done—he should remind me to tell him about some girl guides from Wales who just visited me, who have been working hard to get sports such as rugby into their schools, despite opposition from their headteachers to allowing girls to do traditionally boys' sports. I will talk to him about that outside the Chamber, because it is not the issue that we are talking about today. There is no simple solution, though; we need a partnership across many different agencies.

To support the Government's ambitions, Sport England is investing £40 million in large-scale facilities up to 2021 through its strategic facilities fund. Its community asset fund provides grants of up to £150,000 to organisations and communities that want to take more ownership over the spaces and facilities in their local areas. I am pleased to see the extensive support that Sport England has already provided to mining communities, with £4.8 million of public investment having been awarded to 30 miners' welfare organisations since 2005.

I was very interested in the comments by the right hon. Member for Rother Valley, because it says here in my script that the Kiveton community sports park in South Yorkshire is a particularly successful and recent example of how Sport England funding has helped to regenerate land and support mining communities to be more active. The park is used for sports as diverse as football, cricket, tag rugby and bowls; there are also para-sports such as boccia and goalball. Clearly, we need to talk about Kiveton outside this Chamber. It also says here in my script that it is a wonderful facility, and I am thrilled that so many people are being introduced to such a wide array of sports. Clearly, our perception of what is being delivered at Kiveton is very different from the reality on the ground, and I welcome his feedback on that.

It also says here in my script that Kiveton is a great example of how local interest and drive can be harnessed to make a real difference for communities. Regardless of Kiveton, however, it is clear that facilities only work properly when they are properly planned, properly used and properly maintained. That means being clear about which people we think would benefit the most from using them.

My hon. Friend the Member for Mansfield and others spoke about CISWO. Although colleagues will appreciate that I am not in a position to comment on specific details of CISWO's operations, I encourage all interested parties, including CISWO, the local trusts, local county sports partnerships and others to come together to discuss how local communities and facilities can best be supported and managed. Sport England has huge expertise in this area and I am sure that its staff would be very happy to contribute to such conversations. If that is of interest to colleagues, we can help to facilitate it.

We all know that many of the mining communities that we have talked about today include people from some of the hardest-to-reach groups in society, who are exactly the people who benefit the most from becoming more active. That is another key message in the sport and physical activity strategy. We want a strong focus from the whole sport and physical activity sector on how we can reach people who traditionally have not got involved in sport or who think sport or physical activity is not for them.

A great deal of support is already out there. Sport England has delivered a range of opportunities that place tackling inactivity and engaging under-represented groups at their core, and it is investing up to £100 million in 12 local delivery pilots across the country. These pilots focus on bringing together a wide range of partners to solve inactivity challenges in very specific locations. We are monitoring those pilots very closely, as they will be vital in helping to deliver better interventions across the country in the future.

Public funding and support can only stretch so far, but I shall make sure that the speech by my hon. Friend the Member for Mansfield is passed on to the Chancellor as soon as possible. However, as I said earlier, there is no simple answer and therefore no one solution. Organisations that have great ideas about developing their facilities need to be encouraged and directed to other sources of finance and support. They need to be brought together—even cajoled—and it is in this regard that local leadership and understanding is key. Local authorities are the organisations best placed to understand what is needed in their communities and how to build support for any proposal, and the brokerage that local leaders can offer is invaluable. I urge the parties involved to get around the table to find a solution. Whether it is the challenges of planning regulations, access to finance or a lack of co-ordination, there is an opportunity to address real community need.

What we must avoid at all costs is building facilities that do not have the support of local organisations and that have not been tested by the community. I know that as someone whose constituency received funding for a major sports facility in the early stages of Sport England and lottery funding. That facility was developed, but a few years later it went into administration, because it had not been subject to community testing and did not have the right business plan. I really encourage thinking through the bids that go into the lottery organisations.

Sir Kevin Barron: I am very grateful to the Minister for what she has said. I will make contact with the CISWO officer in my constituency to see whether I can facilitate a meeting between CISWO and Sport England, to look at all these issues that are affecting people up and down the land in former coalfield areas.

Tracey Crouch: We all want to see more and better facilities. It is important that we work together in partnership to help people to get active, but sporting facilities all need to be properly planned, and that is where the leadership of colleagues here in Parliament, including leadership of their colleagues in their own constituencies, is incredibly important. Understanding the needs of local communities and building a broad consensus are crucial, and those of us in central Government in Whitehall are probably not best placed to do those things. However, we can provide the expertise from Sport England to help to support those conversations.

In addition, the Cabinet Office and the Local Government Association's "One Public Estate" programme brings together partners from across a range of different local backgrounds to help to deliver property-based projects. I know my colleagues in the Cabinet Office would be very happy to meet interested Members to discuss that programme further.

At the very centre of this debate is the importance of understanding how we can help communities to be more active, including how they can access better quality facilities. We all know of the benefits that people gain from sport: it improves mental and physical health, improves skills, brings communities together, and makes the country a more productive place. That is why we want to see strong local partnerships coming together to understand the needs in their area and consequently to reinvigorate their local facilities and green spaces.

That already happens in many places, but there is scope to do so much more. I want communities to be supported to ensure that everybody, regardless of their ability or background, feels able to get active and live a healthy, happy and full life. I urge Members, CISWO, the relevant local authorities and county sports partnerships to meet urgently to identify a way forward. It is only through local collaboration and the drive of the community that meaningful progress can be made.

I thank all the Members who participated in today's debate. Their contributions have been thoughtful and insightful. The points that have been expressed have been well made and I hope that progress on this matter will be forthcoming, because, like everyone else in this Chamber, I passionately believe that sport should be for everyone and is at the heart of a happy and healthy nation.

5.26 pm

Ben Bradley: I thank the Minister for her response to the debate, for her consideration of this issue and for touching on the many positive things that the Government are doing to help grassroots sport. I particularly welcome her interest in discussing the matter with CISWO and the national governing bodies of sports. I would appreciate her help to facilitate that, whether the discussion is about finding new money—I have spoken to the Treasury about this issue—or how we co-ordinate and bring together the partnerships that she has mentioned, to make sure that any new money reaches the kind of facilities and communities that we have been discussing today. All of that would be very welcome.

I apologise for coughing my way through the debate; my next speech is about weaponising toddler germs for use by the Ministry of Defence. *[Laughter.]* My hon. Friend

the Member for Ayr, Carrick and Cumnock (Bill Grant) made some comments about the historic success of local clubs and sportsmen, and the positive contribution that lottery funding can make, which was a very good point to include. The right hon. Member for Rother Valley (Sir Kevin Barron) told us about his experience of local clubs and laid out the challenges with CISWO. We have touched on how important it is that we can bring CISWO funding together and get CISWO to put a plan together, as the hon. Member for Bassetlaw (John Mann), who represents a constituency neighbouring mine, mentioned. His point about NHS involvement was interesting; the health aspect of sport is certainly critical. He is right to say that it is the parents and grandparents of children who are the health priority in areas such as ours, and sporting facilities are clearly an access point for health services to reach those people. My hon. Friend the Member for North East Derbyshire (Lee Rowley), who is my Nan's MP, touched on the community spirit that remains in coalfield areas, and the resilience and grit of these communities. He is absolutely spot on.

It was a shame, therefore, after such a positive debate about the future of our communities that the hon. Member for Tooting (Dr Allin-Khan), who is the shadow Minister, could not help harking back and politicising the issue. I find that even in communities such as ours, my constituents tend not to appreciate that. My predecessor's will to continue to do that is part of the reason that I am now here in Parliament, truthfully. I find that very interesting.

I strongly believe that investing in sports provision in coalfield communities should be a huge priority, particularly in terms of improving the health and wellbeing of those communities. Without spending a great deal of money, there are opportunities to create a really positive legacy for the coal industry and these communities.

I appreciate everybody's support here in Westminster Hall today and I am grateful to have had the opportunity to raise this issue.

Question put and agreed to.

Resolved,

That this House has considered sports facilities in coalfield areas.

5.29 pm

Sitting adjourned.

Written Statements

Wednesday 24 October 2018

TREASURY

Valuation Office Agency

The Financial Secretary to the Treasury (Mel Stride):

I am today announcing the start of a tailored review of the Valuation Office Agency (VOA). As an Executive agency of HM Revenue and Customs, the VOA is required to undergo a tailored review at least once in each Parliament. The structure, efficiency and effectiveness of the VOA and the governance arrangements it has in place will be considered as part of this review. I will inform the House of the outcome of the review as appropriate.

[HCWS1092]

EDUCATION

Teachers' Pay Grant

The Minister for School Standards (Nick Gibb): Today I am confirming the allocations for the teachers' pay grant for 2018-19.

The teachers' pay grant was announced on 24 July by the Secretary of State for Education. This will be worth £508 million in total and will fully fund the 2018-19

academic year pay award to the end of the spending review period, over and above the 1% rise schools would have expected and been planning for.

On 14 September the Department for Education published the rates and high-level methodology for the teachers' pay grant.

The grant will be paid to all state-funded schools and academies, including maintained nursery schools. This will be on the basis of pupil numbers in mainstream schools, and place numbers in special schools and other specialist provision. All schools will be funded for at least 100 pupils or 40 places.

Funding for mainstream schools will be allocated on the basis of pupil numbers and each school will have a specific allocation which cannot be modified by the local authority.

Local authorities will receive an allocation in respect of specialist provision in their area. This will be based on the number of places in each school, with all schools being funded for at least 40 places. The local authority will have the flexibility to allocate funding to the schools in their area, taking into account the particular circumstance of the schools and following consultation with them.

Further details and guidance will be published on gov.uk.

[HCWS1028]

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